Chapter IV

Commitees in Britain

Background

Types of Committees

Constitution of Committees

Terms and Procedures

Case Studies of Some Important Committees

Conclusions
Background

The British Parliament makes extensive use of Committees in several aspects of Parliamentary functions - procedural, legislative and investigatory. To trace the background of the Committees, since the middle of the nineteenth century they have been in operation.¹ But they were actually meant for specific purposes on an ad hoc basis, not so much an integral part of the House of Commons. From 1907, they really came into being, dealing with significant proportion of public bills. Then pressure was mounted in the inter-war period for creation of a wide ranging Committee system, but the pressure did not work until 1955 when a particular Committee was set up to investigate Nationalised Industries. This Select Committee on Nationalised Industries came into existence under determined pressure from the Conservative backbenchers; the Nationalised Industries were getting increasingly insulated from Parliamentary pressure. The Committee reflected a wider concern about the state enterprises managing their own affairs. This Committee conducted itself so well that it became a model for a range of investigatory Committees being demanded by Parliamentary reformers.²

The success of the Committee on Nationalised Industries created another wave of demand for a fully-fledged system of Committees in 1950s and

² For a detailed account of the Nationalized Industries Committee, see David Coombes, *The Member of Parliament in Administration: The Case of Select Committee on Nationalized Industries* (London: George Allen and Unwin, 1966).
1960s, both inside and outside Parliament. Inside Parliament a number of back bench MPs, especially the first timers, in 1959 and 1964 asked for greater use of investigatory Committees. Outside the Parliament, Bernard Crick’s seminal works on Parliamentary reforms provided enough back up for the demands made within the Parliament. As a result of all these developments during the period of the Labour government from 1964 to 1969, new Committees were set up. Significantly a Committee on Procedure was set up to prepare a report on a wide-ranging scrutiny of government policies. This Committee was also assigned the task of suggesting the abolition of existing Committees and their replacement by new ones. The report of the above Committee provided the basis for change introduced by the newly elected Conservative government in 1970. Again in 1979, following a report of the Committee on Procedure there was further shake up of the Committees; some Committees were abolished and some new ones were created.

The origin of the present system of the Committees is traced to the growing realisations, since the mid-19th century, that the rapid expansion of the activities of the state and the development of the party system were making it difficult, for various reasons, for the Parliament to control the executive. Commenting on the situation Ivor Jennings wrote: “The only solution of this

---


problem is the extension of the Committee; such a Committee would be a permanent departmental Committee and make for stronger and more democratic government.\textsuperscript{6} They would bring the government more closely into touch with the public opinion without weakening its power to govern.\textsuperscript{7}

Towards the end of 19\textsuperscript{th} century there was a decline in the number of Select Committees, with a few notable exceptions. Royal Commissions and Departmental Committees had largely replaced them. The trend continued upto 1945 as only a handful of Select Committees considered matters of public policy.\textsuperscript{8} Also Select Committees have been thoroughly distrusted and disliked by the whips despite government majority on them. They had an awkward tendency to develop cross-bench sentiments and shocking habits of considering the executive as guilty.\textsuperscript{9}

The 1959 Procedure Committee while examining arguments for Committees, particularly a Special Committee on Colonies, said that the main arguments against the Committees and one which convinces us lies in the nature of the Committees which in our views would constitute a radical constitutional innovation.\textsuperscript{10} The concern underlying this statement was that although Committees were not to be given any real powers of direct interference, their activities would be aimed at controlling the policies and

\textsuperscript{7} Ibid., p.160.
\textsuperscript{9} Ibid.
\textsuperscript{10} UK, House of Commons, Report 92, 1958-59, para 47.
actions of a department. This would amount to usurping a function, which the House itself never exercised. Although the House had the right to criticise the executive and to withdraw its confidence, it was careful not to arrogate itself any of the executive power. The concern was articulated by Ronald Butt, “that a proliferation of Parliamentary Committees to examine government work in progress might impede than aid the basic political functions of Parliament”.

The arguments against specialised Committees continued till late 70s, as did the arguments for constitutional reform. Arguments against Parliamentary reforms centred on a dilemma that strengthening the House of Commons would diminish the power of the executive. Alternatively, it was difficult to empower the Parliament through the Committees without reducing those of the executive. The proponents of the Committee system argued that the only effective sanction of the executive is the ability of the electors to turn it out during elections, when political issues got dramatised and simplified before the public. The House can become a representative body, “conscious of its quasi-separation from government and of its right to share in some of the decisions of government.” The latter option would mean significant changes in the system of government, and that was what led to reforms.

13 Ibid.
Parliamentary reform was on the national agenda in the 1960s and 70s and figured in the manifestoes of the parties. Labour Party's 1966 manifesto also mentioned Parliamentary reforms. Richard Crossman, the Leader of the House, while introducing the range of reforms, in a speech, said, "I now turn to what is perhaps the most important aspect of Parliamentary reform, the extension of our Committee system and in particular, the extension of specialised Committees".\textsuperscript{14} As a result of this campaign during the 1966-70 Parliament, six so-called Crossman Committees were established; Agriculture (1966), Science and Technology (1966), Education and Science (1967), Race Relations and Immigration (1968), Overseas Aid and Development (1969), and Scottish Affairs (1969).\textsuperscript{15}

**Types of Committees**

In the British Parliament both Houses have an elaborate system of Committees comprising Committees of the Whole House, Standing Committees and Select Committees.\textsuperscript{16} Let us trace the evolution of the types of Committees.

The Procedure Committee published in 1960 a report on the scrutiny of public expenditure and administration.\textsuperscript{17} The Committee recommended that there should be a Select Committee on Expenditure. The terms of reference

\textsuperscript{15} Ibid.
\textsuperscript{17} UK, House of Commons, 410, *First Report*, 1968-69.
of the Committee were: to consider public expenditure and to examine the
form of the papers relating to public expenditure presented to the House.\(^{18}\)

The genesis of the new Committee structure, introduced in 1979, goes back
to the decision of the Labour government in 1975 for major review of the
practice and procedure of the Parliament. A Select Committee established
for the purpose, in its first report, expressed the concern that the balance of
advantage between the government and Parliament was “weighted in favour
of the government to a degree which aroused wide spread anxiety and is
inimical to the proper working of Parliamentary democracy”.\(^{19}\)

Michael Foot, the Leader of the House, talking of the Committees vis-à-vis
the House said: “We have, therefore, taken great care to weigh the
advantages of a rational and effective system against the need to retain the
Chamber as the focus of the political and legislative work of Parliament and
to protect, and if possible, enhance the opportunities of the individual
member to influence the decisions of the House.\(^{20}\) The Committee on
Procedure summed up its recommendations: “Committees are not... an end
in themselves, but are means to secure greater surveillance of the executive
by Parliament.”\(^{21}\)

The Committee on Procedure noted that despite growth in size, powers and
functions of Select Committees since 1964, “the development of the system

\(^{18}\) Ibid.

\(^{19}\) House of Commons, 588, First Report, 1977-78, para 1.5.

\(^{20}\) Ibid., para 1.8.

\(^{21}\) Ibid., para 1.12.
has been piecemeal and resulted in a decidedly patchy coverage of the
government departments and agencies and the major areas of public policy
and administration. And, further, the Committee on Procedure suggested that
the House should no longer remain content with such an incomplete and
unsystematic scrutiny of the executive, a reorganisation of the Committee
structure for continuous and systematic scrutiny of the activities of the
executive was timely and in order. The Committee proposed the creation of
a system of Subject Committees with the responsibility of one or (a related
group) of government Departments. A motion to create Departmental
Committees was placed and overwhelmingly approved by 248 votes to 12.
The Committees appointed under paragraph 1 of this order (motion), the
principal Departments of the government with which they are concerned, the
maximum number of each Committees, and the quorum in each case is
given in the following table.

Subsequently, there were several Parliamentary and academic reviews of the
system, culminating in the 1990 Procedure Committee Report. Following
the report, changes were made to the Departmental Committees; maximum
number in each Committee became 11 and 4 more Committees were created.
The version of the Committee system in 1990s is given in the following
table.

---

22 Ibid., para.5.25.
<table>
<thead>
<tr>
<th>Names of Committees</th>
<th>Principal government departments concerned</th>
<th>Nos</th>
<th>Quorum</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Agriculture</td>
<td>Ministry of Agriculture, Fisheries &amp; Food</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>2. Defence</td>
<td>Ministry of Defence</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>3. Education</td>
<td>Department of Education</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>4. Employment</td>
<td>Department of Employment</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>5. Health</td>
<td>Department of Health</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>6. Environment</td>
<td>Department of Environment</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>7. Foreign Affairs</td>
<td>Foreign and Commonwealth Office</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>8. Home Affairs</td>
<td>Home Office; Policy, Administration &amp;</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Expenditure of the Lord Chancellor's</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Department (including the work of staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>provided for the administrative works of</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>the courts &amp; tribunals but excluding</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>consideration individual cases &amp;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>appointments); and Administration and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expenditure of the Attorney General's</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Office, The Treasury, Solicitor's</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Department, the Crown Prosecution Service</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&amp; the Serious Fraud Office (but excluding</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>individual case &amp; appointments &amp; advice</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>given within government by Law Officers)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Trade &amp; Industry</td>
<td>Department of Trade &amp; Industry</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>10. Social Security</td>
<td>Department of Social Security</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>11. Transport</td>
<td>Department of Transport</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>12. Treasury &amp; Civil Services</td>
<td>Treasury, Office of Public Service &amp; Science (but Excluding the Office of Science and Technology &amp; the drafting of Bills by the Parliamentary Counsel Office), Board of Inland Revenue, Board of Customs and Excise</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>13. National Heritage</td>
<td>Department of National Heritage</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>15 Welsh Affairs</td>
<td>Welsh Office</td>
<td>11</td>
<td>3</td>
</tr>
<tr>
<td>16. Scottish Affairs</td>
<td>Scottish Office; and Administration and Expenditure of the Lord Advocate’s Departments, together with policy functions discharged by the Lord Advocate through the Scottish Courts Administration, but excluding consideration of individual cases and appointments, advice given within government by Scottish Law Officers and the drafting of Bills.</td>
<td>11</td>
<td>3</td>
</tr>
</tbody>
</table>

On the composition of the above-mentioned Committees, it was remarked that the House was “embarking upon a series of changes that would constitute the most important Parliamentary reforms of the century. The proposals are intended to redress the balance in favour of the House in order to enable it do more effectively the job it has been elected to do.”

Committees of the Whole House

As its name indicates, either House may resolve itself into a Committee known as the Committee of the Whole House. It is really no more or no less than the House itself meeting in a formal manner in more flexible terms. The Committee of the Whole House is meant to consider bills in detail, clause by clause after the Second reading. There are two types of the Committee of the

---

Whole House; (i) the Committee on the ordinary financial arrangement of the year known as Committee on Supply, and Committee on Ways and Means and (ii) Committee on Public Bills.26

Standing Committees

Standing Committees are set up on a temporary basis for a specific function, to examine a particular Bill. Standing Committees can be created as necessary, or, at any time, by invoking the Standing Order No.60 (S.O.No.). There is no limit to the number of Standing Committees nor those dealing with the Bills. Simply known as a, b, c, usually they are not more than 6 or 7 in a Session. Standing Committees can be divided into four categories: (i) those appointed to consider Public Bills; (ii) those appointed to deal with delegated legislation; (iii) two Committees to consider European Documents (1980); (iv) the three Grand Committees - Scottish Grand Committee (1957), Welsh Grand Committee (1960), and Northern-Ireland Grand Committee (1975), and the Regional Affairs Committee (1975).27

Select Committees

Select Committees cover a wide range of issues from scrutiny to providing services; therefore the number and categories of Select Committees also are greater. Select Committees are classified into Scrutiny Committees, Domestic Committees, Departmental Select Committees, and other Informal

Committees. In another way Select Committee can be divided as Ad-hoc Committees, and Sessional Select Committees. Ad-hoc Committees are set up from time to time for some enquiry that is specific and limited in its extent. Ad-hoc Committees, which are limited in membership to 15 members only, are less today than in the 19th century. Between 1867 and 1900, there were, on average 33 Select Committees appointed each year, but between 1945 and 1979 the average was only 15 a year.28

The Sessional Select Committees are set up at the beginning of each session and are, in effect, permanent features of the House of Commons’s Committee system. They are growing and contributing significantly to the work of the House. Scrutiny Committee consists of those on Deregulation, European Legislation, Environmental Audit, Committee on Public Accounts and Committee on Public Administration.

The Domestic Committees on the basis of provision of services to the House, are: Accommodation and Works; Administration; Catering and Information; Finance and Services. In addition, Committees concerned with the House and its administration belonging to domestic categories are Broadcasting, Liaison, Standards and Privileges, Procedure Selection and Modernisation of the House of Commons. Joint Select Committees include Committee on Statutory Instruments, Consolidation of Bills, and on Parliamentary Privileges (1997). These Joint Committees are created from time to time as the need arises.

28 Bernard Crick, The Reform of Parliament, n.8, p.94.
Departmental Select Committees are permanent ones covering each aspect of government policies. They have evolved over a long period of time through different stages. These Committees were created, abolished and reinstated. Finally following the recommendation of a Select Committee on Procedure in 1978, a new Committee system was introduced in 1979. Originally fourteen, the number has now increased to sixteen, partly as a result of changes in the structure of government and the number of Departments covered. The current list of Committees may be seen in table in pages 88, 89 and 90.

It may be useful for the subsequent section to draw a comparison between the Standing Committees and the Select Committee; the difference is substantial. Lord Norton in an interview with the author brought out these differences. According to him the Standing Committee process is probably the weakest part of the Parliament in terms of substantial degree of scrutiny of public policy. That is the biggest area where the reform is needed. The Select Committee system is different; they are essentially backbench politics. They do not represent the House of Commons as such, they represent the party strength. More important, the Select Committees evolve a consensual approach and their membership depends upon specialization of individual members. They select the agenda and the public policy, prepares exhaustive reports and inform public policy. They have the capacity to call...

---

29 This paragraph is based on the author's extensive interview with Lord Philip Norton, on 24-10-2002, in London.
witness for evidence. The Standing Committees do not have such powers and are not effective as the Select Committees.

The other informal Committees, which deal with some particular issues, include Business Committees, Committees to Draw up Reasons, Hybrid Bill Committees, Private Bill Committees, Ecclesiastical Committee, and Unofficial Committee.

A brief mention may be made on some important individual Committees. The Committee of Privileges considers the complaints of breach of privileges; the delicate task of preserving the rightful privileges of the House. The Chairman and the members of the Committee have a sensitive task and they have to be fair, objective and impartial in the discharge of their duties.

The Estimates Committee, for reasons of effectiveness and in order to cover more ground, appoint sub-Committees which report to the main Committee. The Public Accounts Committee (PAC) is the oldest of the regular Parliamentary Select Committees consisting of distinguished and experienced members. However, its reputation and effectiveness are largely due to the support it gets from the Exchequer and Audit Department, which is headed by the CAG. A very senior civil servant of high calibre occupies this position; he is autonomous of both civil servant and the Minister and only both Houses of Parliament can remove him. So the working of the PAC and its effectiveness depends upon having adequate staff.
Composition of the Committees

The Committee of Whole House:

The origin of the Committee of the Whole House is traced to the seventeenth century, during the period of James I, who wanted to relax his control of the House. The Tudors preceding him had full control of the House, so Committees did not enjoy confidence of the House. They enjoyed the confidence of the King who indirectly influenced the appointment of their members. But the King James I desired that discussions in Committees should be held without fear and formalities. Under him, the importance of the Committee of the Whole House increased. And even today it is an important Committee.

The Committee of the Whole House consists of the members of House of Commons and House of Lords. The Committee is appointed by a resolution that the House shall immediately or on a future date, resolve into a Committee of the Whole House.

Standing Committees

The Standing Committees have their origin in mid-19th century, largely due to the advocacy of Erskine May, the authority on Parliamentary procedure. In a series of articles he advocated a system of Grand Committees, later known as Standing Committees to consider matters referred to them by the

---


House. Initially, two Standing Committees were set up to deal with Bills relating to law and court of justice and even procedure. And, secondly, the Bills concerning trade, agriculture, fisheries, shipping and manufactures. Afterwards, no serious attempt was made to strengthen the Standing Committee system until 1927 when Viscount Barnham initiated a debate pressing for the setting up the Standing Committee. He argued: “Our proceedings in regard to legislation have become a Parliamentary scandal”. In the post-war period, Standing Committees became important as they began to consider complex and controversial Bills. An experiment made in 1980 gave rise to Special Standing Committees, which are in fact, an amalgam of Select and Standing Committees.

A Standing Committee consists of a Chairman, appointed by the Speaker, and members ranging between 16 to 50, nominated by the Committee of Selection. While nominating the members, two considerations need to be kept in mind: one, the Committee of Selection should look at the qualifications of the Members being nominated; second, the balance of parties should approximate to that of the whole House. Membership of the most Committees are ad hoc, in the sense that the members are appointed differently from different Committees. The members of the Bill Committees and Delegated Legislation Committees are appointed afresh for each new

---

33 Ibid.
34 Ibid., p.270.
Bill. The members of the two European Standing Committees are appointed for a whole session. The membership in the Grand Committees is defined in Standing Orders. Those of four law officers of the crown, who are members of the House, may attend Standing Committees but speak, not vote, except in the Regional Affairs Committee.

Select Committees

Select Committees have a chequered history. The Tudor and Stuart Parliaments made extensive use of Select Committees. But from the mid-Victorian period onwards, the Select Committees were not much used. It was realised only recently during the second half of the twentieth century that the House could not handle the overload of responsibilities without extensively using Select Committees. Then in 1964, with Richard Crossman as the new progressive Labour leader of the House, further reforms of Select Committees was promised. Two new Select Committees, on agriculture, and science and technology, were created. Crossman stated that the establishment of new Committees was only “a cautious advance in the revival of Parliamentary control over the executive”.

These reforms were interpreted in two ways: one, that these Committees would not necessarily dilute the government power; and second, the establishment of the Committees would make the government more

37 Ibid., p.56.
accountable to the Parliament. A further step towards the growth of Select Committees came after the publication of a Report of the Select Committee on Procedure in 1969.\textsuperscript{38} The Queen’s Speech in 1975, during the Labour Government, promising a ‘major review’ of Parliamentary procedure, led to MPs voting got and the Select Committee on Procedure to carry out the task. Although the Government was sounding a red herring on the relationship between the executive and the legislature, in its first report in July 1978.\textsuperscript{39} The Select Committee on Procedure suggested a new balance; the Select Committees getting more investigative space of the actions of the government at every stage in the development of the policy. Select Committees, thus, got a proactive role, not simply serve as reactive mechanism to a policy, which had been already decided. As a result, the Committees rose in number in relation to various areas and departments. Fourteen new Select Committees were created. These reforms gave greater resources and research facilities to the new Committees. The Committee provided an alternative forum for MPs seeking to specialise in a particular field. Another important recommendation by the Committee was the permanence of the Select Committees, at least their life should by co-terminus with the duration of the Parliament. Prior to this suggestion by the Committee on Procedure, Select Committees were sessional.

\textsuperscript{38} UK, House of Commons, Report 401(1968/69).
\textsuperscript{39} UK, House of Commons, Report 588 (1977/78).
The members of Select Committees are nominated by the House. For Departmental Select Committees and Domestic Committees the necessary motion is made by the Committee of Selection. For other Committees, it is usually made by the government after consultation with the Opposition. A Select Committee chooses its own Chairman although there is always an informal understanding about the party from which the chairman will be chosen. Most Select Committees are appointed by Standing Orders, either without a time limit or for the lifetime of the Parliament. Select Committees are constituted on a party basis, the party membership of all the Select Committees are approximately proportionate to the party strength in the House.

With regard to the number the Committee members in the Lords, there is no rule limiting the number of members who may be named for a Select Committee, other than for a Committee on a Private Bill or on a Provisional Order Bill. But in the House of Commons the number is restricted to 15 members (under the Standing order number 75). This number of course can vary with leave of the House.

The members of Select Committees, are with certain exceptions, Selected and proposed in the House of Lords by a Committee of Selection. And in the Commons, unless the House orders otherwise, the House, upon the motion of some members, names the members of the Select Committee.

40 UK, Standing Order of the House of Commons, no.61.
Terms and Procedures of the Committees

The Committee of the Whole House

The Committee of the Whole House is the House itself with certain changes in terms and procedure. Like the House, in the Committee the government's guiding hand is not withdrawn, party lines are not relaxed, and voting is still controlled by the whip, all of which accounts for the fact that government prefers to have its important measures considered in the Committee rather than sent it to smaller Committees. 41

Unlike the Whole House, certain terms and procedures are relaxed in the Committee. The members have more freedom of debate as they can speak more than once on a particular question. A Bill that is referred to the Committee becomes subject of discussion in its full form, not parts. But, if a Bill is technical, where experts may have an opinion, it becomes a bit tedious for the Committee. Walter Bagehot, a renowned political Journalist of his time, scathingly remarked, "One of most hopeless exhibition of helpless ingenuity and wasted mind is a Committee of the Whole House on bills with many clauses, which enemies are trying to spoil and various friends are trying to mend". 42

On sittings, the Committee has no power to adjourn the sitting or the discussion. If business is incomplete in the Committee the House is resumed

on a motion and can again go into Committee. In the Lords, if there is a division in the Committee on Bill and less than 30 Lords have voted, the Chairman declared the question undecided and the House resumes automatically. Later on, it goes into the Committee on the same question.\footnote{UK, Standing Order of the House of Commons, no.55.}

In the Commons, on a division, if less than 40 members are present the business under consideration stands over until the next sitting.\footnote{UK, Standing Order of the House of Commons, no. 29.} Overall, when the discussion on Bill in the Committee is complete, the Committee rises, and the House resumes, the speaker occupies the chair, and the Chairman of the Committee reports the outcome of the House.

Standing Committees

Standing Committees are primarily meant for consideration of Bills committed to them. The Speaker of the House allocates the Bills, with certain exceptions, after they have been read a Second time, to the Standing Committees designated a, b, c and so on.\footnote{UK, Standing Order of the House of Commons, no.40.} The Speaker, however, can transfer, once a Bill has been allocated, from one Standing Committee to another. In all, but one, of the Standing Committees preference is given to Government Bills.\footnote{UK, Standing Order of the House of Commons, no.60 (3).}

The Standing Committees, like Select Committees to be discussed in the next section, may sit on any day on which the House is sitting - before,
during or after the conclusion of the sitting of the House.\footnote{UK, Standing Order of the House of Commons, no.88.} If and when there is a division in the House, the Chairman of a Standing Committee must suspend its proceedings in order to enable members to vote in the House and return to the Committee. Normally, the dates and times of the subsequent sittings for further consideration of a Bill are decided by the Committee itself. But in case the Committee has not agreed to a sitting resolution at the end of the first day sitting, then the Chairman decides the date and time for the next sitting. With regard to adjournment, the Chairman of the Standing Committee cannot adjourn the Committee except at the end of the morning sitting or when a quorum is not present.\footnote{UK, Standing Order of the House of Commons, no. 64.} In many respects, procedures in a Standing Committee in practice, have been in line with those of the Committee of the Whole House.

Select Committees

On staffing, Nevil Johnson in his survey of the Committee system examined the effects of the staffing arrangement for various Committees. He noted that staff support for Committees had “only to a limited extent proved practicable or even attractive to members”.\footnote{N.Johnson, “Departmental Select Committees”, in Ryle, Michael and Richards, Peter G., eds, \textit{The Commons Under Scrutiny} (London: Routledge, 1988), p.171.} The Committees had relied on the traditional clerk based system, which has bred a close relationship between the Chairman of the Committee and the clerk, especially in the drafting of Reports.
Using specialists by the Committees has not been uniform. In some cases, there has been resistance by clerks against the experts: "Indeed, in some cases, there can be little doubt that the clerks make sure that 'experts are on tap but not on top'. Carefully maintaining their own position as the channel of communication with the chairman as the focal point for members seeking guidance and briefing". 50

While these arrangements found favour with some experts like N. Johnson who said: "The staffing arrangements which have been achieved represent a balance of skills which satisfies most chairmen and members, providing the support required for fulfilling Committee activity." 51 There were others who were in favour of upgrading of Committee support. For example, an Institute for Public Policy Research Paper proposed the creation of policy research and information units for each Committee, each consisting of around seven research staff, supplemented by secondment from the civil service, higher education unions and the private sectors. 52

Philip Norton also prescribed for staffing growth. He recommended the creation of research units for each Committee. In effect, this was to constitute an extension of the existing provision for specialist assistance. The change, according to him, was to be one of kind and not just degree. 53

51 N. Johnson, n.49, p.173.
53 Lord P. Norton, interview, n. 29.
The Committee’s substantive powers are: to send for persons, papers and records, to sit, not withstanding any adjournment of the House, to adjourn from place to place and to report from time to time. After the reforms in 1979, it was expected that the Committee system would work like the Committees in the United States Congress. Although the UK Parliamentary system is different from that of the US Congress, there is no separation of powers in UK but a stronger party system, there is no reason why Select Committees, like those in the US Congress, cannot call Ministers to account.

All Select Committees follow a procedure, which is different from and more flexible than that operating in the House or in its Standing Committees. One of the features of this procedure is taking oral evidence from witnesses and cross-examining them. The witnesses include both public servant and prime citizens. Their proceedings are covered by privilege against any interference from outside. Another speciality they enjoy is the physical protection, like that of the House itself, if they sit at Westminster.

The main weapon of the Select Committee is that the publicity they receive for their function. The growing importance of the Select Committees can be measured from the increasing complexity of modern government; there are large areas of public affairs, which are not easy to be either supervised or

---

54 UK, Standing Order of the House of Commons, no.130 (4) (a).
56 Ibid.
investigated on the floor of the House of 650 members. Only a Committee with smaller number, and more time at hand, can go into the details of issues.

**Functions of the Committees**

The equation between the government and the Committees being crucial, at times, it is based on constructive cooperation and unhelpful conflict. For instance: the improvement to the Treasury’s Financial Services and Market Bill, following the joint Committee's consideration of the drafts; the Cabinet Office’s use of the work of the Environmental Audit Committee; cooperation between the Deregulation Committee and Cabinet Office’s Better Relation Unit in seeking an effective and workable expansion of the deregulation procedure; and so on are examples of cooperation and understanding.

The relationship between the government and the Committees depends upon the response of the government to the recommendations made by the Committees. The quality of the government replies has been found not always up to the mark. Some are excellent but many of these are found superficial and seemed to be drafted without going through the analysis and arguments contained in the Committee Report. 57 On the government response to the Committees’ recommendations, it is hard to find statistics pertaining to it. According to Philip Norton, there is also a methodological

---

57 A recent example was the reply of the Deregulation Committee’s report on the Future of the Deregulation Procedure: First Report From the Deregulation Committee. House of Commons, 177, Session 1999-2000.
problem. The government gives non-committal response rather than a clear rejection. However, it is also argued that the intention of Committees is not to have their recommendation accepted in to but to get the debate into the public domain

The PAC audits the expenditure of the government in terms of both legality and efficiency; it detects such phenomenon as expenditure escalation and inconsistent financial decisions. One of the virtues of the Committee is said to be the non-partisan approach. It is also aided by the work of the CAG. Because of all this, it is thought to be the most influential of the Committees with a considerable degree of impact on the administration.

The Department Related Select Committees were set up in 1979 to control the imperfect power balance between Government and Parliament resulting from party dominance. As the Procedure Committee suggested, the setting up of the DRSCs were to "sharpen up the relationship between Parliament and the executive and to keep the government on their toes". The DRSCs, introduced in their present form in 1979, are often cited as the most effective part of scrutiny process. Their role has been mainly three fold: to examine the expenditure; assess the administration of government departments and

58 Lord Philip Norton, interview, n.29.
their associated bodies; and to examine their policies. In fact, they provide the main forum for detailed scrutiny of the executive. Select Committees have the potential to influence and occasionally propose policies. Even if most of the recommendations made by the Committees are ignored, the cumulative effect of these recommendations is important.62

Another main function of Select Committees is to make information more widely available, publish the findings of the investigations in a way the press and TV are not able to do. Thus, information gathering and evaluation are at the heart of the scrutiny functions of Select Committees. Many commentators, Parliamentary and academic, have suggested that the information gathering may even be the major function of the Departmental Committees. The 1990 procedure Committee unequivocally believed that, "the taking of evidence, provided that it is for a clear purpose and is carried out efficiently, is valuable in its own right as a means of holding ministers and others to account".63 Sometimes, the evidence speaks for itself. Therefore, this particular function has extended the remit and strengthened the Select Committees.

Standing Committees are not empowered to receive evidence; they cannot interview witnesses and receive formal submissions. Individual members may not receive material from outside bodies but collectively they may do so; individual members have limited resources.

Case Studies of Some Important Committees

*Education and Employment Committee*

The Committee on Education and Employment, in its Sixth Special Report 2000-2001, made as many as thirty-seven recommendations to the Secretary of State for Education and Employment. The Terms of Reference included the quality, funding, institutional arrangement and the extent of participation in the Higher Education system. The Committee in an exhaustive study made recommendations ranging from issues of rate of recruitment, participation, quality, professionalism, expenses paid by the students, etc. The Report aimed at helping the government and improving the quality of basic education.

The government accepted most of the recommendations while picking of the ones that helped in policy formulation and applying correctives. For instance, the Government accepted the recommendation that, “Widening participation is key to the higher education policy and we believe that everyone who has the benefit from higher education should have the opportunity to do so”. The Secretary agreed with the Committee that the scope should be expanded without compromising with the standard by introducing quotas. The government appreciated the suggestion by the Committee to create Higher Education Action Zones. The Government has

---


also decided to create new partnership between secondary schools, colleges and higher education institutions and forty-five Education Action Zones. These partnerships would encourage younger people, in the most disadvantaged rural and urban communities, from the age of 13 to enter into higher education.

The Committee also recommended that the institutions which do not reach the required benchmark should come under particular scrutiny. While agreeing with this, the Government replied that, there will be demand for greater accuracy in planning and greater accountability of expenditure in this area, and that the progress by each institution would be monitored annually. Furthermore, the Government promised more funds for the higher education institutions to increase their outreach activities and to employ additional staff. The combination of better information and increased scrutiny with increased funding will lead to the institutions widening the scope for participation. 66

Transport, Local Government and the Regions Committee

The Transport, Local Government and the Regions Committee had decided to investigate the measures, targets and progress towards delivering the improvements set out in the 10 Year Plan. In particular, the Terms of

---

Reference (TOR)\textsuperscript{67} covered the 10-year Plan assumptions, implementation plan, targets, and transport policy. The witnesses were asked to submit memoranda under the following questions.

Assumptions

- What assumptions should be modified or challenged?
- In particular, will the expected number of congestion charging and workplace parking levy schemes be implemented and when?
- How important are the assumptions to the outcome of the plan? What remedial action is necessary if assumptions or targets need to be changed?
- Are the skills and capacity available to deliver the improvements suggested?

Implementation Plan

- How will the current situation in the railway industry affect the need for and provision of private and public sector finance?
- Is the balance and phasing of investment across funding areas correct?
- Are more flexible financing arrangements required to deliver major local schemes?
- How do the emerging multi-modal studies affect the 10 Year Plan?
- Should the plan represent a better balance between large and small schemes, and between infrastructure, management and operations?

Targets

• Are the targets and the dates for their achievement well designed (e.g. is reducing congestion the right objective)?

• What other targets, if any, should be included (e.g. modal shift, walking, traffic levels?)

• Should a more regional approach be adopted for target setting?

Transport Policy

• How well does the Plan balance social and environmental policy with efficient investment?

• Does the Plan set out a balanced approach to all modes (e.g. walking)?

• Are there any conflicts between the Plan and the policies in the White Paper – A New Deal for Transport?

• What impacts will policies in the European White Paper on Transport have on the Plan?

On the basis of the responses to the above questions from the public, the Committee made recommendations to the Government. Some of the salient recommendations and the replies by the government are discussed below.

The Committee in reviewing the Plan suggested that the Department examines a range of policy options after 2010. In doing so, it must pursue rigorous policy advice from experts in the field. The Government replied: “It takes advice from a wide range of sources in developing transport policies. It also sets great store by evidence-based policy making and analysis”. The

---

69 Ibid., p.4.
Government admitted the importance of long-term vision in formulating policy and assessing impacts. It has sponsored various studies on many of the transport corridors and on regional aviation.

The Committee felt that the relative costs of public transport compared to private transport was higher in the Plan. Having identified the key challenge as differences in costs between private and public transport, the Plan, according to the Committee, enlarges these cost differences instead of reducing them. In order to tackle social exclusion, then, the Government must address the difficulty in policy decisions in balancing the costs of the public and private transport.

The Government's response was that the plan assumptions are based the historical and predicted trends. According to such predictions, the assumptions for the public transport are varied. For instance, regulated rail fares are likely to fall while unregulated fares may rise in the line with inflation. Actual costs may vary substantially from these assumptions, as they will be significantly affected by factors mostly outside the government control; such as the market price of oil and the costs of purchasing new cars. Moreover, taxation policies fixed on the basis of several social, environmental and economic factors will influence costs.

The government disagreed with the Committee on the question of the Plan increasing the difference between the private and the public transport costs. It maintained that 20 per cent funding in the Plan will subsidise public
transport services through fuel duty rebate for community transport, rail subsidy payments to the operators, grant subsidy for rural buses, and concessionary fare to pensioners and disabled people. The Government also indicated in its reply that it was reviewing the subsidy mechanisms for local bus services that would ensure most effective support for the buses in a way, which was consistent with the government objectives. The objectives included promoting social inclusion, reducing environment hazards, and improving the quality of bus services.

The Committee charged that the Department of Transport was paying only lip service to important questions of accessibility, safety and social inclusion. The Department seemed to be producing a plan that benefited the better off and those who travelled the most. This was in complete contradiction to the Department’s attempts to reduce the need to travel and the government’s objectives to promote equity and social inclusion. The Government defended the Plan by asserting that the questions of safety and accessibility were taken care of in the Plan. It was perhaps logical that the Plan was expected to produce the most benefits for the busiest traveller. But, the Plan aimed at improving people’s travel experience across all modes. The Government’s position was that it was not inconsistent with its policy of reducing the need to travel. The central aim of the Plan was to promote social inclusion, for example, through the rural transport initiatives and the extension of the subsidy schemes. The Government was also exploring, with
the local authorities, the scope for accessing the excess need of the socially excluded.

_Intelligence and Security Committee_

As a background to the Committee’s work on Sierra Leone, in early 1996 democratic elections were held in the Republic of Sierra Leone after years of military rule, and Tejan Kabbah became the President. In May 1997 the government was overthrown in a coup. The international community condemned the military junta which stayed the coup and captured power in _Sierra Leone_. The UN Security Council passed a resolution imposing an arms embargo on Sierra Leone. In November 1997, the resolution was implemented by an order and Council making it a criminal offence for any British Citizen to supply arms without a government licence to anyone in or connected with Sierra Leone.

In December 1987, Tim Spicer of Sandline International, a private military company, made contract with President Kabbah to provide him with help including military equipments to support his return to power. Following this contract, Sandline sent a shipment of arms and ammunitions into Sierra Leone in 1998. Spicer was a British citizen and had not applied for license. The arms were delivered after the fall of the junta that was attacked by a Nigerian led West African Force; this also led to president Kabbah’s restoration.

When an official inquiry was held into Sandline’s activities it was maintained that the Sandline’s affairs were known and approved by the
government. But subsequently, in 1998 the customs announced that no criminal proceedings would follow their investigations. But, it ordered an independent investigation into what government official and Ministers knew about breaches of the arms embargo and whether they gave encouragement to such breaches.

The Committee came to investigate the allegations against the government that in dealing with the counter-coup in Sierra Leone that the Secret Intelligence Service (SIS) was involved. The government stated that there was no evidence of any kind to support these allegations and it endorsed the version of the Chief of SIS that the British Intelligence was not involved in the counter coup in Sierra Leone nor with any private military company, the Sandline International.

The brief of the Committee was to inquire into SIS's relations with private military companies. In order to get to the bottom of the issue, the Committee looked beyond the role of intelligence agencies themselves to cover other issues including the role of the Joint Intelligence Committee (JIC). Usually the JIC is the main instrument for processing information on key issues relating to Foreign Affairs and Defence. It uses both secret intelligence and open source material as well as advises ministers accordingly.

---

72 Ibid., p.2.
The material used by JIC was made available to the Committee in order to enable them assess the report that the Nigerians were supplying weapons, providing training and technical supports to the Kamajors, supporters of Kabbah. This lead was provided in a reference to a discussion in a meeting in the Foreign and Commonwealth Office (FCO) on 3 December 1997. In that meeting a Defence Intelligence Staff (DIS) officer reported that “the Nigerians were training and supplying arms to the Kamajors.”

The Committee found that the JIC assessment of 28 January 1998 was wrong in one respect. The Committee suggested that the reason for this wrong assessment could be their failure to consult the British High Commission in Sierra Leone. Normally, whenever security consideration permits, Heads of missions were consulted on JIC material. The government agreed with the Committee that there was need to maximise the information available for the assessment process. The government also agreed with the Committee that it was necessary to provide secure communication equipments to intelligence agencies so that reports from the sensitive areas like Sierra Leone could come in time and frequently.

*Committee on Social Security*

When Robert Maxwell, chief of the Mirror Group of Newspapers, died, the problems of his companies, particularly on the pension fund of the companies came to the surface. The Committee was investigating the affairs

---

73 Ibid.
74 Ibid.
of the company. As these problems came up, the Committee agreed, at its meeting on 10 December 1991, to extend the remit of the inquiry to cover events surrounding the operation of pension funds.\textsuperscript{75}

As the investigation progressed, Ian Maxwell, Kevin Maxwell and Stoney of the Mirror Group refused to answer the questionnaire. The Committee decided to interrogate them in public, but the concern was that the televised proceedings, over which, according to the decision of the House, the Select Committees have no say to prevent a fair trial. The other points of view were that a witness refusing to assist a Committee with its inquiry is a serious matter. If it went unpunished, it may weaken the whole Select Committee system.\textsuperscript{76}

The Committee considered both these points of view while making decisions. But the Committee envisaged even a greater threat to the Select Committee system. That was opting not to conduct an inquiry into the operation of pension funds as Maxwell allegedly misappropriated them. This was also betrayal of faith of those citizens who had lost or were loosing their pension.\textsuperscript{77} It would have given a wrong message to the public that the Members of Parliament were reluctant to address difficult issues, which are of importance to the public. On the refusal by the members of the Mirror

\textsuperscript{75} UK, Department of Social Security, the Operation of Pension Funds, Response by the government to second Report from the Select Committee on social security session 1991-92, Command Paper, 2003, London, HMSO.
\textsuperscript{77} UK, Department of Social Security, n.75.
Group to answer questions to the Select Committee was treated serious. The House of Commons had decided, in a resolution, way back in 1947, “that the refusal of a witness during any inquiry conducted in the interest of the people before a Select Committee to answer any public question is a contempt of the House”.

The Committee in its Second Report on the operation of the pension fund reiterated the social security objectives set out at the turn of the century by politicians and social reformers which included guaranteeing the people an income in the old age. The objective was largely realised by the combined provision of state, occupational and personal pensions. The mismanagement of funds by Robert Maxwell raised doubts about the security of the legal framework of occupational pensions.

The Committee had to suggest correctives after analysing the problem. In its principal recommendations the Committee suggested a major review of governing pensions. It also, after detailed examination of the Maxwell run pension scheme, considered the role and effectiveness of those self-regulating bodies with responsibility towards pension funds. The Committee made suggestions on how best to prepare a comprehensive programme of reforms to be introduced in the next Parliament, which will prevent misuse of funds in future.

---

A part of the reform suggested by the Committee was that a pensioner should have the annual right to transfer his entire asset from his pension scheme into any other recognised financial institutions. The Committee also recommended that each financial institution should ensure that its control mechanisms prevent anyone from selling assets without proper authorisation. Furthermore, the Committee recommended that the auditors should certify that such control mechanisms are adequate and are in place. Finally, the Committee suggested that government should pass a legislation to make the suggestions statutory.80

The government in its response81 accepted the main recommendations of the Committee on the review of legal framework. The government also announced that the pensioners should receive an annual statement approved by the auditors of values of their pensions and any assets thereof.

Public Accounts Committee

The CAG report82 dealing with the response of the acute trusts and health authorities to major accidents, indicted them for not being well prepared to deal with chemical or nuclear attack. The figures presented by the Report pointed out that, in the West Midlands only 36 per cent were well prepared for the nuclear incidents, the South East 44 per cent, Northern Yorkshire 42 per cent, and the North West 35 per cent. It also indicated the need for

80 UK, Department of Social Security, n.75.
81 Ibid.
developing a national risk assessment, building on existing National Health Service (NHS) plans to assess the overall adequacy and distribution of resources. Furthermore, the Report underscored the need for action in order to reassure the public that all the acute trusts and all the future primary care trusts will be prepared to deal with possible threats. Also the quality of major incident planning and the responses by the health authorities was a matter of concern in the report. While this concern figured in Part III of the Report, Part IV pointed out the serious deficiencies in the major incident planning. For instance, a third of acute trusts and the London ambulance service were not well prepared for radioactive incidents, a significant challenge to NHS. The Report noted the, "remaining weaknesses in planning and testing major incident plans both in respect of the type of events experienced to date and for the newer threats of mass causalities and biological, radiological and nuclear incidents."83

In another instance in the North Yorkshire, during the summer of 2002, the Chairman of PAC pointed out an incident where a fire engine attended a man who was dying because there were no ambulances and it turned out that the Ambulance service was very hard pressed and overstretched. The reason why the fire engines were attending medical causalities was because it was a hot night and ambulances were busy. The Committee demanded

---

83 Ibid., Point 15, p.5.
explanations in terms of accounting for the fact that the Ambulances could not deal with warm summer nights. 84

The Government in its response admitted that despite good examples and good past record of NHS activities, there was still more to do. According to the Government, the Health Service admits a lot of progress on a whole range of issues, including introducing the guidance, working with others, more equipment, and more training. Yet, there were a whole series of areas where the government had more to do. On the question of risk assessment, the NHS did a monthly assessment, the official in charge of emergency planning and coordination unit meets with local emergency planning advisors and regional directors. But, the Government, taking note of the suggestions of the Committee, agreed to do a formal audit. After the publication of the report the NHS was able to identify the trusts that had shown themselves as not well prepared, so the NHS could address their problems. One of the reasons for their lack of adequate preparation was the question of equipment; the trusts had not received all their equipments and were also worried about their future supply. 85

The government agreed to follow up those areas where there was information on problems. The NHS, as a part of its response and initiative to improve things, promised to do more to disseminate good practices. In fact, they reckoned, it was a challenge:

84 Ibid., p.9.
85 Ibid.
One of the difficulties is that at the moment we have confidential debriefing so that people locally can learn from an incident. The very fact that it is confidential and that it is a no blame culture, and so on, is one of the challenges we need to grapple with so that we can at the same time encourage anonymised information to come back centrally and to be kept in the data base to be analysed and disseminated as a part of good practice.86

Conclusions

Before we conclude on the Committees, it may be in order that we notice in recent years, that there has been much talk of the declining role of the Parliament and the increased power of the executive. The debate has been taken forward by the Liaison Committee in its two Reports87, which represent Committee’s view of the terms of the debate.

According to above Reports the Departmental Select Committees heralded a major step in making the executive accountable to Parliament. Admittedly, the Committees have done a great deal of valuable work, but their full potential was still to be realised.

DRSCs have had considerable success; as Nevil Johnson remarked, “they have considerably improved the scrutiny of the executive power”.88 The success can be measured in the following. First, their constant link with the Departments ensures that each of these Departments is subject to continuous scrutiny instead of merely occasionally, which has resulted in a strengthened

---

86 Ibid., p.11.
sense of accountability in the executive. Second, they limit the influence of
the party whips through their appointment procedures. Third, the
Departments see them as ‘regular interlocutors’, which has meant a high
degree of cooperation.

DRSCs have their problems too. First, the resources: collection of data and
expert knowledge are limited. Second, the impact of their reports in the
House is notably low without much follow up action.89 The third problem is
the difficulty they confront in summoning both civil servants and ministers
to attend the Committee. Ministers themselves may refuse to answer certain
questions. For instance, Leon Brittan, the Defence Secretary, defied the
attempts of the Defence Committee to examine the Westland case. 90
Associated with this, Departments may refuse access of papers to
Committees, who then have to make an address to the Crown in order to
achieve this. 91

On the question of recommendations being binding on the government the
supporters of the Committees would argue that it should be sure. But there is
a problem as things stand today. Crispin Poyser, the Clerk of Bills, in an
interview suggested that the Committee’s recommendations are influenced
by party politics, so if the Committee’s recommendations become binding

89 Ibid., p.171.
90 Johan Berglund, n.60 (it may be recalled that the Westland Company in Britain sold
helicopters to India which were of sub-standard quality causing many accidents.
Allegedly, there was a scandal involving in the sale of helicopters and the Defence
Committee was to enquire about it).
then the government whips would control that too. 92 Moreover, the Committee's recommendations are quite general. Therefore he suggested that recommendations should not be binding. Keith Vaz, Member of Parliament, endorsed this and said that, the recommendations should be treated seriously but should not be binding. 93 The membership of the Committees is crucial. It was given to the Committee on Selection in the reference package in 1979 but was taken out and given back to the Whips. As a result, according to Keith Vaz, the membership in the Select Committee is done by patronage. The members tell the Whips their interest and the Whips try to accommodate them. It should be based on merit. 94 The Committees have had considerable success in performing their roles. In the words of Christopher Price, Chairman of the Education, Science and Arts Select Committee, between 1979-83, "We have been able to respond to government initiatives on a continuing basis and create an opportunity for the scrutiny of the government polices as it developed". 95 The Energy Committee achieved, in 1982, perceptible shifts in government policies, the scaling down of the nuclear power commitment and transfer of the emphasis to economic rather than environmental considerations. 96 It had also

93 Keith Vaz, Member of Parliament, House of Commons in an interview with the author on 23rd September 2002 in London.
94 Ibid.
96 Ibid., p.64.
persuaded the government to revise its fiscal regime in North Sea Oil-depletion policy.97

Although the House of Commons had tried to control the government by various ways, the government has remained relatively untouched. Each of the Committee devices so far adopted has some defects.98 The Select Committees do not have a full sweep of the government and the Committees are constrained by the party attitude and party expediency. The Select Committees are severely restricted by limited supply of information by the civil servants. Without independent resources of their own, and any real administrative research support, Select Committees have major problems. In addition, the use of secrecy by the Government and the civil service stifle open discussion of Government action.

Standing Committees are in a weak position and are affected by partisanship existing in the chambers. It is, for many members of Parliament serving in a Standing Committee, often a frustration.99 But the MPs serving the Committees have been traditionally encouraged to keep silent in order not to delay the proceedings.

Certain measures should be taken to make the Parliamentary Committees in Britain effective. The appointment of Committee members should be taken out from the hands of the Whips. In 1979 the idea was that the nomination of the members for Select Committees should be taken out of the hands of the Whips, and put in the hands of the Committee on Selection. But in practice it is the Whips who make the nomination. It causes problems. Philip Norton argued that some MPs, who could be malleable, will be nominated by the Whips. If it was the Committee on Selection, then they would look at the expertise and other merit of the members. Select Committee should offer to the back benchers an alternative career path to that of ministerial office; the composition of Committees need not reflect the party strength in the chamber; the Liaison Committee should be empowered to suggest members to the Committees; the strengths of the Committees need not be limited, there must be room for expansion of membership; the research documentation unit should be established in the Committee office, each Committee having its research budget; the Select Committee should be free to report to the Liaison Committee repeated departmental failures to respond to Committee report; civil servants dealing with Committees should be trained in the functioning of the Parliament; In order to consider cross-cutting themes in public, policy Joint Committees should be appointed; in matters of financial scrutiny, the main estimates should be referred to the relevant Select Committee along with the appropriate Departmental Plan and

---

each Committee should be required to make a report to the House; each Select Committee should be given the power to propose the transfer of funds from one head to another.101

The Committees provide an important feeling for useful and informative work by backbench MPs. The Select Committees sit in friendly atmosphere, party frictions are not always commonplace, because the members choose to work together in the public interest.102

Select Committee on legislation has to make certain improvements in its operation to be successful. Scrutiny of draft bills is undertaken in short notice, but if this has to be beneficial both to the Government and to the Parliament, there must be adequate lead-time. According to the first Report of the Liaison Committee, the Leader of the House should quite early, in a new Session, give the preliminary view of the Government’s plan for the pre-legislative scrutiny and should notify any changes thereafter.103 Keith Vaz, Member of Parliament seriously suggested that a pre-legislative scrutiny should be an important function of the Selection Committee system. He said that it does not exist know. For instance, he suggested that when Queen speaks in November the Select Committee should look at that programme and imagine how it should be implemented.104

104 Keith Vaz in an interview with the author, n. 93.
Since Select Committees are created by and subordinate to the House itself, the exercise of their powers is eventually subject to the will of the House, in which the Government of the day is likely to have the majority. In which case the efficiency of the Committee is likely to be reduced. However, a determined and devoted Committee, which puts the interest of the citizens as a top priority, can be extraordinarily effective. 105 In any event, the Committees within their powers and subject to, any instruction from, the House are entirely independent. It is up to them to decide how to do their jobs, set their priorities, and conduct their inquiries. Every Committee works in particular way and this flexibility is the real strength of the system. 106 

106 Ibid.