

REPORT ON “PROFESSIONAL DEVELOPMENT PROGRAMME”
ATTENDED FROM 12TH TO 16TH SEPTEMBER, 2001 AT
WESTMINSTER, LONDON.

In the evolution of practices and procedures training plays an important role and learning is a continuous process which expands the horizon of one's knowledge and vision. The Professional Development Programme was one such exchange programme that provided an opportunity to learn more about the functioning of the different branches/sections of the Parliament of the United Kingdom.

It is a well-known fact that the United Kingdom is the only country in the world without a written Constitution. It functions according to the conventions, practices and precedents evolved over the years. Its constitutional laws and practices are flexible and can be amended as any other laws in the country.

Due to high cost of running the British Parliament, the expenses scandal, observing economic austerity to reduce its civil service expenditure, etc., the British Parliament has set up a Committee to make recommendations on reforms. It is planning to reduce the number of Members in the House of Commons from 650 to 600 with a uniform population size for each constituency. It is also proposing to bring down the strength of Members in the House of Lords from 842 to 350 or so and get them elected instead of appointing them. There is an independent Parliamentary Standards Authority to look into the Members' salaries and expenses.

It is very astonishing to note that though the House of Commons have got 650 Members and require a quorum of 40 Members, once a debate starts just the Speaker and a Member are sufficient to run the

House. In the House of Lords though there are 800 odd Members, the quorum requires only three Members including the Lord Speaker. There are non-party Peers. There is a Commission which is independent of Prime Minister to select peers. The power to make one a life peer actually lies with the Prime Minister. There is a Compilation of Standing Orders and Procedures of the House of Lords. It is published every two years.

There is a Liaison Committee which comprises Chairmen of all the Select Committees and it is chaired by the Deputy Speaker. It reviews the working of the Select Committees and gives advice on general matters relating to the work of the Committees. It chooses the reports of the Select Committees to be debated in the House and in the Westminster Hall. It calls the Prime Minister twice in a year to take his evidence on policy matters and on domestic and international affairs.

The Committee of Selection consists of Whips of all political parties. It meets once in a week, usually on Wednesdays. It appoints Members to general committees like Public Bill Committees, Delegated Legislative Committee, etc. The political parties give the names of the Members to be nominated to the Select Committees and it proposes a motion to the House for their appointment to the Select Committees as well as for subsequent changes to the membership.

There is a Select Committee for every department. The composition of the Committees as also the Chairmanships of the Committees reflect the strength of parties in the House. An MP remains as a Member of the Committee for the whole term of a Parliament unless he or she resigns, becomes a Minister, ceases to be a Member, etc. The Committees have power to appoint specialists or experts on contract

basis to assist them for a particular purpose or in a particular inquiry. The Select Committee normally consists of 11 Members including the Chair. The quorum is three. No MP is elected as Chairman of a Committee consecutively for the third term. The Committees have a say in the appointments at the senior levels in the departments. The Government has to respond to the reports of the Committees within two months' time. On the Select Committee the concerned Minister and the main speaker of the Opposition will be there. The debates in the Committees are of high standard. They are done in a very serious, intelligent and well-behaved way.

As regards Bills, there are three kinds of Bills. One is Private Bill which is proposed by organizations outside the House such as local authorities or companies to obtain powers for themselves. It is submitted through the Private Bill Office. The second is private Member's Bill which is almost a public bill proposed by a Member. Thirteen Fridays in each session are set for consideration of private Members' Bills. There is one clerk to help the Members in drafting the Bill. The third is public bill which is proposed by the Government. Certain bills are called hybrid bills because they are intended to serve partially public interest and partially private interest.

There are Public Bill Committees. These are ad-hoc committees for considering each Bill. The Bills are automatically referred to a Public Bill Committee unless it is decided to refer it to the Committee of the Whole House or a Select Committee. The Members of the Committee are nominated by the Committee of Selection and the Chair is appointed by the Speaker. The Public Bill Committees on Government Bills normally meet on Tuesdays and Thursdays and those on Private Members' Bills meet on Wednesdays. Both the Houses have got separate Public Bill Committees. A Public Bill Committee has got a

sub-committee which decides about the sittings, the witnesses to be called, etc. There is pre-legislative scrutiny of the draft Bills by a Select Committee. The intention is to produce a better law by achieving consensus among political parties. There is also post legislative scrutiny to assess the effectiveness or slackness of a legislation. It is done by the concerned Government Department as also by the Parliament through a Select Committee after three years of its passing.

Westminster Hall is a parallel Chamber of the House of Commons where mainly Back Benchers are allowed to participate in the debate. Two one-and-a-half hour debates and three half-an-hour debates take place on different subjects proposed by the back benchers as well as Government on Tuesdays and Wednesdays. On Thursdays the reports of the Select Committees and other Committees are debated. The concerned Minister remains present and respond to such debates. There is no voting. It provides an opportunity to Members to raise cross-cutting issues and Ministers from more than one Department provide the answers.

Oral questions are submitted to the Table Office. Questions are selected by the Table Office through random computer shuffle. In the House of Commons normally 25 questions are chosen for oral answers. The question time is one hour. Ten topical questions, which are submitted mostly by the Back Benchers, are taken up in the last 15 minutes of the Question Hour. They are also submitted to the Table Office and selected through random computer shuffle. If there is any minor mistake in the answer provided by the Minister, it can be corrected by approaching the Table Office. If there is a major mistake, the Minister has to make a statement in the House after notifying to the Table Office. A Member can approach the Speaker if his question is not admitted by the Table Office and the Speaker takes a decision. During

PM's question day, viz., Wednesday, the main speaker will be the Leader of the Opposition. Then the Speaker will allow the leaders of the smaller parties. A Member can seek information maximum up to 30 years ago. A Member can put five questions per day.

Hansard is the official name given to reporting the verbatim proceedings of the House and its general committees. It is interesting to note that Hansard is the name of the family which was given the contract to public parliamentary debates in the 18th century. Both the House of Commons and the House of Lords have separate official reports. The official report of the House of Commons covers the proceedings of the Westminster Hall debates also. The proceedings are edited by removing repetitions and redundancies and correcting other obvious mistakes. The Hansard is a combination of both reporting and editing. In the case of the House, a Member can approach the Assistant Editors for making corrections after one-and-a-half hours to two-and-a-half hours of delivering the speech and in the case of Westminster Hall after three hours. The Members can make corrections up to four weeks after they made their speeches.

There are separate sets of Reporters for the House, Westminster Hall and Committees. There are 16 Reporters for the House, 14 Reporters for the Westminster and 13 Reporters for the Committees. There are 14 Sub-Editors who mostly work in the Committees. But they also do reporting of the House proceedings at times. The Reporters are first recruited as Committee Reporters and they are given training for six months. The Committee Reporters get promotion on the basis of merit and availability of vacancies to Westminster Hall Reporters, House Reporters, Sub-Editors, Principal Sub-Editors, Deputy Editors and ultimately Editor.

Shorthand is almost dead in its own birthplace. There are only two or three shorthand writers in the House Commons and in the House of Lords. Now the proceedings are digitally recorded and reporters transcribe the proceedings from the digital recording. In the Chambers they only jot down the speakers name and the main contents. The House proceedings and the Westminster Hall proceedings should be submitted on the same day. The proceedings are printed by 6.00 a.m. on the next day. In the case of Committees where the meetings are open to public reporting of the proceedings is outsourced in order to reduce the work pressure on official reporters. The proceedings of the Committees should be submitted within three days.

There is a Journal Office. It keeps the proceedings of the House and it is a repository for precedents. The Journal Office gives advice on precedents, procedures and standing orders and helps in drafting new standing orders and making changes in the standing orders. It also acts as a kind of think tank. The Journals Office deals with public petitions. It assists the Committee on Standards and Privileges in investigating ethics complaints against Members, etc.

The parliamentary privileges are not codified. The Joint Parliamentary Committee has suggested codification of parliamentary privileges and a judicial review. There is a Joint Committee on Privacy and Super Injunctions to examine court orders, injunctions, etc. If a Member is sentenced or imprisoned for more than one year he is disqualified and his seat is vacated. If the sentence is for one year or less he is entitled to retain his seat. If the Committee on Standards and

Privileges finds a Member guilty of serious misconduct the Speaker could tell the District Election Officer to file an election petition.

The Parliamentary information is made available to the Members through internet and intranet systems. Members are encouraged to make use of the electronic devices in getting information. Members can submit questions through the electronic system. Currently they are experimenting with the iPad for making the information available to the Members. The Clerks of the Committees help the Members in getting the papers in electronic form in order to save expenditure on printing. There are 3G telephone network and WiFi system.

The Media Service promotes a better understanding about the working of the House and its Committees through print, broadcast and online media. It provides professional media service for journalists and serves as a central point of contact for media enquiries. It also provides media and communications advice and support to all House Departments and Committees. It works with officials across both Houses to improve public information and access. It does two core tasks, (1) to provide advice and services to the House and its Committees to conduct their business effectively and (2) to promote public knowledge and understanding of the work and role of Parliament through the provision of information and access.

In the House of Lords the Journal Office provides advice to the Members and the Committees. There is attendance for Members every day which is included in the Journal. The recommendations of the Committees are published in the Journals. The journals of the House of Lords are almost similar to the House of Commons.

There is a Procedural Committee which has got 18 members. The Chairman of the Committee is Lord Deputy Speaker. The Report of

the Procedural Committee is debated in the House. There is register of interests for Members to declare their assets. If anyone makes a complaint it would be investigated by the Commissioner of Standards who is an independent officer. The complaints are published online and updated daily.

The Serjeant of the House of Commons and the Black Rod of the House of Lords are responsible for the security of the Westminster. The Serjeant is accountable to the Speaker and the Black Rod is accountable to the Lord Speaker of the House of Lords. The Serjeant and the Black Rod are assisted by the Metropolitan police. There is a financial contract with the Metropolitan Police for providing security. There is a Contract Steering Group which does the contracting. The House of Commons pay more for the security. The police can arrest a person whereas the security officers don't have the power to arrest. There is about 600 staff. They work on shift system. They have flexible working hours. Plainclothes policemen are deployed as it is very necessary from the security point. In the House of Lords Chamber one Serjeant always sits. The Black Rod remains in the Chamber during Question Hour.

In the House of Lords there are separate Select Committees. There are 12 Members in each Select Committee. The Members are selected by the Committee of Selection and on nomination of the Chief Whips and Convenor of the Back Benchers. There is rotation rule. None is allowed to serve in a Committee for more than four consecutive sessions.

In the House of Lords there are mainly two Policy Committees. One relates to Legislative which considers primary and secondary legislation and draft legislation. The second relates to investigative which considers matters of public policy within a particular area. The

primary legislative examination of the Bill is when it is introduced. The secondary legislation is the delegated legislation. There is a Delegated Power Committee on the lines of the Australian model. The Delegated Power Committee looks into the Bills when it is introduced in the House of Lords. It also proposes regulatory reforms. There is always an ad-hoc committee appointed by the House on a particular subject. There are Joint Committees on Pre-Legislative Scrutiny which look into the draft Bills. The Delegated Power and Regulatory Reform Committee looks into the Bills and reports at the early stage of its consideration once it is introduced in the House.

As in the House of Commons, in the House of Lords there is a Liaison Committee. It does general oversight of Lords Policy Committee activity. It consists of all party leaders and senior members of the House. It considers proposals for new Committee activity. There is a Joint Committee on House of Lords Reforms. The Select Committees of the House of Lords do not function in the same manner as they do in the House of Commons. There are five major Lords Select Committees specializing in Science Technology, Economic Affairs, Constitution, Communication and the European Union. The discussions are on particular themes. There are seven ad-hoc committees. The Members of these Committees are appointed by the House. The Government has to respond to the reports of the Committees within three months.

There is a Joint Committee on Privacy and Super Injunctions. It has got 26 members. The Convenor of the Back Benchers acts like a Clerk appointed by the Lord Speaker.

In the House of Lords only four questions are allowed from Monday to Thursday. The question time is half-an-hour. Normally there are no sittings on Friday. Four weeks notice is required for raising

a question. Others are allowed to put supplementary questions. If a Member is not present somebody can be authorized to put the question. The fourth question is a topical question. It is selected by shuffle. A Member can put six questions for written replies and answers should be supplied within ten days. The motions are taken up on Monday afternoon, Tuesdays and Wednesdays. There are no official debates on Thursdays. On Thursdays the debates are carried out between the parties. The Ministers reply to the debates.

The House of Lords is now considering appointing a new Commission on Complaints. The Declaration of interests is put on the website within 30 days after taking oath. They have to take a separate oath to obey the code of conduct and to sign the document in their own handwriting. There is a Committee to look into the declaration of interests.

Out of the total expenses of the House of Lords, 20 per cent is spent on Members allowances, 20 per cent on salaries of Staff, 50 per cent on the upkeep of the buildings and 10 per cent on security. The Members are not paid any salary. If a Member is a Minister he gets salary. The Lord Speaker and the Chairmen of Committees are office holders and they are paid salaries by the treasury. Majority of the Members get daily allowances for attending the House and the Committees. If a Member stays outside London he gets 80 pounds for hospitality. The scheme is reviewed every three year by an external committee which is called Senior Salaries Body. It consists of experts in the area.

There is no need for Members to submit receipts for reimbursements. The Ministers' salaries are covered by the Ministers Salaries and Allowances Act. There is a scheme for office holders and there is no salary for Back Benchers. The Members can claim a daily

allowance of 300 pounds or 150 pounds per day or no claim at all on the basis of their attendance. The claims are made at the end of the month on a monthly basis. The amount paid to a Member in a year is put on the website. The House of Lords get the money from the treasury. There is a Management Board which is under the House Committee. It looks into the Budget of the House. The Leader of the House is in the Cabinet and represents in the House Committee. In the House of Commons the Independent Parliamentary Standard Authority (IPSA) makes recommendations about the Members' salaries. The House of Lords Members are outside the income-tax net as far as their allowances are concerned. Members have got telephone and computer facilities. The House sits around 240 days in a year. The Leader of the Opposition's salary is equal to the ministerial salary. The Leader of the Opposition gets fund to run his party office. In the House of Commons the Members get salaries. They don't get allowances for attending the Committees. They get travel allowance.

The Queen has to give assent to a Bill to become an Act. A bill can be introduced in either of the House. There are three readings. The first reading is the introduction of a Bill. The second reading is done after two weeks. The second reading is the debate. After the second reading the Bill goes to the Whole House Committee or the Grand Committee and sometimes to other kinds of Committees. Only in a very few bills evidence is taken. If a party does not have majority it can't make or change any law. In the House of Commons about 50 or 60 Private Members Bills are taken up on Fridays. Private Members Bills are taken up in the House of Lords also on Fridays. Private Members Bills actually do not become laws. Twenty Fridays in a year are set apart for Private Members Bills in the House of Lords.

The Westminster Archives was established in 1946. Microfilming of the records is done in order to preserve the records in case anything happens to the original. From the preservation point of view, digitalizing of books, documents, etc., is done. The Archive is common for both the House of Commons and the House of Lords. Regarding the finance for its upkeep, 60 per cent comes from the House of Lords and 40 per cent from the House of Commons. They conduct exhibitions so that the public can visit and see them. There are top range scanners for scanning. It does three things, managing current records, preservation and public service.

There are separate libraries for the House of Commons and the House of Lords. They provide paper cuttings and other information to the Members.

The Hansard in the House of Lords has got a structure as in the House of Commons. Reporting of the proceedings is outsourced where the Committee proceedings are open to the public. When the House is not in session, there are no meetings. It happens very unusually.

Visitors are allowed freely. There is no physical search. Security check is done mainly through electronic devices. To illustrate the high standard of security the Deputy Serjeant likened the security system to the Swiss cheese model. They spend 32 million pounds on security every year. There is a committee on Parliamentary Security called Joint Mission on Security. A senior Member of the House of Commons chair the Committee. Even Members have to pay for making a temporary pass if they forgot to bring their pass.

Members are not exempted from criminal privileges. Members have immunity in respect of anything they do in Parliament. The Government is coming up with a Bill on codification of the privileges of

the Members. Members are not in favour of codification of the privileges. There are strict rules in respect of registering one's interests. There is a Committee on Standards and Privileges. A Commission is appointed to look into complaints against a Member. The Commissioner is appointed by a resolution of the House.

I would like to make the following suggestions with regard to the Reporting Section:

Firstly, since shorthand is almost dead in its own birthplace and they are now depending on digital recording, we also have to make certain changes in the recruitment criteria. We have also started digital recording of the House Proceedings. As speedwriters are not available, the shorthand speed for recruitment of Reporters should be reduced from 160 words per minute to 140 words per minute. The number of meetings of Standing Committees has increased manifold not only during intercession but also during session in recent years. Moreover, many a time Select Committees are constituted for particular purposes which also meet quite frequently. In these circumstances, there should be a separate set of Committee Reporters for reporting the proceedings of the Committees. They can be promoted as Parliamentary Reporter Gr-II and so on after a certain period of time on the basis of merit and availability of vacancy.

Secondly, there is a Commonwealth Hansard Editors' Association. Ms. Lorraine Sutherland, the Editor of Hansard of the House of Commons, is the current Secretary of the Association. Our neighbouring country, Sri Lanka, is a member of the Association. I would suggest that a combined forum of Reporting and Editing Sections may be constituted and it should be made a member of the Association and its participation in the meetings should be sponsored by the Rajya

Sabha Secretariat. The Rajya Sabha Secretariat may take the initiative in this regard by contacting Ms.Lorraine Sutherland.

At the end, I express my gratitude to the Secretary-General for nominating me as a member of the delegation which participated in the Professional Development Programme held at Westminster in London from 12th September to 16th September, 2011. I also thank the officials of the Training Unit, the Protocol and Conference Cell and other Sections for all their help and assistance.

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