

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

PARLIAMENTARY CONSTITUENCIES BILL

Fifth Sitting

Thursday 25 June 2020

(Morning)

CONTENTS

Clause 1 under consideration when the Committee adjourned till this day
at Two o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Monday 29 June 2020

© Parliamentary Copyright House of Commons 2020

This publication may be reproduced under the terms of the Open Parliament licence, which is published at www.parliament.uk/site-information/copyright/.

The Committee consisted of the following Members:

Chairs: SIR DAVID AMESS, † IAN PAISLEY

- | | |
|--|--|
| † Afolami, Bim (<i>Hitchin and Harpenden</i>) (Con) | † Miller, Mrs Maria (<i>Basingstoke</i>) (Con) |
| † Bailey, Shaun (<i>West Bromwich West</i>) (Con) | † Mohindra, Mr Gagan (<i>South West Hertfordshire</i>) (Con) |
| † Clarkson, Chris (<i>Heywood and Middleton</i>) (Con) | † Shelbrooke, Alec (<i>Elmet and Rothwell</i>) (Con) |
| † Efford, Clive (<i>Eltham</i>) (Lab) | † Smith, Cat (<i>Lancaster and Fleetwood</i>) (Lab) |
| † Farris, Laura (<i>Newbury</i>) (Con) | † Smith, Chloe (<i>Minister of State, Cabinet Office</i>) |
| † Fletcher, Colleen (<i>Coventry North East</i>) (Lab) | † Spellar, John (<i>Warley</i>) (Lab) |
| † Hughes, Eddie (<i>Walsall North</i>) (Con) | |
| † Hunt, Jane (<i>Loughborough</i>) (Con) | Sarah Thatcher, <i>Committee Clerk</i> |
| † Lake, Ben (<i>Ceredigion</i>) (PC) | |
| † Linden, David (<i>Glasgow East</i>) (SNP) | † attended the Committee |
| † Matheson, Christian (<i>City of Chester</i>) (Lab) | |

Public Bill Committee

Thursday 25 June 2020

[IAN PAISLEY *in the Chair*]

Parliamentary Constituencies Bill

11.30 am

The Chair: You are all very welcome. Before we begin, a couple of preliminary notices: jackets can be removed, obviously, as it is incredibly hot. If I told you to keep them on and that it would make the Bill Committee go away quicker I would, but that would not be fair. We must respect social distancing rules at all times, and I will issue a quick reminder if anyone breaches them. More copies of *Hansard* are being brought up so that Members can check details of previous sittings. I remind Members that electronic devices should be set to silent. Plenty of warm water has been supplied, to make you wish that it was cold water. Given the intolerable heat in which we are working, if you want to bring in refreshments I am happy with that.

We now begin line-by-line consideration of the Bill. The selection list for today's sitting is available in the room. I hope you are happy with how the selected amendments have been grouped for debate. Amendments grouped together are generally of a same or similar nature. Please note that decisions on amendments do not take place in the order in which the amendments are debated, but in the order in which they appear on the amendment paper. The selection list shows the order of debates. Decisions for each amendment are taken when we come to the clause that the amendment affects. I hope that is clear.

John Spellar (Warley) (Lab): On a point of order, Mr Paisley. I seek your guidance before we start to move to details on the clauses. During one of the evidence sessions, we were given evidence on a matter that came up elsewhere. Mr Pratt quoted the Organisation for Security and Co-operation in Europe's observation that

"in a majority voting system, the size of the electorate should not vary by more than approximately ten percent from constituency to constituency."—[*Official Report, Parliamentary Constituencies Public Bill Committee*, 18 June 2020; c. 36, Q64.]

The officials helpfully provided us with the documentation of the OSCE report and of the Venice commission on which that is based, and I thank them for that. The "Code of Good Practice in Electoral Matters" produced by the Council of Europe's Venice commission states that the

"The maximum admissible departure from the distribution criterion...should seldom exceed 10%".

I think we should ask the officials to seek a full definition of what the "distribution criterion" is. Is there is a fixed figure from which one can deviate either side by up to 10%, or must it lie in the middle of that 10%? It would be enormously helpful to get clarification on that.

The Chair: Thank you for making that point, Mr Spellar. Unfortunately, it is not a matter for the Chair, and I cannot give a ruling on it. However you have made the

point and it will appear in *Hansard*. No doubt you will be able to receive some updated material from Mr Pratt if you contact him directly.

John Spellar: Further to that point of order, Mr Paisley. Could we ask the Clerks to seek clarification on that? It is a very important factor on which we might be making our determination.

The Chair: All I can say is that the point has been heard. You have it on the record, and that is the important thing for you at this point.

Alec Shelbrooke (Elmet and Rothwell) (Con): Further to the point of order, Mr Paisley. Just for clarification, as you rightly say it is not a matter for the Chair; it is a matter of debate. I have the same document that the right hon. Member has before him and it is opaque. Therefore I would say that, for your guidance Mr Paisley, it is a matter purely of debate. In order to help the Clerk, you may struggle to find the information sought by the right hon. Member.

The Chair: Thank you very much, Mr Shelbrooke. I do not think the Clerk needs any help. I thank you for trying to help me, but as you say, these matters are not for the Chair. We have had three sittings already and some of the matters have been touched on anyway. They are subjects for discussion and debating points.

Mrs Maria Miller (Basingstoke) (Con): On a point of order, Mr Paisley. Last Thursday, 18 June, when we were taking evidence from the Boundary Commission for England, an undertaking was given to provide evidence to the Committee about the collection of data. We gave the commission two weeks to give that evidence. Has there been any indication of when it might be forthcoming?

The Chair: Thank you, Mrs Miller. I thought that that was the point that Mr Spellar was going to make. It is an important one. We have asked for the evidence to be delivered here by 29 June, which is Monday, so you will have time on Tuesday and Thursday next week not only to consider it but to appeal it.

Clause 1

REPORTS OF THE BOUNDARY COMMISSIONS

Cat Smith (Lancaster and Fleetwood) (Lab): I beg to move amendment 2, in clause 1, page 1, line 5, leave out subsection (2).

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

The Chair: With this it will be convenient to discuss the following:

Amendment 3, in clause 1, page 1, line 14, leave out subsection (4).

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

Amendment 4, in clause 1, page 2, line 16, leave out subsection (7).

This is a paving amendment for Amendment 5, with the aim of maintaining the status quo of parliamentary oversight within the boundary review process.

Clause stand part.

Clause 2 stand part.

Cat Smith: I shall start by putting on the record the Labour party's support for the boundary review. We do not seek to cause any difficulty with the passage of the Bill. Our amendments and new clauses are intended genuinely to improve the Bill for the good of the democratic process.

We want the best possible outcome in the review. After all, every Member of the Committee represents a constituency that has been drawn up on electoral data that is now nearly two decades old, and communities have changed dramatically in the past 20 years. The Labour party is clear that the boundary changes must happen before the next general election and welcomes the Government's reversal of the previous decision to base the exercise on 600 constituencies, and their decision to revise the number to 650.

Amendments 2 to 4 are paving amendments intended to maintain the status quo of parliamentary oversight in the boundary review process. They relate to clause 1, but have some implications for clause 2. However, I shall do my best not to stray into that territory. The Labour party fundamentally rejects the Government's decision to end parliamentary involvement in the boundary review process. The process requiring MPs to vote on the final report from the commission is an important safety net without which we MPs would number just 600 today. We believe that the change is a dangerous step that would by definition grant any Government with a majority in the Commons unequal and undue influence over the boundary review process. It comes down to simple maths.

A Government with a majority have power to shape and manipulate the rules that govern the boundary review process. Fundamentally, while the commissions are independent, they are given advice and instructions by the Government of the day.

The Chair: Order. You should know that you should also be speaking to clause 2 at this point, Ms Smith. It is in the group, so you are entitled to speak to it.

Cat Smith: Thank you for that clarification, Mr Paisley. It is helpful.

As I was saying, the Government of the day have the power to define the parameters of the boundary review. The question of a 600-seat or 650-seat Parliament is an example of how the Executive can determine the outcome of the process, so there is already some political engagement in it.

We believe that bringing the review to Parliament for a vote of Members is an important safety net, so that parliamentary scrutiny can ensure that the outcome will work for the whole country. For example, the Government knew at the last review that the 600-seat review would probably be rejected by a cross-party majority of MPs in Parliament. The Labour party has big concerns that, with the changes the Bill will make to the way reviews are done, bad reviews could in future be enforced, and there would be no safety net by way of scrutiny in the House to catch them.

In his oral evidence to the Committee, Sir John Curtice said it would be "perfectly possible for a future House of Commons", if an Administration did not like the boundary recommendations, "to introduce a quick piece of primary legislation".—[*Official Report, Parliamentary Constituencies Public Bill Committee*, 23 June 2020; c. 94, Q176.]

Such legislation could delay the boundary review again. In short, the Bill removes power from Parliament and hands it to the Executive. For those reasons, we have tabled the amendments and new clauses in my name and that of my hon. Friend the Member for City of Chester.

David Linden (Glasgow East) (SNP): It is a great pleasure to see you back in the Chair and in charge, Mr Paisley. I repeat on the record the remarks that I made on Second Reading regarding the view of the Scottish National party. We would prefer not to be represented in this place at all, but for so long as the constitutional requirement is that Scotland remains tied to the United Kingdom, Scotland should have no fewer than the 59 seats that we have in this place.

I echo much of what the hon. Member for Lancaster and Fleetwood said regarding parliamentary approval. Our fundamental position is that we did not vote against the Bill on Second Reading because we wanted to see it come to Committee. I genuinely believe that the Minister is a thoughtful person, who will consider arguments on their merits. I hope that in the course of today's sitting and the two sittings next week, she will take on board the amendments tabled not just by the SNP and Plaid Cymru but by the Labour party, which have been tabled with a view to making the Bill better, and making it work for our democratic process.

The hon. Member for Lancaster and Fleetwood is right about parliamentary approval. I have difficulty with the proposal. I listened to Professor Hazell and Dr Renwick give evidence, and I have genuinely wrestled with where we should end up on parliamentary approval. I am afraid that I probably still maintain my position on Second Reading: I am uncomfortable with a process wherein Parliament does not have the final say, because of what we saw in the last Parliament, during which the Government decided that they would try to plough ahead with 600 seats. They lost their majority over the course of that Parliament, but the whole process underlined the need for Parliament to have the final say, and I wish to put that on record.

Mrs Miller: Reference keeps being made to the shift to 600 seats from 650. That decision was made by Parliament; it was not the result of a boundary commission review that Parliament then ratified. Does the hon. Gentleman not understand that, as Parliament made that decision, today we are discussing Parliament changing it back?

David Linden: I am immensely grateful to the right hon. Lady for that intervention. It is fair of her to put that on record, but the issue is the change in policy by the Conservative party. She is right that the 2011 legislation to reduce the number of seats to 600 was introduced by the Conservative-Liberal Democrat coalition Government. I think a number of us on the Committee—some of us tried to tease this out in the evidence hearings—find it rather strange that, after the Conservative party had a very good election in December, all of a sudden its position changed from wanting to have 600 seats to wanting to have 650.

David Linden: If the right hon. Member for Basingstoke wants to intervene again and explain to me why the Conservative party decided to U-turn on that position, I will happily give way to her, but in the absence of that I will give way to the right hon. Member for Elmet and Rothwell.

Alec Shelbrooke: I can quickly answer the two questions that the hon. Gentleman raises. First, a commitment to 650 seats was in our manifesto, on which we were elected. Secondly, it was in our manifesto because we have left the European Union and have lost 70 MEPs, so there is now a bigger workload. I hope that that clarifies for him why the position was changed. It was in the manifesto before we got a big majority.

David Linden: I put two points to the right hon. Gentleman. Why, if we have lost 73 MEPs, are we not going up to 673 seats in this House? Secondly, if he is talking about the increased workload for Members of Parliament, why is his party trying to reduce the number of seats for Scotland, which presumably also has less representation, in the Bill?

Alec Shelbrooke: To be cheeky to the hon. Gentleman, we could go to 700 seats, which would give us a lot more Conservative seats, because ours are generally bigger than the Labour ones.

David Linden: I would never wish to suggest that the motivations behind this Bill are to ensure that there are more Conservative seats. That would, of course, be disorderly.

11.45 am

John Spellar: I say this in no way disparagingly, but the hon. Gentleman, who represents a seat in Scotland, may not be aware of the enormous changes that have taken place in the electoral register in England. Contrary to the old situation—this shows that the right hon. Member for Elmet and Rothwell is living in the past a bit—more than half of the largest 10 or 20 seats are urban seats in conurbations. He gave a very dated view, but I am not surprised.

David Linden: I am grateful to right the hon. Gentleman for that intervention. I would miss these Bill Committees.

At the risk of going down a large rabbit hole, I will confine my remarks on this group to one other point relating to line 11 of clause 1 and evidence received from Professor Curtice. I refer the Committee to our evidence hearing on Tuesday, particularly question 181, which was asked by the hon. Member for City of Chester. I want to probe the Minister on this point. I know it came in the afternoon, when hon. Members were probably feeling a bit tiresome.

Alec Shelbrooke: Will the hon. Gentleman clarify which question number he is referring to?

David Linden: I am happy to clarify. I am referring to question 181, which can be found on the last page of *Hansard* for the public sitting on Tuesday 23 June.

I want to ask the Minister to comment on a point made by Professor Curtice, who said:

“I am concerned that there is some political consideration going on here. Nobody has raised the point that the next review under this is supposed to end in July 2023 rather than in October 2023. No justification is given for that in the Cabinet Office memo or in the explanatory notes. The only explanation that I can think of—maybe I am being unfair—is that somebody is wanting to pave the way to make it possible to hold a general election in autumn 2023 rather than in spring 2024. Certainly, somebody needs to explain why the next procedure is going to be foreshortened by three months for a set of boundaries that are then going to be in place for another eight years, and this is not going to happen thereafter. There is no justification so far, and I encourage the Committee to inquire further.”—[*Official Report, Parliamentary Constituencies Public Bill Committee*, 23 June 2020; c. 98, Q181.]

On that basis, I put that point to the Minister. I hope that in the course of her remarks she will clarify that particular point in relation to line 11 of clause 1.

Mrs Miller: I am very pleased to serve under your chairmanship, Mr Paisley, and to speak to amendments 2 to 4 and that clauses 1 and 2 should stand part of the Bill. This gives us an opportunity to explore some of the important principles within this Bill to deliver fair and equal-sized constituencies for our country.

We like to pride ourselves on being a strong democracy. We stand in the mother of all Parliaments. Yet the current provisions do not give us the absolute certainty that each of our constituencies are of the same size. Our constituents do not each have the same power to elect somebody to represent them. Some seats require a larger population—for example, I have 83,000 constituents—and others require up to 30,000 or 40,000 fewer constituents within their constituency boundaries.

I want to put on record my absolute support for the Bill and the hard work that my hon. Friend the Minister has put into it. It delivers, as has been said, on an important manifesto commitment to remove the current flaws in the system. I am somewhat perplexed as to why the Labour party has tabled amendments that would surgically remove one of the important principles in the Bill, which is fairness in the way that the recommendation from the boundary commission is dealt with.

I am not the only one expressing surprise. We heard from some eminent constitutional experts in our evidence session that the current system is worse than flawed. In particular, we heard from Professor Hazell and Dr Renwick from the constitutional unit at University College London, who said in their written evidence that

“the independence of the UK’s process is currently violated at the final step”—

“violated” is quite a strong term coming from an academic—

“when parliament’s approval is required to implement the Boundary Commissions’ proposals.”

Quite simply, with its amendments, the Labour party is choosing to ignore the advice of constitutional experts by continuing to support and promote a system that violates the independence of the approval process, which fundamentally undermines what the Bill seeks to achieve. That evidence goes on:

“Parliament’s current approval role has allowed inappropriate political interference to occur three times.”

I am quite astonished that the Opposition would want to be on the record as ignoring that advice and evidence, and fundamentally changing what the Bill would achieve.

If that evidence is not enough, the OSCE report, which was cited during an evidence session, makes it very clear that when reviewing and reforming a system of legislative processes, there must be fairly and equally sized constituencies. It is not just academics in this country who say that we need to change our system, but an internationally recognised institution, which says that, if reforming, we should be trying to put in place protocols and safety clauses to ensure that constituencies are as equal as they can be.

I hope that the Opposition will provide a stronger reason for wanting to change the Bill than the reasons that they have already given. Otherwise, we run the risk of continuing with a system whereby Parliament, when it chooses, stops reviews going through. At the moment, we are dealing with boundaries based on data that is 20 years out of date. That is not just unfair to individual constituencies but, as we heard in evidence, it fundamentally undermines our democratic process.

I hope that hon. Members, regardless of party affiliation, can see the inadequacies of the amendments and will reject them, as I will, because they are fundamentally wrong for our democracy. It is wrong that the votes of voters in my constituency have less impact than those of voters in other constituencies. I urge the Opposition to withdraw the amendments, which would so badly undermine not only the Bill but our democratic system.

Christian Matheson (City of Chester) (Lab): What a great pleasure it is to serve under your chairmanship again, Mr Paisley. I will respond to the questions raised by the right hon. Member for Basingstoke, whom I congratulate—although I might be doing someone else in the Committee a disservice—because I believe it was she who coined the term “automaticity”.

Mrs Miller: It wasn't me!

Christian Matheson: Then I apologise to the coiner of that term. We learn something new every day in Committee, and “automaticity” is another term that I might try to slip into speeches from now on.

I rise to speak in favour of the amendments tabled in my name and, in particular, that of my hon. Friend the Member for Lancaster and Fleetwood. I am instinctively unhappy about anything that takes Parliament out of the review process. The buck has to stop with Parliament. I remind the Committee that not only would the House of Commons have to approve the legislation, but the House of Lords would have to do so too, so there is no self-interest there.

It is essential that we do not remove Parliament from the consideration of our democracy. Bluntly, nobody is more focused on the quality of our democracy than those of us in this House. That is seen as a negative, but I think it is absolutely a positive to be reminded that at some point, within a maximum of five years, we are going to have to go back to our electorate. To have that sword of Damocles dangling over us is always very important. When I was first elected to this place, I had a majority of 93, and my God, didn't I know it. That makes us take our electorate and our voters seriously,

because they are our ultimate employers. Removing Parliament from that consideration is something I am instinctively unhappy with.

David Linden: At the risk of comparing majorities, when I was first elected it was with a majority of 75. The hon. Gentleman is right to touch on this point about the need for parliamentary approval. Does he, as I do, find it a little strange that the Conservative party—largely now made up of Brexiteers—spent the whole Brexit referendum talking about Parliament taking back control and Parliament being sovereign, but now, all of a sudden, it wants to give away control and Parliament not to have approval?

Christian Matheson: What an excellent point. I was not going to mention that, but the hon. Gentleman is absolutely right: Parliament is not taking back control. I am afraid this is one of a number of examples where that was a somewhat bogus phrase, albeit very successful at the job it was employed to do.

Jane Hunt (Loughborough) (Con): Could I talk about the backstop that the hon. Gentleman mentioned? Surely, the backstop here is in the primary legislation that a future Government could bring forward, should they wish. The outcome of the report would then not be known at the time that other hon. Members were making the decision. At the moment, they know the outcome of the report; they know whether they are turkeys voting for Christmas, and that taints the outcome, rather than those decisions being made at the beginning.

Christian Matheson: I thank the hon. Lady for her intervention. One of the advantages of these Committees is that we get to know new Members, and it is great to see her here.

I will give two answers to that. First—I will return to this point—there is a problem, in that this process is affected politically by the instructions that this House gives it. Professor Sir John Curtice agreed with that when I asked him about it during the evidence sessions, and I think my Front-Bench colleague, my hon. Friend the Member for Lancaster and Fleetwood, mentioned it as well. Although the last couple of years have been different, this House normally has a majority of MPs from one party or the other, so there is already a political influence on the instructions that are given.

Secondly, I do not look so dimly on this process. I do not look at it as turkeys voting for Christmas. Of course, there is some self-interest; we know that because when the Boundary Commission publishes its proposals, it gives existing Members within each area—in my case, the county of Cheshire—notice of what those proposals are, perhaps the day before, so we have a chance to take in what is being proposed. We look at our own area first, but the view that is taken is collective. I trust hon. Members. With the greatest respect to the hon. Member for—

Jane Hunt: Loughborough.

Christian Matheson: The hon. Member for Loughborough—forgive me. I do not know her well, although I know the Minister, because we have been sat together in statutory

[*Christian Matheson*]

instrument Committees many times. She listens; I do not always agree with her, and she does not always agree with me, but she listens. The hon. Member for Walsall North and I have worked together on a couple of matters, and if I may say so, I consider him a friend. He is on the other side of the House, but I trust him to listen, at least.

Alec Shelbrooke: He is a Whip!

Christian Matheson: He is for now; he will not be after I have said that. [*Laughter.*] I know him, and I trust him to listen, but I also trust him to take the best collective view, which is what I think most hon. Members do.

One of the depressing aspects of the evidence sessions was that people who were not MPs but were senior academics were saying, “I don’t trust MPs.” That plays into a narrative that I object to. [HON. MEMBERS: “Hear, hear!”] I trust MPs, including hon. Members on the other side of the House who I know and have worked with on cross-party issues. I believe that, even if I disagree with their political principles or their position, they are probably doing this job for the right reasons.

12 noon

I will not have this House, or the motivations of most Members, denigrated by people who, because they operate in senior academic circles, might be the very people who would be drafted on to the public bodies to take the decisions. There are people setting themselves up as being in a position to overlook us and perhaps have a different view, simply because they are potentially on the other side. I do not suggest that of the individuals who gave evidence; there were some eminent academics who did so. However, we must be careful not to buy into the narrative that MPs are in it only for themselves. Most, on both sides of the House, are not. I reject that idea. I trust hon. Members to take the right collective decision. Yes, we will look for our own constituency first. Of course we will.

Mrs Miller: Will the hon. Gentleman give way?

Christian Matheson: Will the right hon. Lady indulge me a moment?

To go back to parliamentary approval is to provide a safety valve, so that the collective overall proposals are not daft or unworkable, and so that they have relevance to the communities they serve. That must be at the back of the minds of the commissioners—otherwise we end up with the Devonwall and Mersey Banks constituencies, where the numbers are all that matter, irrespective of the communities.

Mrs Miller: I note from the hon. Gentleman’s CV that we share the same university background, so I hope his notes about academics do not stretch as far as the London School of Economics. That would not be a good thing.

The hon. Gentleman makes an important point. In the vast majority of cases, in my 15 years as an MP I have rarely questioned the motivations of individuals here. However, can he explain the comment made by

one academic in evidence about the decisions in 1967 not to accept the boundary review? There was a strong indication there that it was a question of political gerrymandering—I will use that word, although I am not sure whether that is the right context—or certainly a little sleight of hand. Now, because of the process that we have in place and the blocks that are there, we are using boundaries that are 20 years out of date. How, then, can he advocate the status quo? It is not working.

Christian Matheson: I think it was in 1969, when I was one year old, so my memory of the politics of the time is not, perhaps, good. Maybe there were political considerations within the Wilson Government at the time.

Mrs Miller: It was Wilson.

Christian Matheson: Yes, the Wilson Government in ’69. I ask the right hon. Lady what the difference is between political considerations at the end of the process and political considerations at the start of the process, when the criteria are set out. We have to get the balance right. That bookending with a return to Parliament is a good thing.

Alec Shelbrooke: The hon. Gentleman mentioned setting out criteria for setting the boundaries. That is what the Bill does, and we will vote on it in Committee and on the Floor of the House. Once the Bill is passed, the criteria will have been set, so we will not have removed parliamentary oversight and given it to the Executive. The House of Commons and the other place will vote on the criteria being set out.

Christian Matheson: The right hon. Gentleman is right, and that is the nature of parliamentary democracy, but it is also true that at any one point—in the past few years it has tended to be the exception rather than the rule, but we are now back in the rule again—one party has a majority and can drive through its preferences for the criteria. Later, I shall pay tribute to the Minister for showing some flexibility on the matter, but the fact is that the criteria are set by the majority party. That is why there is politics at one end and politics at the other. We have to recognise that.

Let me come back to the issue of the safety valve. I want to respond to something that the right hon. Member for Basingstoke said in her speech, when she talked about inappropriate political interference. Let us be clear: my party did not want the reduction from 650 to 600 seats; I do not think that the nationalist parties wanted it, nor did the majority of Conservative Members, including—I suspect—a majority of those on the Government Front Bench. I do not know whether it counts as inappropriate political interference, but the reason those changes did not go through was that there was not automaticity at the time, and hon. Members simply did not support the change. They would have voted for it on Second Reading, but that is very different, particularly for Government Members.

Let us talk about the practicality of that: it is very different for Government Members to vote against something on Second Reading and then have private conversations, which we all know go on, to make changes.

That is the safety valve that non-automaticity—if I may use that phrase—provides. Bringing that process back to the House of Commons and the House Lords would provide that safety valve. We know about the 1969 event because the history books tell us about it, but such occasions are, largely, very rare.

Normally, the changes would go through, but they have not on the last two occasions because they simply lacked the support in Parliament, for genuine reasons. For example, as the right hon. Member for Elmet and Rothwell said, the view on the Conservative side changed to the idea that leaving Parliament in those conditions no longer stood. Of course, if we had had automaticity, hon. Members would not have had the opportunity to do that, we would have left the European Parliament and we would have been down to 600 seats.

This is not a wrecking amendment; it would maintain parliamentary approval as a safety valve in case the Boundary Commission got the review wrong. During the evidence sessions, we heard the phrase “marking our own homework” about MPs. That is misleading and is not what is happening. As I mentioned to Professor Wyn Jones in the first evidence session, we give the Boundary Commission its criteria; it goes off and does the job, consults, does more of the job, consults more and then comes up with the final proceedings; and then, the process rightly comes back to Parliament to tick the boxes and say, “Have they done exactly what they were asked to do according to the criteria?” There is nothing wrong with that at all.

That is absolutely normal procedure. Anybody who is doing any type of project is given the terms and criteria, and off they go to do it. The people in charge can then come back and say, “Yes, that job is done.” There is no desire on this side of the Committee to hold the Bill up any longer, but it is absolutely right that we have final parliamentary approval to ensure that the job has been done properly and that we are able to sell what the Boundary Commission gives us to the communities we serve, so that the new boundaries reflect those communities. I urge hon. Members, particularly on the Government Benches, think of this not as a wrecking amendment, but as one that would maintain Parliament’s role and sovereignty in that whole procedure.

Alec Shelbrooke: It is a pleasure to serve under your chairmanship again, Mr Paisley. I want to make a few points about automaticity and why it is worth removing. The hon. Member for City of Chester just made the point that if the change to 600 seats had gone through, that it is where we would be, but we have changed our minds before. That is true for any legislation. No Government can tie the hands of a future Government, who can bring in any Bill they wish. Earlier, I said with a certain flippancy to the hon. Member for Glasgow East that we could increase the number of seats to 700. That does remain an option, of course; any Government can move boundaries or introduce any Bill they want in a future Parliament. Indeed, this Government could do that by tabling an amendment later on.

As the hon. Member for City of Chester said, we were in slightly extraordinary times in the last decade, with coalition and minority Governments instead of majority Governments. That gave the House of Commons a huge amount of power. It also showed that the House of Commons could introduce Bills that the Government

did not want, and those Bills went through. It was an extremely powerful time for Parliament. There is still that ability to bring a Bill to stop the boundaries, even with automaticity. With a majority Government, of course, it would probably fall.

Christian Matheson: Members can bring in a Bill, but the Government still have to move the money resolution.

Alec Shelbrooke: Absolutely. As the hon. Gentleman will know, however, the former Speaker showed the House that there is a way to twist everything, so none of these things is insurmountable.

My argument is simple. When we talk about MPs voting at the end, I think the argument is false, because Parliament has always had the ability to vote. I agree with the hon. Member for City of Chester that whether that is at the beginning or end, the Executive in Parliament have that power over what happens, yet it is still a parliamentary process.

Sometimes the arguments we have can seem esoteric to the public. Oddly enough, the boundaries and the reduction in Parliament did cut through to them. We may view this as a technical argument, but it was relayed on the doorstep several times over many years that constituents asked whether the House of Commons would be cut to 600 seats. The connection the public make is that they do not like politicians, and they want fewer of us, but that point did cut through and there was frustration that things had not happened.

I do not like the phrase, “Turkeys don’t vote for Christmas.” It is flippant. It undermines the thought processes that we give to this issue. There were, without doubt, specific moments—political moments in political history—that stopped those boundaries happening, as people looked at what went on.

At the very start of our proceedings on 18 June, Mr Paisley, you said:

“I ask any members of the Committee who wish to declare any relevant interests in connection with the Bill to make those declarations now.”

To which I chuntered from a sedentary position:

“Isn’t that all of us?”—[*Official Report, Parliamentary Constituencies Public Bill Committee*, 18 June 2020; c. 5.]

It is impossible for us not to have an interest in what will happen to our seats. I do not believe that that is because we need to pay our mortgages. Of course that self-interest comes into someone keeping their job, but I believe it is deeper than that. The hon. Member for City of Chester was elected with a majority of 92.

Christian Matheson: It was 93.

Alec Shelbrooke: I have done the hon. Gentleman out of one vote. He will forgive me if I am unaware of what his majority is now.

Christian Matheson: It is 6,164.

Alec Shelbrooke: I am most grateful to the hon. Gentleman. I do not know him particularly well, but he strikes me as a Member who cares about his community and has built that up. I took on the seat of Elmet and

[Alec Shelbrooke]

Rothwell in 2010, a newly formed seat with a Labour majority of 6,000. My majority at the last election was 17,353.

I have worked that seat, day-in and day-out, with each of my constituents, not because I am trying to secure my job, but because I love my community and working for my constituents. I have lived in my constituency my whole adult life. There is, therefore, an emotional tug on a seat that has 81,000 people and would absolutely have to change with these boundaries. Even if the later amendment of 7.5% went through, the seat would still have to change.

I doubt there is an hon. Member in this room who wants to give up part of their constituency. As the hon. Member for City of Chester says, we do care. We are in it for the right reasons. We want to represent our communities. Many of us—like myself—have lived in our communities throughout our adult life, and it is a matter of pride and honour that we represent them.

I get great joy—not for any narcissistic reasons—from the fact that when I am shopping in my local town, about 5 miles from where I live in my constituency, people come up to me all the time and ask me things. That is not narcissism; it is the fact that I am their representative, and I always wanted to be somebody who they could come up to and speak to.

David Linden: The right hon. Gentleman is making a thoughtful speech, talking about the conflict of interest faced by Members of the House of Commons. Does he intend to touch on the fact that their lordships also have a degree of approval, and do not have that conflict of interest? If we go ahead with automaticity, their lordships will not have parliamentary approval either.

12.15 pm

Alec Shelbrooke: The hon. Gentleman is a very thoughtful man: he has got on to my very next sentence. Perhaps controversially, I would do away with the House of Lords as it stands anyway, because I hate the place. We are a modern democracy, but it is an absolute disgrace that only two Chambers in the world—those of Iran and China—have more unelected clerics than we do, or more unelected legislators. We do not keep great company in that sense.

David Linden: To clarify, I believe the Isle of Man also has unelected clerics, so we are not in completely bad company. That is a constitutional history point.

Alec Shelbrooke: I said the size—the number.

John Spellar: Will the right hon. Gentleman take the opportunity to assure the Committee, and therefore put it on the record, that at no time in the future would he accept a place in the House of Lords?

Alec Shelbrooke: I can give the right hon. Gentleman the same assurance on that issue that all Labour leaders have given. [Laughter.]

John Spellar: So that's a yes?

Alec Shelbrooke: I am losing track now.

The Chair: We are on clause 1.

Alec Shelbrooke: I am grateful to the hon. Member for Glasgow East, because this is a serious point. We are moving approval to an unelected body, which is a strange mix of parties and balance. A load of appointees will be going to the House of Lords, and there is going to be an argument about which party is getting the most—it is a very unrepresentative body. It would be way outside the scope of this Bill to discuss Lords reform, but the problem has always been that there are 650-odd MPs who think the House of Lords needs to change, and 650 different ideas about how to do it.

The House of Lords has a role in this Bill. The Bill is setting the criteria, and it is going to the other place, where it may well get amended. It will then come back to the House of Commons, and this House will vote on it. Funnily enough, I never had a problem with the amendments passed during the Brexit debate in the House of Lords, because they were irrelevant: whether they were accepted was up to the House of Commons. People got excited about what the House of Lords was doing, but it was an irrelevant argument, because its amendments had to be accepted by the House of Commons. That is where the power lies; that is what went on. The Lords is a revising Chamber, and it may frustrate us sometimes or we may have ideological views about it, but it still has its role in this Bill.

This comes back to what the hon. Member for City of Chester said about whether the politics is at the beginning, or at the end. The answer is that it is at the beginning. The House of Commons could bring in a one-line Bill to stop this later on—that power remains with this House—but it is right that we move this process forward. If we are all honest with ourselves, the vast majority of people sat in this room are nervous about what is going to be put to us in September 2021 when the first report comes out, and about how our representations will be received in June 2022. That is the nature of human beings: people think that politicians are not like other people, but of course we are, in every respect. However, we fight for our communities not because we are worried about our jobs, but because that is why we went into politics. We all therefore ask ourselves, “Do I want to see a chunk of the community I have represented for such a long time disappear?” When that happens, it is heartbreaking.

Mrs Miller: My right hon. Friend is correct that we all fight for our communities, but we should be doing so on a fair footing. The assertion of the hon. Member for City of Chester that the current system is flawless is simply not borne out by the facts. I have been doing some gentle maths on my Order Paper, and I think my hon. Friend the Member for Newbury and I top the charts with 83,000 constituents in our patches—constituencies that are 50% bigger than that of the hon. Member for Ceredigion. Obviously, there are important reasons that things in Wales have been done in the way they have, but that does not mean we have to continue with them now. We missed out a round of reform in Wales that is long overdue.

Alec Shelbrooke: I thank my right hon. Friend for those comments.

Ben Lake (Ceredigion) (PC): The right hon. Gentleman made a very good point earlier about representation and what it means, and the importance of working the patch. I agree with the point that the right hon. Member for Basingstoke made about the different nature of our constituencies. I would point out, however, that during the summer months the population of my constituency doubles, in part because of the very large proportion of second homers. When they come to me, they have an address in my constituency. I do not ask them whether they are registered to vote in Ceredigion; I serve them, because they have come to me for help. I make that point as a note of caution. We should bear in mind that more factors are at play than purely the electoral register.

Alec Shelbrooke: I am grateful to the hon. Gentleman. That moves us on to clauses and amendments later in the Bill that we will be able to debate further. My constituency is a county constituency. I am in the city of Leeds, but the other seven seats are borough constituencies, so it is not fair to compare me directly. There is some argument over how big Leeds Central is. It varies from 78,000 voters to 94,000 because it has such a transient population. However, the seat of Leeds East has only 66,000. I know that some Opposition Members might not particularly miss the seat of Leeds East today, but I will not ask them to comment on that. Those are the differences in just one city, among neighbouring seats. Leeds West, on the other side, is a different size to Leeds North East. Seats vary hugely within just one city by tens of thousands of votes, not necessarily just a few. However, I take on board the hon. Gentleman's point.

I have two final points to make. The right hon. Member for Warley mentioned the OSCE report earlier in his point of order, and I picked up on it as well. The report says that

“making members of parliament (MPs) accountable to their electorate and creating a link between the MP and voters...is undermined when MPs know that they will acquire new voters with new constituencies before each election.”

I do not necessarily agree. I think that we are honourable enough to represent the people we represent right until the end. I am sure that everybody in this room, as soon as they are elected, pays no regard whatever to the voting intentions in areas of their constituency. I have worked every single area of my seat, which had a traditional mining area. The village of Allerton Bywater was a colliery. It was at the frontline of the miners' strike. I stood in local government for it in 2002 and received 8% of the vote. In the last general election, I received 52% of the vote. It changes. We go in and work an area, and none of us takes any of our constituents for granted.

I therefore think that that is a slightly disingenuous comment, but it points to the fact that at some point things have to happen, and political events may happen towards the end of a Parliament. If we want just to delay the change and kick it forward, we are running into the fact that we could say, “Let's have it come into effect straight after a general election, so that we all know what we're doing next time and there's time to adjust,” which plays into that argument. When is a good time to do it? From our point of view, I do not think that there is one. There is an automaticity point here.

I understand the amendment that Opposition Members have tabled; in fact, I think that the hon. Member for City of Chester made a very reasoned and well placed

argument. My view, though, is that we have not removed Parliament's ability to have its say in the process for two fundamental reasons. First, Parliament is having its say at the very beginning, in the criteria laid out. Secondly, there is still nothing really—we can argue about technicalities, but they have all been overcome in the past two or three years—preventing Parliament from stopping the change, if it wanted to, before it came into effect.

John Spellar: It is a pleasure to serve under your chairmanship, Mr Paisley. It has been a very instructive debate. It is very interesting—in some ways encouraging—to see that experts are back in favour in the Conservative party, after a period in which they were castigated, belittled, abused and reviled. Academics and no doubt judges will soon be back in the pantheon. However, I do not think that creating a series of new priesthoods of those who can lay down divine, unalterable and unchangeable wisdom is right in a representative democracy.

It is absolutely right that there are checks and balances within the system. As my hon. Friend the Member for City of Chester said, academics give views and those views can be challenged on the evidence that they have produced. But they all end up being advisory, and they all end up getting commissions for local government or boundary commissions, or from other bodies. In the same way, academics in transport had lots of views when I was a Transport Minister. None of them were living on their university salary: they were all doing commissions for different bodies. It may or may not have had some influence on their views.

Alec Shelbrooke: I wonder whether the right hon. Gentleman agrees with me, though, that one of the strengths of what we do at the Committee stage with the line-by-line analysis is to also act as a guide to the deliberations that have taken place and the arguments that have been put forward, for those who may independently be on the panel.

John Spellar: That is a very fair and effective point. There also needs to be a check, therefore—they know that there will be a check further down the line, and that they do not ignore those guidelines or indeed ignore the realities on the ground with complete impunity. In a minute I will come to why we saw that happen, and talk about the history of the last ten years and why boundary commissions failed on two occasions.

I must divert briefly from the matter following the intervention from the right hon. Member for Basingstoke, who had clearly prepared her comments about the OSCE, or maybe she came in after I raised the point of order at the beginning of the sitting. “The Code of Good Practice in Electoral Matters” clearly states that the

“maximum admissible departure from the distribution criterion...should seldom exceed 10% and never 15%, except in really exceptional circumstances”.

Therefore, it does not prescribe mathematical equality, nor indeed straining the system in order to achieve that mathematical equality.

Mrs Miller: The right hon. Gentleman will, if he looks back at what I said, see that I was talking about the principles set out in that report from that organisation, which explicitly say that deviation away from equality

[Mrs Miller]

undermines suffrage. It is, of course, an international organisation so it is perhaps having to deal with many sorts of democratic systems, but I was referring to that principle.

John Spellar: Actually, if I look back at the earlier clause for which that was a note, it was referring to constituencies that had 10,000 eligible voters and another one with 100,000. The OSCE was not referring to the circumstances described when it said such situations should be avoided. But it laid down clear parameters, recognising that there would be all sorts of reasons in all sorts of countries for having a reasonable range in order to deal with ethnic or religious divisions—as it pointed out—as well as geographical factors in other areas.

I will move onto the issue of what is the mischief that actually the legislation seeks to remedy. That comes down to how we got here. Everyone accepts that population changes. Nobody—except perhaps some Conservative Members on the other side of the Committee—would want to go back to the Old Sarum system in which a dozen voters had a vote while the populations of the great growing urban areas of the 19th century were unrepresented. Obviously, therefore, we need to recognise population movement that is probably greater now than it was previously. Frankly, we got into this position because of a shallow and superficial gimmicky decision by the previous Prime Minister, David Cameron, for a strapline of saving money by cutting the number of politicians. We have, in fact, been representing far more constituents. In fact, we represent far more constituents now than at any other time in British history. He got a cheap headline, and some people may have bought it, but it was absolutely irrelevant in terms of GDP and Government spend. However, that then imposed huge constraints on the boundary commissions.

12.30 pm

The fundamental problem was not opposition by the Labour party, but the massive opposition from the Conservative party, not just among Members of Parliament but among many of its county associations. So in spite of having done a cosy deal with Nick Clegg to have a referendum on proportional representation, the Liberal Democrats backed away and the Government could not get it through because it was not necessary disruption.

I say that as someone whose seat of Warley West was cut three ways in the boundary change before the 1997 election. One part went into a marginal seat, one part went into the seat of the then Speaker, Baroness Boothroyd, and the other part went into Warley East to form the new Warley. I assure hon. Members that it was not exactly great fun, but it was necessary to deal with population change.

What was proposed by the boundary commission, however, was gratuitous and unnecessary, and was seen as such. It was therefore rejected by Members of Parliament. There is mention of marking one's own homework, as though one could say, as a Member of Parliament, "I veto this policy because it does not suit me in Warley." That is not the situation. The situation is whether it affects the great majority of MPs adversely, unfairly and in a way in which they and their constituents find

unacceptable. That is what we ought to be looking at, which is why it would be more sensible for the Government to bring forward changes to reflect that, but that is part of a future debate.

What we are discussing here is why we hand over to a commission. I assure Committee members that, absent the constraint that it has to be acceptable to Parliament, the bureaucrats will look at just numbers, not community or geography. The constituencies that were created last time were absolutely bizarre shapes.

Mrs Miller: The right hon. Gentleman is advocating the current situation as if it is some utopia. Can he explain why anybody should be happy that he has a third fewer constituents than I do in my constituency? If he is looking for checks and balances if the boundary commission or its advisers abuse their position, surely they are that the House of Commons can change the legislation in future if the situation is abused. I have to say, there is more evidence that it has been abused under the current situation, and he is advocating to keep it that way.

John Spellar: I must repeat what I just said: everybody accepts that population change, growth and reduction, urban clearances and so on have an impact. That has changed somewhat, because the traditional pattern was that slum clearances in the inner cities meant that people moved to the suburbs and, subsequently, to the fringe towns. I expect that is what is happening in the constituency of the right hon. Member for Elmet and Rothwell. Everyone accepts that that takes place.

It was the actions of the former Prime Minister—first, in attempting to reduce the number to 600 and secondly, proposing to change the margin of variation to 5%—that created an unacceptable framework, which then created completely unrecognisable constituencies that completely lacked community. The borough of Sandwell would probably have gone down to three seats.

The other problem is that the rigid mathematical formula, along with no imagination from the boundary commission, creates a huge number of orphan wards. Those are areas that are parts of someone's constituency but have no connection with the rest of it. Inevitably, the Member then focuses on the bulk of their constituency. That is not good for democracy.

Christian Matheson: I thank my right hon. Friend for giving way. He is right about the orphan wards. Does he share my concern that the right hon. Member for Basingstoke, in her intervention, accidentally conflated two interpretations of the phrase "current situation"? One is the current situation regarding the current introducing of boundaries and the other is the current situation regarding the process we follow to get there and, at the moment, the current situation includes a parliamentary approval. She mentioned in her intervention the different sizes of constituencies. We are not suggesting that we object to that, but there is a conflation here that might confuse the Committee.

John Spellar: I very much take my hon. Friend's point. Fundamentally, the parliamentary approval finally acts as the constraint on the Executive, but also on the bureaucracy. I do not believe in this, as in so many other

areas, we should just hand over decision making to the great and the good. Academics and lawyers have a proper role: they should advise. Quite apart from their role in a judicial capacity in trying cases, their views should not be unchallengeable. As I said earlier, I thought that view was quite fashionable in the Conservative party, but that may have changed.

One could do away with the whole problem. One could have a national list and, just as in Israel, whatever the percentage of votes are achieved, that is the number of seats given. I happen to believe very strongly in the constituency link. I happen to believe in individual constituencies and the Member's link to those constituencies, representing their local interests and views. In the last election, we saw very different patterns across the country. Those regions and towns were represented. That is why it is important we try and keep those together.

Finally, one of the experts referring to the question of local links rather disparagingly said that very often they were political points dressed up as constituency links. There was some truth in that, although I think he was far too disparaging of constituency links and relationships. Equally, we are seeing that in the debate we are having. There are some political elements in this, as we are seeing with the 5%. Also, as in clause 1, there is a slight anomaly here. In 2031, the report will have to be in by 1 October and every eighth year after that it is 1 October, except in 2023 when it is 1 July. One therefore has to question whether there is an interest—I give way to the vice chair of the Conservative party.

Alec Shelbrooke: The right hon. Gentleman has given me a good smile this morning. For that to come into effect, there would have to be a vote of the House once more, because we are still under the Fixed-term Parliaments Act 2011. Once again, I hear what the right hon. Gentleman is saying, but again, it would have to be a decision of two thirds of the House.

John Spellar: The cat is out of the bag.

Christian Matheson: Meow!

John Spellar: Not one denial that this is a change that is designed after, presumably, not a two-thirds majority but a simple majority of the House to do away with the Fixed-term Parliaments Act 2011. I think it is part of their programme to put through that legislation and then call a snap election in October, rather than in the following May, which is scheduled in all the other legislation.

Alec Shelbrooke: I thank the right hon. Gentleman for promoting me way beyond my humble Back Bencher status to being able to control the date of the next election. It still comes down to a fundamental point that all of these matters rest on a vote of the House. It comes back to the point that I made earlier: we are voting in this Committee on setting those parameters. It does not usurp the will of the House at any time, because the Bill is in Committee, it will go through both Houses, and it will come back. Whatever the political naughtiness may be around the discussion, it will always come down to a vote of the House.

John Spellar: Mr Paisley, I am prepared to end by conceding that there is clearly political naughtiness, and it is very much contained in clause 3(2).

Shaun Bailey (West Bromwich West) (Con): It is great to see you back in the Chair, Mr Paisley. As a relatively new Member of the House, I am quite nervous about following some of the right hon. Members who have spoken. I do not know whether I will quite be able to hit the bar, but I will give it a go.

Given that six months ago I probably did not anticipate being here, potentially putting myself out of a job is an interesting proposition. I wish to touch on some of the points made by my right hon Friends the Members for Elmet and Rothwell and for Basingstoke. I must apologise to the latter—I have been referring to her as my hon. Friend, and have not paid tribute to her membership of the Privy Council. They made some interesting points on self-interest. As my right hon Friend the Member for Elmet and Rothwell said in the first evidence session, we all have a self-interest because we all want to represent the communities that have put us here.

That notion of community is interesting. My neighbour, the right hon. Member for Warley, made the point in the first evidence session that Government Members might not understand communities quite as much because of our sprawling rural seats. If he can find some sprawling rural parts of Sandwell that he wants to take me to, I would be more than happy to meet him there.

Christian Matheson: What about the country park?

Shaun Bailey: That is not in my patch.

John Spellar: It is in the east.

Shaun Bailey: It is in the east. It is an interesting point, because we are put here to represent those communities. In a way, it is a weird dichotomy because those communities are our self-interest, and we want to make sure, ultimately, that they have the best level of representation.

Parliamentary scrutiny is at the core of this, and it is the contentious point. If history has shown us anything, can we really call what we have seen over the past 50 years proper parliamentary scrutiny? Really what we have seen is an attempt by this place to kibosh any sort of review or change to the boundaries. I know we keep harking back to 1969 and to the historical boundary changes, but the pattern that we see speaks for itself. This has been going on for 10 years. In the vein of trying to get things done—as we said in December—now is the time, given that we have talked about the matter for a decade, to finally get some movement on it.

The hon. Member for Lancaster and Fleetwood and others asked whether judicial-led boundary commissions would be truly independent. My right hon. Friend the Member for Basingstoke asked a representative of the Liberal Democrats in our first evidence session how politicians directly influence judicial-led boundary commissions. Surprise, surprise, no real answer was put forward.

We cannot do down the importance of the judiciary in our democracy. It is one of our three pillars of Government, and of our democracy. I have heard the arguments that we do not want the process to become one led by technocrats. We have had a debate over the past four years, as we have been trying to leave the European Union, about the role of technocrats in our

[Shaun Bailey]

democracy. However, we must look at how communities engage with this matter, particularly the aborted reviews of 2018 and some of the stories that we have heard.

I remember being told an anecdote about the proposal to join Halesowen with Selly Oak. The story was as clear as day: the hearing was going on, and a gentleman walked in off the street and articulately explained, for a good part of 10 minutes, why the Black Country is not Birmingham. In the end, that led to the commission changing its view. We cannot underestimate the role of the public, whom ultimately the Bill exists to serve, and who ultimately are the subjects of the Bill, in forming and shaping it.

12.45 pm

I understand the point that we are a representative democracy. We are sent here to represent the views of our constituents and to ensure that their voices are heard.

The hon. Member for City of Chester used the analogy of the supervisor of a PhD, which was a timely way to try to mould the argument together. I slightly disagree with his analogy, because in my experience of doing a master's degree, the supervisor sets the parameters for what we do, but they certainly do not mark the homework afterwards. That is sent off to an independent third party to do the review and then we go on to a viva. I understand the point he was trying to make, but it does not really fit the analogy. What we are trying to do here is similar: we set the parameters and say, "This is what we are trying to do." We can debate that, as we are now, and we can do so again. That is the privilege of this place. We can amend and change things if we find something does not work. The Opposition say the issue is that we cannot change this.

John Spellar: I ask the hon. Gentleman to reflect on the proposals of the previous boundary commission, which wanted to take one seat from the middle of Halesowen right the way through past Birmingham, Selly Oak almost to the Birmingham-Solihull border. Another proposal was to run through my constituency right the way through his and then through to Dudley town centre. I am sure he will accept that there is very little commonality between those various constituencies. Indeed, most of our residents have very little dealings with the borough of Dudley and vice versa.

Shaun Bailey: The right hon. Gentleman makes a good point. I used the example that he raises with respect to the Halesowen and Selly Oak seats because of the interaction of the public, and it was changed. Yes, he is right, and that is why the public came forward during those hearings to put their points across. He knows as well as I do that the Black Country is not Birmingham. That is the point raised particularly in our patch time and again. I absolutely hear his point. We have seen those anomalies; I do not disagree with that. However, we have to trust the process and trust the public to know their communities. I am sure he will agree that our residents in Sandwell absolutely know their community.

John Spellar: To reinforce the hon. Gentleman's point, the Black Country is not Sandwell and not Birmingham, even though people outside think it is, yet that was not recognised by the boundary commission, which stubbornly refused to accept it. That is the difficulty. There is arrogance and ignorance, frankly, in many cases, and there needs to be a corrective mechanism.

Shaun Bailey: First, I accept the point that the right hon. Gentleman raises about the boundary commission not understanding communities, but with representations from those communities those points are then corrected. The issue of Halesowen was raised with the boundary commission at the last minute and it was corrected.

Mrs Miller: I am listening very carefully. As somebody who was born in the Black Country, I am astonished that anybody would ever think that it was possible to conflate those two communities. I have listened to my hon. Friend's thoughtful speech. It is important to remember that the legislation gives pre-eminence to equality of constituencies. Everything he talks about is important, but it is really important that equality comes first and foremost, with community ties coming after that. Whatever we might say in this debate today, constituency boundaries are an artificial construct. Their nature is by definition artificial, and we have to make sure that they do not overwhelm the need for more equality as between constituency sizes.

Shaun Bailey: My right hon. Friend is, of course, absolutely correct in her analysis. Although equality is obviously the foremost consideration, it does not eliminate those links with communities either. I think she definitely said that in her contribution. She has made the point time and again. I represent a seat with 65,500 constituents and she represents a seat with 83,000. The figures speak for themselves, so I do not think I can add to what my right hon. Friend has said.

Chris Clarkson (Heywood and Middleton) (Con): I want to pick up on the point made about the review allowing local input. The hon. Member for City of Chester described the notorious case of Mersey Banks, which was corrected after a review. Furthermore, to pick up on the point made by the right hon. Member for Warley about the lack of imagination of the boundary commission, does my hon. Friend agree that if the Boundary Commission for England were willing to take the same approach as, for example, the Boundary Commissions for Scotland, for Wales and for Northern Ireland, where wards can be split, that would correct some of the more eccentric seats that have been come up with?

Shaun Bailey: My hon. Friend makes a fantastic point on these matters in his usual expert way. We cannot treat this exercise as arbitrary; we have to give the commission some credit. It has intelligent people, who have a degree of imagination about what they can do within the scope of these rules, and they are boundaries or guidelines; they are not so arbitrary that there is no room for manoeuvre, which I appreciate is part of the argument that Opposition Members are making.

I will try to round off my comments as quickly as I can.

David Linden: The hon. Gentleman will be aware of amendment 10, which I tabled. He is speaking powerfully about the importance of the boundary commission's work, in particular its hearings, so will he support amendment 10, which would lift the limit on the number of hearings that could take place?

Shaun Bailey: I say to the hon. Gentleman that I am in the process of considering how my support will go; I will not pin my colours to the mast right now.

Christian Matheson: Pin them! [*Laughter.*]

Shaun Bailey: First, I will listen to the arguments that the hon. Member for Glasgow East makes, because I do not want to deprive him of the opportunity to articulate his points in the way that only he can. So, we will see what happens when we come to that amendment.

I will simply say that we come to this issue with a degree of self-interest—we all do. Historically, this place has not been the best at balancing the boundaries and making sure that there is equal and fair representation. The parameters that we are setting are flexible enough to ensure that the boundary commission can show some imagination, and we cannot do down the inputs from communities if we are to be sure that these new constituencies are accurately representative of the areas that people live in. Also, we must give credit to the independence of this process. We have yet to hear a really strong argument as to how the independence of these judicially-led bodies can be compromised.

I will round off my comments there.

Clive Efford (Eltham) (Lab): I apologise, Mr Paisley, for missing part of the debate, but I was in the main Chamber for business questions and came here as soon as I could.

I sympathise with the idea that we should set the parameters for this process, and then remove the politics from it and allow a clean process to come to its conclusion. That is a very attractive proposal and it is easy to see the strength of that argument, on the surface. However, when we listened to the evidence from the experts, one of the things that came across absolutely clearly—I should say that I am speaking in favour of the amendment—was that they do not understand the role of parliamentarians and they do not understand the relationship that parliamentarians have with their constituencies. That came out loud and clear, even from those who were more sympathetic to the argument that place is important in people's minds in how they vote.

My fear grew as I listened to the evidence that if we hand this process over to bureaucrats or academics, in the absence of understanding of that relationship between MPs and the communities they represent, and of the affinity that MPs develop with those communities, we will end up with a mathematical exercise. We have set the parameters at 5% and basically we just draw rings around the population across the country 650 times, and then we will satisfy the criteria. And by the way, within that, we will do a bit of manipulation to try to meet some community needs.

For me, that hits fundamentally at the heart of what the democratic process is all about. I mean, the origin of politics is the marketplace—the agora—where the popular

view would prevail. That is really where the roots of democracy lie. What happens in that marketplace—in that common place within a community—is that people discuss and debate matters, and express views about their common experiences. And eventually, they come to a collective view.

To look at what happened at the last election, in many communities up and down the country, people were sick and tired of being left behind and felt that their communities were forever in decline while others were benefitting from being part of the European Union, the globalisation of the economy or whatever it was. Collectively, they came to the same conclusion and there was a seismic shift within those communities.

That shift moved against the Labour party in what have been called the red wall seats. Some common experience within those communities caused a large body of people to come to a collective view. Place and common experience are important factors in the way people form views about how they want to be represented. To undermine the connection between place and the most common experiences of the community hits at the root of the democratic process.

Chris Clark: The point about place is fair and important, but the reality is that even under the current boundaries there are many seats that simply do not represent a cohesive or coherent grouping of population. I look at my own constituency, which is one of the red wall seats. I have Middleton, which is Manchester-facing; Heywood, which is Lancashire-facing; and a third of the town of Rochdale, where the people are deeply embittered about the fact that they are not in the Rochdale constituency. Whatever process is used, there are going to be some communities that are either split, orphaned or combined with areas they do not necessarily look to, purely because of the electoral mathematics and geography. Does the hon. Gentleman accept that?

Clive Efford: Yes, there has to be, within this process, some degree of equalisation as to the weight of people's votes and we have to try to achieve that as much as possible. I am arguing that, within that, we have to respect the importance of place, location and community in the democratic process. If we start to pick those apart just to meet a numerical requirement, we will diminish and undermine the ability of those people to seek representation that makes their views known collectively—how they feel about their area and their collective experience—through a democratic process. It is important that we understand them.

Why I feel that this is important comes back to us. I will move on to that point further this afternoon, but it is about how accountable we are, for what we do, to our communities. That was dismissed in the evidence we had from the experts. They did not value or feel that we value the views of our constituents. Actually, that is how we get re-elected. If we ignore our constituents, we will find ourselves unemployed very quickly. We have to show, as much as we humanly can, that we are listening and sympathetic, or empathetic, to the views of the people we seek to represent, and that we will take those views and seek to get answers. Even if we cannot get the answers that they want, we will get them a decent answer to the questions they are posing. That accountability of MPs to their communities is important.

[Clive Efford]

In this process, we are accountable too. We cannot just go to a boundary commission and say, as one former Member of Parliament for my constituency said once, although not to the commission itself, that it would be fine to draw a line down the middle of Eltham High Street. The constituency goes into Bromley on the south and Greenwich on the north. People in my community were up in arms that our community should be divided between two constituencies in that way and that the integral centre of our community—the High Street—should be divided.

People value place. They feel that it is important that representation bears some resemblance to place and takes into account the entirety of the community, and its common characteristics. That is an important process. If I were to advocate such a split, at the election I would not expect many people who valued the area to vote for me. If I was going around saying, “Well, it doesn’t really matter. Draw the line at the High Street. It’s all fine,” it would not be fine. The hon. Member for Heywood and Middleton has rightly pointed out that we represent many communities. My constituency could be called Eltham, Plumstead South, Shooter’s Hill, Charlton South and Kidbrooke. Many different communities and villages have come together in the conglomeration of the suburb of south London. People do identify with those areas. I could even add Eltham Heights and New Eltham; I could name every street.

1 pm

My point is that the local people identify with those areas and they recognise that that is a collective community that requires representation. If we do not respect that in the way we make representations to the boundary commission, we will be held accountable. People will recognise that we did not defend those communities and show recognition, or value that community as an integral, identifiable place with common characteristics that should be kept together.

We are accountable for what we do. People will look at that and say, “Well, you didn’t think much of us at that point in time, so why should we vote for you now?” We must pay attention to what we say and be careful

about it, especially when it comes to something as important as drawing up a parliamentary constituency boundary.

Jane Hunt: Does the hon. Gentleman agree that MPs have the opportunity, as equals with anyone in their community, to make a representation to the boundary commission when it is drawing up its ideas and through the consultation process? Does that not give equal opportunity to everyone in those communities, including the MP?

The Chair: I encourage the hon. Gentleman to get to the finish line.

Clive Efford: I think you are asking me, Mr Paisley, to give us the opportunity to break for lunch. Is that right?

The Chair: I am encouraging you to finish your speech.

Clive Efford: In response to the hon. Lady, yes, I do agree. We do have that opportunity. But we must also ensure that when those final decisions are published—following the rules that we have set in train to review parliamentary boundaries—that comes back before us, so that we can ensure that the views of our communities are expressed and the rules we have set have been followed. That is the right of Parliament. We are accountable to the people who elect us. The people who decide the boundaries must be accountable, ultimately, to Parliament.

If we start to undermine that process, we will go down a slippery slope. That does not mean each individual MP will get their own way, but it does mean we must hold people to account for the processes that we set in train. That process must come back before Parliament.

I do want to continue, Mr Paisley, but should I pause there?

The Chair: You can try to catch the Chair’s eye at the beginning of the afternoon sitting.

Ordered, That further consideration be now adjourned.
—(Eddie Hughes.)

1.3 pm

Adjourned till this day at Two o’clock.