

PRIVATE MEMBERS BILLS EXPLAINED

It is one of the privileges of a Backbench MP in the House of Commons to be able to introduce legislative proposals for debate and decision. There are established rules which govern how and when these Bills, colloquially known as 'PMBs' (Private Members Bills) can be considered and the basis on which priority is accorded to each.

At the beginning of a Parliamentary session a ballot is held among all eligible MPs and the first twenty Members successful in the ballot have priority in choosing a Bill to present to Parliament and the day on which they wish that Bill to be debated in what is known as a Second Reading debate. In a normal one year session of Parliament thirteen Fridays are allocated for such debates between the hours of 9.30am and 2.30pm and these debates take priority over Government business.

Bills which are approved after a Second Reading debate can then be considered in detail in Committee and, in due course, at the further legislative stages of Report and Third Reading. Even if a Bill is approved at Second Reading progress beyond that is not guaranteed because the Government can exercise a veto by refusing to introduce a Money Resolution or a Ways and Means Resolution. In the past those Resolutions have been moved by the Government as a matter of convention but in the current session the Government has withheld a Money Resolution on the Parliamentary Constituencies (Amendment) Bill thereby frustrating its progress despite the Bill having been high in the ballot and having received overwhelming support at Second Reading.

The only stage of a Private Members Bill over which the Government does not have a veto is at Second Reading although if the Government is opposed to the Bill it can force the Bill's supporters into obtaining a closure motion (requiring one hundred MPs) before the Bill can receive a Second Reading.

On each sitting Friday the House of Commons Order Paper sets out the order in which the Private Members Bills set down for that day are to be considered. In addition to the Bills successful in the ballot other PMBs which have been presented by MPs during the course of the session are added to the list. As a session progresses and more legislative proposals are put forward by backbenchers that list grows ever longer, thereby emphasising that demand for debating time far exceeds supply. It was with this in mind that I and my colleague, Peter Bone, argued that the Government should give additional days for the debate of PMBs in this session because it will be almost two years in length. On 21st November the Government tabled a motion setting out three additional days for discussion of PMBs this session. Peter and I put down an amendment increasing that from three to six days which the Government has accepted but which is now blocked by the Opposition.

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On Friday 23rd November there were fifty five Bills on that list. The consideration of the first two was concluded at about 2.15pm leaving only fifteen minutes for discussion of the Voter Registration Bill which I had presented as a Bill designed to prevent people being able to register for Parliamentary elections in more than one constituency. By having the ability to be able to register at more than one address the potential for voter fraud is much increased. That Bill was still being discussed at 2.30pm.

After 2.30pm no further discussion on any Bills is possible and the process is that the proposers of each Bill which has not been discussed put forward an alternative date for future consideration. It is standard practice that Bills which have not been debated at Second Reading do not progress to a Committee stage.

On Friday 23rd November I had several Private Members Bills high on the Order Paper waiting to be discussed. Each of these received the same treatment of being objected to on the grounds that there was no time for debate. These Bills were :-

1. The Student Loans (Debt Interest) Bill, designed to outlaw the extortionate rates of interest of student loans and to cap that rate in line with the Consumers Prices Index.
2. The Border Control Bill designed to tighten up control over illegal immigration into the UK and to introduce effective sanctions including deportation of those in the country illegally.
3. The Green Belt Protection Bill designed to ensure that the Government's longstanding avowed commitment to preservation of the Green Belt is actually honoured. Evidence from the CPRE shows that last year a record amount of Green Belt land was given up for development and pressures on the Green Belt in and around Christchurch are greater than ever.
4. The Local Audit (Public Access to Documents) Bill designed to lift the veil so that local taxpayers can look at the commercial details of contracts being made in their name by their local councillors.
5. The Public Sector Exit Payments (Limitation) Bill designed to oblige the Government to honour its commitment to prevent public exit payments exceeding £95,000. Although the Government passed primary legislation in 2016 to achieve this, it has never implemented the regulations. In Dorset this has enabled the outgoing Chief Executive of the County to receive a total exit payment of £474,000. Implementation of my Bill would save the tax payer, on the Government's own admission, 'hundreds of millions of Pounds'.

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On Friday 23rd November every one of the fifty five Bills which had not been debated was objected to. The very last Bill on the list was the Children Act 1989 (Amendment) (Female Genital Mutilation) Bill [HL]. The sponsor of that Bill in the House of Lords, Lord Berkeley, has complained about the process. In so doing he has shown that he is unwilling to respect the rules and conventions of Parliament. Furthermore he has sought through social media to attempt to bring pressure in favour of his Bill being allowed to jump the queue ahead of all the others. It is noteworthy that he wanted his Bill to leapfrog over other Bills which had already completed their passage in the House of Lords before his own Bill. Prime among these are the Refugees (Family Reunion) Bill [HL] and the Family Relationship Impact Assessment and Targets Bill [HL].

The Government has expressed its support for Lord Berkeley's Bill. It remains open to the Government to introduce its own Bill in similar terms. This is what the Government did when the Voyeurism Bill fell foul of the same procedural obstacles to progress as outlined above. In that case the Government introduced its own legislation which has been considered in the House of Commons and is currently being considered in detail in the House of Lords.

The Private Members Bill process is under challenge from single issue pressure groups each of which wants their own Bill to be given priority. There was a recommendation by the Procedure Committee that the top priority for PMBs each session should be given to Bills on the basis of how much support they had among MPs. That proposal, however, has not been accepted by the Government.