Executive Summary

Observers agree that Parliament is more active and backbenchers have more influence than in the past. Some of the most valuable work of parliamentarians is the least visible to the public. Select Committees are playing important roles in scrutiny and debate but they could improve their communication, management and processes of public engagement.

I make recommendations about improving communication, undertaking more strategic reflection, encouraging effective participation by members, and enhancing both public engagement and the interpretation of evidence. I then explain these recommendations in more detail, referring to the findings of a two-year qualitative research project about the work of MPs.

Summary recommendations for committees

a. Committees might encourage the media to cover a wider range of select committee work by offering more human interest stories (Paragraphs 4-5).

b. In communicating the work of committees more might be made of the cross-party collaboration, not to denigrate party political work – which is also essential to democracy – but to point to the variety of working modes and loyalties that MPs deal with simultaneously (Paragraph 5).

c. A greater emphasis on the scrutiny of implementation and practice (rather than just policy) when communicating about committee work would be consistent with the latest academic thinking on policy processes and appeal to the public (Paragraph 6).

d. Select committees might make a point of making sure that the contribution of women committee members is equally recognised by both parliament and if possible, by those reporting on it (Paragraphs 8-9).

e. If Committees adopt the Liaison committee recommendation of strategic discussions, they might also consider putting the following topics on the agenda: attendance of members, media coverage, the specific types of evidence, and public engagement (Paragraphs 11- 13).

f. Committees might consider developing a good practice guide to encourage effective participation by committee members (Paragraph 13)?

g. The quality and context of evidence in different cases is worth detailed consideration and discussion by committees during each enquiry (Paragraphs 14-17).

h. All witnesses should be taken seriously even if less proficient at the process of giving evidence (Paragraph 17-20).
i. Committees should find ways of reaching less visible groups – e.g., young and elderly people – through increasing the number of hearings out of Westminster, and visits around the country, and commissioning research or consultation (Paragraph 20).

j. The Child Rights Director and Children’s Commissioner could advise committees about conducting consultation with young people (Paragraph 20).

k. The guide for witnesses could explain that there are different types of enquiry. More could be done to reassure ‘friendly’ witnesses that they are not in a court but rather in a scrutiny committee of parliament that is interested to learn from their perspective (Paragraph 21).

l. Witnesses might be given the space to articulate whatever they see as the most urgent issue – at the beginning or end of the session – as a matter of course and more opportunities to discuss with MPs rather than merely answer questions (Paragraph 22).

m. Guidance from MPs with long-standing experience, and advice from social science researchers, could complement existing training by barristers who specialize in a particular kind of questioning (Paragraph 23).

n. It would be worth commissioning research that reviews committees’ public engagement to see (a) how different groups of people (public, journalists, professionals, MPs, academics) rate their experience of giving evidence to different committees, (b) how they understand and view select committee work (Paragraph 24).

o. My suggestions above about more reflection, scrutiny of evidence and research will only be possible if MPs do fewer enquiries, aiming for quality rather than quantity, and committees are better-resourced. Not to fund parliament adequately, including its select committees, would be a tragic wasted opportunity. It would benefit not only all government departments, but relations between parliament and the public, to resource select committees more generously.

Introduction

1. Since October 2011 my qualitative, independent research about MPs’ work (funded by a Leverhulme Research Fellowship) has entailed (a) observing debates/meetings in Westminster and constituencies, (b) pre-arranged unstructured interviews with 100 MPs, former MPs, officials, journalists, MPs’ staff and committee witnesses, (c) compiling four case studies (including the family justice part of the Children and Families Bill). I observed sessions of eleven committees during 2012-13. Some of the interpretations of organisational processes derive from my own experience as a former Director of a non-governmental organisation.
2. In this evidence I focus my comments on the approach of committees to evidence, witnesses and interaction with the public as well as your aims to be understood by the public, respected for integrity, and to revive faith in the value of parliamentary democracy (Liaison Committee, 2012, p48).

**Faith in the value of parliamentary democracy**

3. The influence of select committees offers huge potential to enhance public understanding of the scrutiny role of parliament. It is a promising indicator of your confidence and standing that the Liaison Committee 2012 enquiry was so open to constructive criticism and so ready to address failings or missed opportunities. It is also exciting to see the Liaison Committee putting into practice its own recommendation about doing follow-up in this enquiry.

4. The majority of the public mainly hear about select committees through the increasing news coverage. The media tend to cover the most acrimonious sessions (e.g., phone hacking, corporate tax), which may be popular with some viewers/reading but add to the mistaken impression that MPs’ mode is always antagonistic. Finding new ways to encourage the media to cover the collaborative aspects of committee work more frequently as well would be useful for public understanding. Since this goes against the grain of most political news reporting, human-interest stories that come out of sessions could perhaps draw them in. For example, the Select Justice Committee secured more thoughtful coverage about parenting following its report on their pre-legislative scrutiny of part of the draft Children and Families Bill than this issue usually inspires. (1)

5. Although select committees are inevitably political – in the sense of making judgments about who to listen to and which arguments to make prominent – they very rarely promote the interests of a particular party and their reports almost invariably contain cross-party views. In communicating about committees far more might be made of this, not to denigrate party political work – which is also essential to democracy – but to point to the variety of working modes and loyalties that MP deal with simultaneously.

6. When explaining committee work parliament is inclined to stress their scrutiny of policy: ‘select committees should influence policy... This is our first objective’ (Liaison Committee, 2012, p8). However, the Liaison Committee was clear that committees are also concerned with implementation and practice. A greater emphasis on the scrutiny of practice when communicating about committees would be consistent with the latest academic thinking on policy processes (Davies, Nutley and Smith 2000; Stacey 2011) but would also appeal to the public. It underlines that parliament is not just concerned with texts, ideas and rhetoric but with putting them into actions and having impact on people’s everyday lives.

7. Diversity in parliament is important for its reputation. It continues to be embarrassing for the UK that women and Black/Asian people are under-represented in parliament. Similarly, less that one fifth of Committee Chairs were female.
8. Women MPs in all parties have observed that in a mixed gender group when women are outnumbered, which is the norm in Westminster, in the media and within political parties, then women struggle harder to be heard. A woman can make a point that is ignored but when repeated by a man gets the response, “that is brilliant!” This raises a question about whether the contributions of women committee members or female witnesses are equally valued in select committee sessions. It might be interesting to assess the views of female witnesses to see whether they feel their voices have been heard properly and what more might be done to facilitate that.

9. The media tend to report more favourably on men than women MPs. Some political commentators refer to male MPs as cerebral and dwell on their political abilities but on women MP’s appearance. When members of the Treasury Select Committee were rated by journalists for their performance at one session of their inquiry into Barclay’s fixing of rates, the men MPs were given between 5/10 to 8/10, while the three women had 4/10 (unfairly in my view) (Elliot and Treanor, 2012). Perhaps committees might encourage journalists to value the contributions of members on the basis of merit rather than identity.

Management of committees

10. The election of committee chairs by the whole House has been mostly positive. However, MPs have told me that Chairs vary in the extent to which they carry other committee members with them. There is high agreement between MPs about which Chairs show leadership – ensuring that the committee is well-run and gains influence – without personally stealing the limelight or driving through their personal views. Some continually innovate and find ways around challenges, e.g., making sure that MPs only ask witnesses questions if they are present for the whole session (or at least for that panel of witnesses) and varying the style of questioning for the type of witness.

11. In general, those who give evidence to committees, or observe their proceedings, are impressed by many aspects of the process, e.g., the outstanding skill of committee clerks/staff, the high quality of reports and the breadth of experience of most committee members (including that derived from MPs listening to their constituents). They are less impressed by MPs leaving mid-meeting, those committee members who do not appear to understand the questions they are asking, and a feeling of some that they are not listened to carefully. Many pointed out that committees vary. One regular said he reports regularly to two committees: in one he feels like a prop in a show, in the other his evidence is considered thoughtfully and thoroughly. Perhaps the Committees should consider developing a good practice guide, to encourage effective participation?

12. The idea of encouraging reflective discussion within committees about their specific purpose, objectives, programme of scrutiny, and their own performance (Liaison Committee, ibid, rec. 24) may inspire better attendance and a wider sense of ownership across the committee. It would also bring new members up to speed far more effectively
that a separate induction. This flexible and discursive approach to being strategic seems far more sensible, and better suited to the scrutiny role, than a managerial approach with targets, rigid plans and evaluation of intentions rather than a review of responsiveness and achievements.

13. Committees might also consider putting the following topics on the agenda for private strategic discussions among themselves: attendance of members and media coverage (see above) as well as evidence and public engagement (discussed below).

Evidence

14. Since different types of evidence are useful for different types of enquiry, the recommendation that committees experiment with a range of approaches would strengthen the rigour of the evidence they rely on.

15. Some policy-makers treat quantitative methods as more reliable than qualitative ones, with randomized control trials being the ‘gold standard’, despite the philosophical problems of such a position (Stacey 2011). Most researchers would agree that different methods are required to answer different types of questions for different purposes. Scientists tend to be interested in producing universal, predictable laws by generalizing from the particular while lawyers aim to establish facts in specific cases (Latour 2009). Lawyers believe that fact and interpretation can be separated, whereas many philosophers argue they can’t (Bourdieu 1977). Although ‘anecdotal’ evidence is sometimes treated as inferior, its value varies and depends on the context. If you are disapproving a generalization, then one example (or anecdote) may be a powerful piece of evidence whereas if you are building a generalization one example may not take you very far at all.

16. So, when witnesses, or MPs for that matter, refer to personal experience, this is not necessarily of a lower quality in terms of evidence than data produced by a large survey. For example, in the scrutiny of the Children and Families Bill professionals (e.g., judges, lawyers, social workers) as well as young people (e.g., invited to the Lords Adoption Committee and APPGs) brought valuable personal experience into the debate. But personal experience can have a narrow slant. Several MPs referred to problems that constituents (in this case divorced parents) had brought to them on this issue. Although these stories constitute evidence of a problem, the context they have come out of is relevant, as Lord Mackay of Clashfern points out, ‘There is a possibility that Members of Parliament get a slightly distorted picture of what goes on in the courts, because the people they see at their surgeries are generally not those who have won. People do not normally come along to say how well they have got on’ (2013). Furthermore, problems brought to constituencies do not translate neatly into solutions, which can only emerge once you have taken account of other interests (in this case the paramount one being that of children).
17. Assumptions tend to be made by policy-makers, including MPs, that some groups have more vested interests than others; but since all stakeholders and researchers filter their evidence through their own interests, opinions and value judgements, an entirely impartial view is rarely possible. Whatever the merits and subjectivities of different arguments, my point is that the history, quality and context of evidence in different cases is worth detailed consideration and discussion by committees during each enquiry.

18. Some ‘experts’ appear to be taken more seriously than others by committees. For example, lawyers and academics are professionally trained to deal with evidence and to put arguments in court-like and enquiry environments so find it easy to be a witness. Some professionals with less experience of public speaking struggle harder to establish credibility. This does not mean that their opinions should be downgraded when MPs are weighing up the different types of evidence.

19. Robert Hazell drew attention to the usual suspects returning to speak to some select committees during the Liaison Committee’s 2012 enquiry. On the one hand, building a relationship with particular organisations (e.g., UCL, Institute of Government, Hansard Society, LSE on the issues relating to parliament) and experts makes sense, particularly in view of the need for more evaluation and follow-up of and by committees. At the same time it is highly commendable that committees are also experimenting with ways to broaden and strengthen public engagement. When calling for evidence committees might also consider soliciting suggestions for witnesses at the same time, particularly witnesses who do not usually have the opportunity to influence policy-makers.

20. The Liaison Committee has suggested that principles of diversity and inclusion should influence planning (rec. 31). Since Committees understandably invite witnesses who represent the interests of wider groups, certain groups are less visible in enquiries: for example, young and elderly people. Visits by committees allow interaction with these groups. Partly to amplify this, it would be extremely positive to hold more discussions, and even formal hearings, out of Westminster, not just for the quality of enquiries but for the reputation of parliament. Commissioned research to seek the diverse and varied opinions and reflections of these groups could be used more often as well. The Child Rights Director and Children’s Commissioner consult children regularly and have already assisted parliament in ensuring that their voices are heard on issues that affect them. They could assist committees more regularly in facilitating (or advising about) consultation with young people.

Process of questioning and public engagement

21. The language and process of ‘taking evidence’ from ‘witnesses’ in a ‘hearing’ gives the impression that select committees are like courts. In the parliamentary guide for witnesses we are told that we will be punished if we don’t tell the truth. (2) While the court-like approach, and threats of punishment, may be appropriate for enquiries that are investigating or evaluating organisations, the different approach could be made even
clearer to ‘friendly’ witnesses when listening to their evidence. Many MPs already adjust their style of questioning to be far gentler when talking to junior civil servants, experts or members of the public to understand their views. But more could be done to reassure witnesses that they are not in a court but rather in a scrutiny committee of parliament that is interested to learn from their perspective. New witnesses might be offered the chance to meet with a staff member before giving evidence to discuss what is involved.

22. The guide also states that opening statements are rare and so witnesses should put such views in writing (p9). It is clear that this is efficient when the committee is short of time. Deft witnesses manage to convey what they want to say irrespective of the questions they are asked. However, for those that find the court-like atmosphere alien, or even intimidating, the opportunity to convey what they deem to be most urgent is sometimes lost. Although they can write in advance, not all MPs have time to read all the written evidence and this leaves no scope for ideas to emerge collectively in discussion with MPs. Articulating a position can be far easier when you meet your audience because you can adapt your language to make it clear to that particular group of people in ways they will understand (as MPs are expected to do everyday).

23. MPs already appreciate the importance of the art of questioning but in the insane rush of MPs’ multiple roles, the calm required to ask good questions can be difficult to find. Some MPs (with or without guidance of officials) excel at designing the best question for the appropriate moment, e.g., not leading the witness but asking open questions if trying to discover their view; avoiding aggression if a defensive witness is unhelpful; or a precise, clear question repeatedly put if a Minister is attempting to be evasive, and so on. Guidance from MPs with long-standing experience, and advice from social science researchers, would complement the existing useful training provided by barristers, who specialize in a particular kind of questioning.

24. It would be worth regularly commissioning research (e.g., by the Hansard Society) that reviews committees’ public engagement – one of the most positive aspects of the work of parliament – to see (a) how different groups of people (public, journalists, professionals, MPs, academics) found their experience of giving evidence to different committees, (b) how these groups understand and view select committee work.

Notes
(2) http://www.parliament.uk/documents/commons-committees/witnessguide.pdf
References


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