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repeat that these proposed developments in the functions of the NAO are not intended to reduce the essential role of the PAC and cannot, in our view, be so construed.

267. Accordingly, we recommend that, within the framework of their discussions about the scope for avoiding overlap and duplication, the Chairman of the Liaison Committee and the Chairman of the PAC should, with the C and AG, examine ways in which the resources of the NAO might be drawn upon by departmentally-related Select Committees, in the limited and carefully structured way we have proposed, and without prejudicing the main thrust of the NAO's work for the PAC.

268. We draw to the attention of Chairmen the willingness of the C and AG to consider approaches from departmentally-related Select Committees for an extension to them of the current arrangements whereby members of the NAO have been seconded to the Defence Committee.

VII. MISCELLANEOUS CONCLUSIONS AND RECOMMENDATIONS

269. In this section of our Report, we examine a number of proposals, mostly minor in scope, which are designed to improve various aspects of the work of the departmentally-related Select Committees. Those looking for far-reaching changes which would radically reorganise the structure or revise the procedure of Select Committees will be disappointed. Our recommendations, both in this section, and throughout our Report, are designed to reflect a gradualist approach and, above all, our conviction that what is needed are adjustments and fine-tuning of a system which is basically sound.

(i) THE STRUCTURE OF THE DEPARTMENTALLY-RELATED SELECT COMMITTEE SYSTEM

(a) *The Non-Establishment of the Scottish Affairs Committee.*

270. A noticeable gap in the departmentally-related Select Committee system at present is the non-appointment of the Scottish Affairs Committee, which has not been established in the current Parliament. The reasons for this are at one level straightforward — the unwillingness of sufficient Conservative Members representing Scottish constituencies to serve on the Committee. But in reality the position is more complicated than that. Protracted discussions between the 'usual channels' have canvassed various ways round the problem, including allowing the Opposition parties to have a majority on the Committee. These negotiations have failed to find a solution.

271. We do not propose to seek to apportion blame for this lack of progress and in any case the issues have been well ventilated in the House in two separate debates³³⁸. We would observe, however, that the inability of the House to agree upon the membership of a Select Committee which its own Standing Orders state "shall be appointed" is regrettable. Moreover, the absence of a Scottish Affairs Committee leaves a major Government Department unscrutinised and thus constitutes a deficiency (some would consider a serious deficiency) in the departmentally-related Committee system. We agree in principle with the Chairman of the Liaison Committee that "the cause of this problem is political and so must be its solution."³³⁹ Nevertheless the power of initiative in this matter, as in many others, lies with the Government and the House is therefore entitled to look to the Leader of the House to continue the search for a solution, which may require compromise on all sides.

(b) *The Case for the Establishment of a Select Committee on Northern Ireland Affairs*

272. Another lacuna in the system of scrutiny has been the lack of a separate Committee to monitor the policy, expenditure and administration of the Northern Ireland Office. We have already touched on this matter in our discussion of the way in which Select Committees currently discharge their existing duties under Standing Order No. 130(1) towards the examination of matters within the responsibility of the Secretary of State for Northern Ireland.

273. The case for establishing a Select Committee on Northern Ireland Affairs, whether covering all aspects of government in the Province, or of the more limited type proposed by the Rt Hon James Molyneux MP,³⁴⁰ is, in principle, persuasive. Like Wales and Scotland, Northern Ireland has its own Secretary of State with authority over a wide range of matters. However, most legislation applicable to Northern Ireland is now enacted in the form of unamendable Orders in Council. In many respects, therefore, the powers of the Secretary of State for Northern Ireland are more extensive than those exercised by his counterpart in Wales, including as they do for instance,

³³⁸ Official Report 13 January 1988, cols 397-423 and 20 December 1988, cols 336-394

³³⁹ Evidence, p.37, para. 9

³⁴⁰ Evidence, p. cxix

police and prisons (although they are not as great as those of the Secretary of State for Scotland). Even the latter, however, does not enjoy direct control over the whole range of local matters which passed to the Secretary of State for Northern Ireland following the suspension of devolved government in the Province in the mid 1970's.

274. It is therefore anomalous from a practical point of view that no separate Select Committee exists to oversee the affairs of Northern Ireland. (The Standing Committee on Northern Ireland Affairs which exists under Standing Order No. 99 but which is rarely used, is not an adequate substitute for a Select Committee, lacking as it does the power to take evidence and report.) It should be remembered that the only reason given by the Procedure Committee in 1978 for its decision not to recommend the creation of a Select Committee on Northern Ireland Affairs, was the continuing uncertainty over the future constitutional arrangements for the Province. Twelve years on, those uncertainties have not been resolved, although we welcome the fact that a fresh round of inter-party talks has begun under the auspices of the Secretary of State for Northern Ireland.

275. We recognise that the sort of difficulties over manning which have so far prevented the nomination of the Scottish Affairs Committee in the current Parliament could also apply to a Select Committee on Northern Ireland Affairs. Indeed, the problems could be greater, given that none of the main political parties based in Great Britain holds any of the seats in Northern Ireland. If, therefore, the Government is to have a majority on such a Committee—which we think reasonable, though perhaps not essential in the special Northern Ireland context—its size would have to be somewhat larger than most of the other departmentally-related Committees, or even than the 13 strong Scottish Affairs Committee. It should, however, be possible to establish a Committee of, say, 16, with 8 Conservative Members, 3 Labour, 4 Unionists and 1 Member from the Social and Democratic Labour Party. If, following the precedent of the Scottish and Welsh Affairs Committees, the Chairman were drawn from one of the Opposition parties (a Unionist would seem appropriate), the Government would be assured of a majority. Of course, such a preponderance of non-Northern Ireland Members may be unacceptable to those representing Ulster seats; but this will not be known unless their views are sought.^{340a} No doubt other schemes of party representation could be devised.

276. The formula currently used by the Committee of Selection for determining the number of places on Select Committees available to the minority parties would also need to be amended to take account of the special factors which apply to Northern Ireland.

277. It will be clear that we see a case for bringing the Northern Ireland Office formally within the system of scrutiny by Select Committees. But unlike the creation of any other departmentally-related Select Committee, this is a matter whose implications go beyond the rights and responsibilities of the House to regulate its own affairs. We therefore thought it right to seek the views of the Secretary of State for Northern Ireland and the Leader of the House, and of their Shadow Cabinet counterparts. Their replies^{340b} imply that the possible establishment of a Select Committee on Northern Ireland Affairs, whilst attractive in principle, could cause difficulties for the initiative launched by the Secretary of State for Northern Ireland, which is designed to achieve inter-party agreement on the possible future arrangements for the government of the Province. As a responsible Committee of the House, we are bound to take seriously this advice about a matter of such extreme sensitivity.

278. Accordingly, whilst we do not believe that the uncertainties over the future administration of the Province can be allowed to preclude indefinitely the establishment of proper arrangements for the scrutiny by the House of the Northern Ireland Department, **we accept that this would not be a sensible moment to recommend the establishment of a Select Committee on Northern Ireland Affairs.** Nevertheless, we consider that the Government cannot postpone dealing with this matter for very much longer and we will keep the position under review. We may well wish to return to it once the outcome of the current talks is clear.

(c) *The case for a Select Committee on Science and Technology*

279. A number of distinguished academic witnesses propounded the case for the establishment of a separate Select Committee on Science and Technology. The supporters of such a development included the British Association for the Advancement of Science, the Campaign to Promote the University of Salford, the Royal Society, the Council for Science and Society, the Research and

^{340a} For the initial reactions of the Northern Ireland political parties, see Appendices 1, 2, 3 and 5.

^{340b} See Appendices 9, 12 and 14.