At the end of our witness session on 11 July, at which we discussed the mechanics of post-legislative scrutiny, committee membership and the choice of topics to scrutinise, you suggested that I could write to you further about issues I raised. There were two that may have been novel.

1. The choice of members of committees. I have looked at the membership of the EU Select Committee and its six subcommittees. In so far as one can deduce from comments reported in Hansard, only about 3 of the approximately 70 members involved were avowed “leavers”, while many more were outspoken “remainers”. Some had never expressed reported views on withdrawal. In such an important area, it seems to me that alongside proportionate party membership, there should be representatives of both sides of the withdrawal debate. It is after all a division that goes deeper than and cuts across party affiliation. If there is no input from leavers, as must be the case in many reports from those committees, then inevitably the reports’ conclusions will be reflective only of the “withdrawal is a catastrophe” school of thought.

2. Private members’ bills. The subjects of those bills for the most part represent interesting and topical issues that are fairly limited in scope. A ballot is an unsatisfactory way of choosing between them, given the limitations on legislative time. Under the present system, topics that might seem to be less important than others or, for whatever reason, have little hope of success may win the highest positions. It would make more sense for a committee or even the Whips’ Office to choose a top half dozen bills from the submissions and help them on their way. Better still would be the possibility of peers’ voting to select the few most meritorious ones. Then there could be drafting assistance for those bills. A private member, without organisational backing, has no resources for accessing professional drafting by counsel.

yours sincerely,

Ruth Deech

July 2018