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Parliamentary Select Committees: Are elected chairs the key to their success?

By Mark Goodwin, Stephen Bates and Steve McKay

In the past two months, two of Britain's richest men have been forced by Parliament to admit to, and apologise for, serious failings in their business practices that could end up costing them millions in compensation. Sports Direct owner Mike Ashley admitted to the Business, Innovation and Skills Select Committee (<http://www.parliament.uk/business/committees/committees-a-z/commons-select/business-innovation-and-skills/news-parliament-2015/sports-direct-working-practices-mike-ashley-no-show-16-17/>) that, despite being Britain's 22nd richest person with an estimated fortune of £3.5bn, he had not been paying staff in the company's main warehouse the minimum wage. A few weeks later, the same committee witnessed what many saw as a bizarre performance (<http://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news-parliament-2015/bhs-pension-fund-joint-evidence5-16-17/>) from another British billionaire, Sir Philip Green, as his failings in the sale of British Home Stores were exposed in between complaints about excessive staring from the committee members. These are just the latest in a string of high profile inquiries by parliamentary select committees over the past six years that have also seen Rupert Murdoch attacked with a custard pie (<https://www.youtube.com/watch?v=ZIZNXZVNk74>), Michael Gove alleging a 'Trot conspiracy' in English schools and a vice president of Google being informed that "you do evil" (<https://www.theguardian.com/technology/2013/may/16/google-told-by-mp-you-do-do-evil>).

Parliament's House of Commons select committee system, which allows groups of backbench MPs to scrutinise the work of government departments and to initiate their own inquiries in areas related to the work of those departments, has existed in its present form since 1979. But in recent years, select committees have gained an unprecedented public profile, with ever more media attention (<http://www.democraticaudit.com/?p=1106>) focused on the committee corridor rather than the main chamber of the Commons. One explanation for this shift is the set of reforms to the select committee system introduced in 2010 on the recommendation of the Committee for Reform of the House of Commons chaired by MP Tony Wright, and collectively known as 'the Wright reforms' (<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmrefhoc/1117/1117.pdf>). The Wright reforms, as they relate to select committees, provided for the direct election of select committee chairs by

MPs, and of committee members by party caucuses, replacing the previous system of patronage by party whips. Many commentators and parliamentarians (<http://www.policyexchange.org.uk/modevents/item/john-bercow-the-making-of-a-modern-house-of-commons>) have credited these reforms with revitalising the committee system, by allowing more independent-minded parliamentarians to take control of committee scrutiny and hold government, and increasingly, those outside government such as Ashley and Green, to account.

Our current research project (<http://www.birmingham.ac.uk/schools/government-society/departments/political-science-international-studies/research/projects/2015/select-committee-data-archive-project-1979-present.aspx>) is to identify what difference these reforms have made to the way that Parliament works, and to establish whether these reforms have improved the operation of select committees. Our initial findings suggest that, despite the 'universal praise' select committees enjoy, the reforms have done little to improve rates of turnover, attendance or gender balance. One further area of interest is how far the Wright reforms have improved the system by altering the character of committee personnel, for example, by allowing the kind of independent, unbiddable parliamentarians previously excluded from committees by party whips to serve on, or even more importantly, to chair, select committees.

Since 2010, 47 MPs have been elected to chair select committees subject to the Wright reforms. These include departmental committees, such as those for Business Innovation and Skills (which carried out the questioning of Ashley and Green) or Culture, Media and Sport (which questioned Rupert Murdoch and others over phone hacking), as well as cross-cutting committees such as Public Accounts (the source of the Google inquiry on tax avoidance) and Science and Technology. Chairs are elected through a secret ballot of all Members of Parliament using the Alternative Vote system. At first sight, it seems hard to defend the idea that the mechanism of electoral competition is a key driver in producing higher quality committee chairs. The pool of candidates for any committee chair is restricted by two factors. Firstly, since select committees are parliamentary institutions that seek to scrutinise and hold government to account, the chair must be a backbencher. With the expansion of the payroll vote in recent years, this reduces the pool of candidates from 650 to around 410. Secondly, committee chair positions are divided up among the parliamentary parties in rough proportion to their levels of electoral support and with government having a large say in which committee chairs they retain. For Labour- or Conservative-chaired committees, therefore, the pool of candidates is around 150-200 for each of 27 posts, meaning that competition is rather less fierce than it might initially appear. Of the 57 positions filled using the Wright system to date (26 in 2010, 27 in 2015 and 4 by-elections, with some MPs winning more than once), 20 were elected unopposed as the only candidate. Thirteen of the 47 elected chairs had also previously served as select committee chairs under the old, unelected system. It is difficult to imagine how this alone could produce a transformative impact on the operation of committees.

The evidence on whether the Wright system has produced committee chairs who are more independent of their party and of government is mixed. Eleven of the 47 elected chairs were previously, or subsequently, members of the Cabinet or shadow Cabinet which suggests they may not be quite the maverick outsiders that some analyses of the select committee system have suggested. When looking at individual rebellion rates, however, there is some evidence that select committee chairs are more independent of the instructions of their party managers than other comparable MPs. For all MPs in the current parliament, the mean rebellion rate (the proportion of votes where the MP voted against the majority of their own party) was 0.54%. For elected select committee chairs, the mean rebellion rate was 1.3%. Since MPs can expect to vote in well over 1000 divisions during the course of a session, the numbers of votes involved may be significant, even if the proportions are small. Using a better comparison group – all backbench MPs excluding frontbenchers from all parties – shows a statistically

significant difference in the average rebellion rate of Wright committee chairs in the current parliament (1.3%) compared to other backbenchers (0.65%). The average lifetime rebellion rate for Wright committee chairs is 1.5%, with 10 elected chairs having a rebellion rate over 2%, a rate which if compared to the current parliament, would put them comfortably in the top 50 most rebellious MPs. On this measure, it seems there is some evidence that Wright committee chairs tend to be more rebellious or more independent of their parties than other comparable MPs. However, due to the pattern of rebellion, this is most likely caused by a few serial rebels among the committee chairs pushing the average up (for example, the Work and Pensions committee chair, Frank Field, has a lifetime rebellion rate of 5.6%).

Much has been made of the fact that the Wright system might allow an injection of new blood, with MPs less socialised and institutionalised into the parliamentary system taking committee chair positions previously only available to parliamentary lifers. There are a number of cases where this narrative makes sense – for instance, Health chair Sarah Wollaston and Defence chair Rory Stewart were elected with less than one full parliamentary term under their respective belts, and are generally regarded as among the more independent and effective chairs. Yet looking at the group as a whole suggests that it is the ‘old stagers’ rather than the ‘new brooms’ that dominate. The average length of service in Parliament before election to a select committee chair is 16 years. Eleven of the 47 chairs had been in Parliament for over 20 years before election to a chair, and three for over 30 years. In the first ever elections under the Wright system following the 2010 general election, 26 MPs were elected to chair select committees. Of these 26, 10 did not seek re-election to Parliament in 2015 and 1 was defeated in the general election. One of the initial hopes of the Wright committee (<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmrefhoc/1117/1117.pdf>) was that the new system might produce a parliamentary career path that offered an alternative to seeking to climb the ministerial ladder. There is little evidence that this has materialised so far, with many elected chairs standing down after serving one parliament – cynics might say to boost their pension with the additional pay that comes with chairing a select committee. More charitably, it seems to have served as an alternative avenue for leadership for those coming to the end of their parliamentary careers and with no prospect of ministerial office.

Is there any evidence, then, that the election of select committee chairs has brought in a different kind of parliamentarian – younger, less biddable, more rebellious, representing Parliament rather than government, and focused on scrutiny rather than climbing the ministerial ladder? So far, after two rounds of elections and several by-elections, it seems that the answer is no, on the whole. If there has been an improvement in the performance of select committees, the new system of electing chairs does not seem to be the primary cause. If select committees seek to entrench their growing significance in future, they should perhaps seek to avoid complacency in assuming that the Wright reforms are a sufficiently powerful mechanism to drive improvement.

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