

House of
Lords
Reform

Prime Minister

PROGRESS OF LEGISLATION - HOUSE OF LORDS

Here is the rather pathetic apologia
which I mentioned to you this morning.

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HP IAN GOW

16.2.83



*From the Government Chief Whip
House of Lords*

14 February 1983

My dear Michael,

LEGISLATIVE PROGRAMME

We have discussed on a number of occasions since Christmas the relative speed with which this session's Bills have progressed through the two Houses. I know that you remain concerned about progress in the Lords and I thought perhaps the time had come to set out some of the key points in writing because I am sure you will agree that this is a difficult area where many different factors come into play.

You have argued that the Lords should have forced the pace more strongly from the very start of the session. Whether or not this is right, I still maintain that our achievements by the Christmas recess were considerable. In any event there were factors which acted against an even tighter timetable in mid-November. It is worth recalling, for instance, that for the third successive session the Lords were extremely busy in the Summer and Autumn of 1982. We adjourned after the Commons in August and returned earlier in October. A good deal of non-legislative business had been put off until November and I really do think that even greater pressure on the Lords' Bills would have been counter-productive in what is after all an unpaid House that can only work by good will.

You have laid some stress on the number of Commons' Bills which you have already completed. I must say I genuinely admire your achievements this session in getting the smaller Bills through so quickly. But, as far as these are concerned, we have not done too badly either. We completed four of them (Electricity (Scotland), Valuation (Scotland), National Insurance Surcharge and Commonwealth Development Corporation) in a matter of days before Christmas. Two subsequent small ones, Conwy Tunnel and Pig Industry Levy, will be through the Lords before long having taken very little time. And, of the three substantive Bills you have completed, Agricultural Marketing will be through in about the same time as it took in the Commons, Divorce etc. (Scotland) should with luck follow suit and Water, despite very serious policy difficulties in the Lords, will not take more than a week or so longer than in the Commons. Transport, heavily guillotined and highly controversial, will take fractionally less time in the Lords than in the Commons.

The Rt Hon Michael Jopling MP

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*From the Government Chief Whip
House of Lords*

Turning to the Lords' Bills, I am sure you will appreciate that, for purely procedural reasons, the Lords cannot handle at any one time the same volume of Bills as the Commons. Thus, since our only non-controversial programme Bill was International Transport Convention, the other Bills (which have proved contentious and which have all been heavily amended) have had to compete with each other for time on the floor of the House. Any exceptional priority given to say National Heritage would have resulted in greater delays to the other Lords' Bills. Indeed, the achievement of getting you all our programme Bills except Data Protection (which was by some way the latest programme Bill introduced) by the end of this week has involved some of the most difficult manoeuvring and pressure that I can ever recall. I do not complain at this at all because it is widely felt in the Lords - even by the Opposition - that the Government have achieved the best balance of legislation between the Houses for many years. In my view it has not turned out to be a lighter programme than last session and yet there will be no spill-over and nothing like the June/July congestion of 1980, 1981 and 1982.

You have mentioned to me a number of Bills, mostly from 1979/80, which the Lords seemed to take more quickly than the current Bills. I do not believe that this compares like with like, although in fact the Transport Bill this session will compare not unfavourably with the Education (No 2) Bill in 1980. The National Heritage Bill in 1980 was short, had been debated in earlier sessions and was largely devoid of controversy. The Competition Bill in 1980 and the Companies Bill in 1979 were I agree fast movers but they came at times when the Lords were starved of business. The reason, you will remember, was that the Business Managers in the Commons were forced into removing the Local Government Bill from our House and re-introducing it in yours. Indeed the lack of good Lords' Bills in session 1979/80, in spite of the speed with which we were thereby enabled to take the smaller Bills through, was far from representing good business management. As a direct result of it the State Opening of Parliament had to be postponed in November 1980!

The Employment and Housing Bills in 1980 also got through the Lords quickly but not, I think, much quicker than this session's Lords Bills, if one deducts time lost in the Christmas recess.

I hope all this goes to show that we here are as anxious as you are to get the decks cleared this session as soon as we can. I can only say that the Lords have never sat so late so often so early in the session. We have relegated Private Members' Bills to Fridays; we have largely ignored EEC debates or put them on at ungodly hours and we are refusing time for other non-legislative business. But in spite of the fact that the House is noticeably a more active Chamber than in May 1979, I am convinced that at the end of the day the record will show that we have despatched our business with expedition. As is usually the case, there will have been very few Bills indeed which will not have taken longer in the Commons than here.

*Yours ever,
Batic.*