1. The evidence presented below addresses the public engagement and new technologies aspects of the committee’s call for evidence. We submit this evidence as academics who have carried out extensive research into public engagement and the legislative process. In particular, we draw here on research we have carried out into Parliament’s 2013 public reading stage pilot [British Academy/Leverhulme grant reference: SG141934]. This pilot enabled members of the public to comment on the text of the Children and Families Bill following its second reading in the Commons. A total of 1024 individuals/groups took part in the pilot. Our research explored the motivations for public involvement; the challenges for the public in taking part in legislative scrutiny and the impact of the publics’ comments on the parliamentary scrutiny of the bill.

2. On the basis of this study we highlight the following key findings:

- The timing of public engagement and the integration of the public’s contributions into the legislative process are crucial if they are to have any real impact on legislation.
- Parliament’s website should move beyond fixed structures of the legislative process and particular pieces of legislation towards the inclusion of a more thematic or issue based approach to broaden the scope for public understanding and involvement in legislative scrutiny.
- Opportunities for the public to comment on legislation should be publicised widely, to reduce the need for interest groups to act as intermediaries.

3. The importance of providing adequate time for public comment on legislation and for MPs and Peers’ consideration

3.1 It is well-established that it is difficult for non-government MPs to amend legislation in the House of Commons in the chamber or in the committee rooms. Public contributions to legislative scrutiny face similar challenges. Inviting comments at any point following a bill’s second reading debate, whether this is in the Commons or Lords, limits the scope for substantive change to be made to legislation as the key principles are already fixed. From this point, the impact of the public’s contribution is limited to occasions where it supports actions already being taken by MPs or peers and can therefore be used as supporting evidence during the consideration of amendments. The public should therefore be asked to comment on legislation at the earliest stage possible.

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1 Our project report can be found at https://publicreadingstage.files.wordpress.com/2016/02/prs-research-report.pdf
4. Ways to integrate evidence from the public more fully into the formal legislative process

4.1 If evidence from the public is to have value it needs to be properly integrated into the legislative process. MPs and Peers must read it and take it into consideration during legislative scrutiny. This does not necessarily mean that legislation changes as a result of public scrutiny, but that it should inform the debate on bills. Parliament has a role to play here in spreading awareness of this evidence to all MPs and Peers, especially those who will be heavily involved in scrutiny (e.g. bill committee members, party spokespersons, committee chairs). Other routes could also be considered. For instance, comments submitted by the public could be tagged to debates on the bill in a similar way to select committee reports, a small amount of time during a bill’s second reading or committee stage in either house could be allocated to a discussion of the public’s view, or public comments could be linked to relevant features of the bill or the debate on parliament’s website, so that this evidence is seen to be weighted more heavily than at present where it can often be hidden away.

5. Improving Parliament’s website to make legislative scrutiny more accessible to the public

5.1 Technology is key to encouraging public participation in legislative scrutiny. Participants in the public reading pilot were clear that they were more likely to take part in an online discussion because “you can express yourself online” in ways which would be more difficult in another public forum. The public reading stage pilot therefore demonstrated the real value which the public scrutiny of legislation can bring to Parliament. Participants were able to submit genuine accounts of the difficulties they faced, highlighting how the proposed legislation would affect their everyday lives. Over 40% of the comments were motivated by the individual’s personal circumstances, including the challenges of looking after children with allergies or disabilities, experiences with family courts and visiting rights for fathers.

5.2 Yet at the same time it demonstrated the need to make legislation and the process by which it is considered more accessible. Parliament has taken notable steps forward in terms of explanatory notes, but bills are often still too long and complex for members of the public to read. One participant in the public reading stage for example explained their difficulty in taking part in the scrutiny, asking simply “How many families would read a document 185 pages long with over 70 confusing clauses?” (GC121). Participants tended to be very passionate about a particular issue and thus often sought to focus on one specific part of clause of the bill, or wanted to find out information about what a particular clause would mean for them. This type of information was difficult to find from parliament’s website.

5.3 It meant that the public relied heavily on intermediaries –in the form of interest groups – who have the resources to interpret legislation on their behalf. Interest groups can facilitate the public scrutiny of legislation by increasing awareness of it among their members. But when the public rely too heavily on interest groups to interpret legislation,
their comments become more formulaic and repetitive. Although 69% of the comments left during the public reading pilot came from individuals, most had been informed about it by an interest group and many simply copied and pasted interest group concerns directly into the comments tool on parliament’s website. This repetition of comments diluted some of the very real feedback from genuinely concerned individuals who would be directly affected by the proposed legislation.

5.4 **Displaying legislation in terms of its key issues/content rather than by the structure of the bill’s clauses, with some easily accessible facts and figures would help mitigate some of its complexity and make it easier for the public to contribute to its scrutiny. Publicising calls for evidence more widely would reduce the need for interest groups to act as intermediaries.**