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## **COMMITTEE HEARINGS OF THE UK PARLIAMENT: WHO GIVES EVIDENCE AND DOES THIS MATTER?**

### **Abstract:**

While evidence hearings by House of Commons select committees have received increasing attention by the public and the media in recent years, academic research on this topic has remained rather thin. Drawing on both quantitative and qualitative methods, this article examines this topic. It begins by explaining why evidence is important: (i) it is fundamental to sustain detailed scrutiny; (ii) it builds individual-level and institutional-level expertise; and (iii) the range of evidence gathered is used by committees to engage with the public. The article then presents empirical data of the pool of witnesses on which committees rely, which arguably does not reflect the UK population, which raises important further questions over the representative claims of committees.

*Key words:* British politics, evidence, House of Commons, parliamentary scrutiny, select committees, UK Parliament

Select committee hearings in the UK House of Commons have become increasingly high profile in recent years: in July 2011, for example, an intense and high-profile hearing was dramatically interrupted after Rupert Murdoch, chief executive of News Corporation, was assaulted with a foam pie (the afternoon, with two other witnesses, lasted close to five hours) (*The Guardian*, 2011); later that year, in November 2011, members of the Public Accounts Committee were unhappy with a civil servant's answers to questions and subsequently forced him to swear an oath to tell the truth as part of the committee's investigations (Public Accounts Committee, 2011); and, more recently, Sir Philip Green was summoned to attend a hearing in June 2016 to answer questions over the collapse of BHS, leading to a range of heated exchanges between himself and committee members (Work and Pensions Committee and Business, Innovation and Skills Committee, 2016).

The above three examples of sustained scrutiny made headline news, yet they are only the tip of the work being undertaken by select committees. Indeed, these committees have been scrutinising government policy for centuries. However, the current system of committees to shadow ministerial departments (with the addition of cross-cutting committees) were established in 1979, following long-standing calls for reform to enhance scrutiny in Parliament (*e.g.* Crick, 1964). As early as 1983, the new system was seen as a success, and has continued to be praised ever since (for an overview, see Kelso (2009a)). In particular, select committees are seen as an important counter-weight to bill committees (formerly standing committees) that consider legislation line-by-line because the former operate in a cross-party manner that is almost entirely absent from bill committees. And although government is not forced to adopt any recommendations from select committees, committees can play an important role in influencing government policy (*e.g.* Benton and Russell (2013) found that 40% of committee recommendations were accepted between 1997 and 2010. This policy influence has grown in tandem with a growing media spotlight (Dunleavy and Muir, 2013; Kubala, 2011), indicating the importance of these committees to parliamentary scrutiny at Westminster.

Despite the belief that select committees have growing policy impact, however, there has been far less academic research about the basis on which those reports are made, and especially from whom committees gather evidence (though see Berry and Kippin, 2014; Pedersen *et. al.*, 2015; on evidence and bill committees, see Thompson, 2015, pp.94-118). That is despite the fact that evidence is taken by most committees on a routine, everyday basis, and one of the most central aspects of committee work. This article changes this by providing a specific snapshot of evidence gathered by parliamentary select committees during the 2010 parliament.

This research draws on a mixture of both quantitative and qualitative data. First, it draws on non-participant and participant observation over a period of 14 weeks in the House of Commons Committee Office. It is participant in the sense that the author was placed in the Committee Office as research assistant, and non-participant in the sense that the author used as much further time to observe committees in both private and public sessions during those 14 weeks. This was crucial to understand the ways of working of committees and the everyday behaviours of chairs, members and staff in undertaking inquiries and their interactions with evidence. Second, this article relies on interviews with committee members, chairs and staff (totalling 43 interviews), as well as countless informal conversations during fieldwork. These were fundamental to understand how key actors interpreted their role on committees (in particular what scrutiny meant to MPs and staff, and how they used evidence to scrutinise government). Interviews were semi-structured and open because their focus was on the interviewee's interpretation of their role. As such, an open form of thematic coding was used to summarise interview data; quotes were selected according to prevalence of key theme or links to concepts identified in fieldwork. Third, this article uses a database of witnesses that gave evidence to committees over one parliamentary session (Session 2013-14), which in total came to 1,238 committee sessions, featuring 3,225 witnesses. Additionally, the article draws on insights from a workshop with parliamentary staff undertaken in 2016 to understand how committees engage with particular types of evidence (Author, 2017). The data for this article is therefore part of a wider set of projects that explore committee scrutiny in a range of ways.

In sum, this article presents the most detailed summary of who gave oral evidence to House of Commons select committees to date. Aforementioned studies have looked at witnesses in legislative settings (including the UK), but none have sought to break down

witness data in similar detail. This article finds that committee hearings matter in a range of crucial ways: they underpin scrutiny processes and ensure that recommendations and conclusions are based on evidence heard by a committee; on an individual-level, it allows Members of Parliament (MPs) to build policy-specific expertise and practise scrutiny roles, and, at an institutional-level, to gather information for Parliament to inform policy-making processes; and they matter for wider symbolic public engagement. Given the importance of hearings, the question of *who* gives evidence becomes significant. Here, the article adds new empirical data, finding that: committees rely on charities and campaign groups, business and trade associations, and professional associations; witnesses come predominantly from London and the south of England; and there is a significant gender disparity where three-quarters of witnesses are men and one quarter are women. This raises a question about the extent to which committees are receiving the best available evidence for their scrutiny work, as well as questions over the representativeness of evidence and whether the House of Commons has a wider responsibility to ensure diverse representation in committee hearings. In sum, this article deepens our understanding of committee hearings in Parliament, and presents new data on who gives oral evidence. To do so, the following article is structured into three sections: first, a detailed examination of the role of evidence; second, a summary of who gives oral evidence to committees; and third, a wider discussion of these findings.

## **I. Why do committee hearings matter?**

There are at least three substantive reasons for why committee hearings deserve detailed analysis: first, they serve as the foundation for conducting scrutiny; second, they allow MPs to build both individual-level and institutional-level expertise; and third, they can build a bridge between governing elites and the public as a form of engagement at a time of widespread (and growing) public distrust in political institutions (compare to bill committees: Thompson, 2015, pp.94-118). It is worth discussing each factor in detail.

### *1.1. Conducting scrutiny*

Departmental select committees exist to: ‘examine the expenditure, administration and policy’ of government departments and their associated public bodies (HC SO No. 152(1)). In addition to departmental committees, a range of further committees exist to scrutinise

government: cross-cutting select committees provide thematic, whole-of-government scrutiny; domestic or internal committees look at administrative issues within the House of Commons; joint committees with the House of Lords may be established to provide more detailed scrutiny across Parliament; and, other ad hoc or temporary committees may examine specific issues. Committees are cross-party and – in the case of departmental and cross-cutting investigative committees – made up of usually 11 members (though this can vary between nine and 18). The party balance reflects that of the House of Commons, both within each committee and with respect to chairships allocated to committees as a whole (for a detailed summary, see Rogers and Walters (2015)).

In order to carry out scrutiny, committees usually undertake inquiries, which involves taking written and oral evidence before publishing a final report. Committees can investigate any topic of their choosing (guided – at least in theory – by the Liaison Committee’s core tasks). Increasingly, committees have also begun to hold one-off evidence sessions, undertake ‘evidence checks’ and scrutinise government in more innovative ways to engage the public (Liaison Committee, 2015). All select committees have the power to ‘send for persons, papers and records’ (HC SO 152(4a)). They are supported by a small secretariat of around six permanent members of staff that work towards the committees’ inquiries full-time, as well as specialist advisers that are appointed on an ad hoc, part-time basis. In general, there is a growing acceptance that committees are important actors in influencing government policy. Most recently, Meghan Benton and Meg Russell (2013) looked at the influence of seven case study committees between 1997 and 2010, finding that 40% of recommendations made by committees are accepted by government, including 55% of small-level, 31% of medium-level, and 14% of large-level proposed changes (see also: Hindmoor *et. al.*, 2009; Russell and Cowley, 2016).

Given these practices, evidence is crucial for parliamentary committees because the evidence-gathering process is a central mechanism through which select committees conduct scrutiny and accountability of government in the first place. Evidence gathered over the course of an inquiry summarises the best available knowledge on a particular policy matter. As Benton and Russell have argued (2013, pp.789-90), policy recommendations are more likely to be considered and taken up by ministers if they are evidence-based, and especially if committees offer an original contribution to the existing base of evidence in a particular policy area. Unlike written evidence, oral evidence is

valuable because it is a process that receives widespread attention and detailed analysis by a committee; further, it allows a level of interrogation that other forms of evidence-gathering cannot offer. Whether this is imparting knowledge from an academic or presenting the findings from a think tank report, this is the best opportunity for a committee to understand empirical data on a policy issue. Similarly, evidence can be used to reveal policy failings or limitations. So, directly hearing from a business, professional group or trade union allows committees to raise those issues in detail. Taking oral evidence allows committees to examine the extent to which policies are working and to expose limitations.

### *1.2. Building expertise*

Closely related to the above, evidence-gathering has important epistemic value, which falls into two areas: the individual-level and the institutional-level. At the individual level, the evidence-gathering process matters because it gives MPs structure to the scrutiny aspect of their role and, importantly, to build policy expertise. Policy learning through gathering evidence allows MPs to, as one chair put it, ‘really get your teeth into something’ (interview with committee chair 05). Another MP said that being on a select committee is key for access and finding out information because it offers MPs ‘a chance to get in-depth access in a particular area’. He explained that, while MPs generally have good access to a range of individuals and groups by virtue of their position, it is only through committee membership that access to reticent individuals is likely to be ensured (interview with MP 03).

For some MPs, joining a committee is an opportunity to deepen their pre-existing knowledge (and likely use it to advocate for policy change); for others, it involves learning about something new and different to their previous employment background. One MP, for example, described it as ‘a good education to me, having come in as a new MP’ (interview with MP 20). This seems especially important given the absence of systematic and professional training for representatives (Coghill *et. al.*, 2008). During ethnographic fieldwork, it was noticeable that some MPs were practising a point they would make later in the chamber (or elsewhere). So, MPs use committee hearings not only to conduct analysis of government policy, but to literally practise scrutiny activity at private and public sessions to pick up effective questioning skills, develop different arguments, test ideas on others, etc. Furthermore, in recent years, committees have given training to their

committee members, usually by an experienced QC or journalist (interview with committee staff 08). For individual MPs, then, committees offer informal professional training and allow for policy learning.

Taking this a little further, it is possible to argue that evidence serves a wider benefit by the way in which Parliament can build policy expertise in institutional terms. Committee evidence can be used by MPs in other parts of their work, but reports and their evidence can also be cross-referenced by other committees, used by the Parliamentary Office for Science and Technology, adopted by the House of Commons Library, or used in the House of Lords. In this way, committee evidence is able to alleviate information asymmetries between government and legislature. As Mark Goodwin (2015) has pointed out, the strengthening of scientific advice by government as part of wider commitments to evidence-based policy-making means that there are dangers for Parliament in being unable to scrutinise decisions based on scientific advice because Parliament itself does not have similar capacities to draw on equal levels of scientific advice. Committees' evidence-gathering processes are a way to address this, and questioning in oral evidence is especially important because it gives opportunities for MPs to address their own skills as well as strengthen Parliament's wider scrutiny capabilities (similar thoughts were echoed regarding bill committees; see Thompsen, 2015, pp.101-2).

### *1.3. Building public engagement*

More generally, and drawing out of the two points above, evidence-gathering provides those who are affected by a particular policy with the opportunity to make their views known on the operation and impact of that policy. In other words, evidence matters on a wider parliamentary-societal level. As one clerk put it:

A lot of people are unhappy about [x policy] and they may continue to be unhappy but at least the committee's given them an opportunity to say what they think and shows that, you know, Parliament is taking notice of it (interview with committee staff 11).

In this sense, evidence is about 'giving people a voice'. The context of widespread (and growing) distrust of political institutions is very important in this regard because it has had a direct effect on select committees. Increasingly, the public are seen to be apathetic of political institutions, as seen with declining voter turnout across not only Europe (where turnout fell from an average of 81.7% in the 1990s to 75.8% in the 2000s (Mair, 2013)) but



across the globe (global turnout in elections fell from 70% in the 1990s to 66% in the period 2011-15 (International Institute for Democracy and Electoral Assistance, 2016). Parliaments and legislatures are at the forefront of debates about political engagement because they are usually the central representative body in a nation's political system, and usually also with low levels of trust and satisfaction (*e.g.* the overall satisfaction with the UK Parliament is at 30% according to the Hansard Society (2017)). This has become especially important because the public are increasingly challenging traditional ideas of representative politics in favour of participatory forms of democracy (Dalton *et. al.*, 2003; Judge, 2014).

In order to combat disengagement, parliaments across Europe and beyond have attempted to build sustained relationships between themselves and their publics in recent years (Leston-Bandeira, 2013). Some have focused on reinvigorating websites to build transparency and openness (Joshi and Rosenfield, 2013), others have created sophisticated petitions systems to enhance direct engagement with citizens (Hough, 2012). In the UK, we have seen the establishment of Parliamentary Outreach and a dedicated public engagement strategy (Leston-Bandeira, 2016), the strengthening of petitions (a Petitions Committee was established in 2015 with powers to hold debates), and embracing digital technologies to ensure transparency and openness (*e.g.* streaming of all parliamentary business and building the parliamentary website as a rich repository of information). This forms part of a more general trend from the Speaker of House of Commons, who has been strongly committed to both broadening and deepening public engagement: in 2009, he established the Speaker's Advisory Council on Public Engagement; in 2013, he established the Speaker's Commission on Digital Democracy; and in 2016, he launched the Commons Reference Group on Representation and Inclusion to explore options for how Parliament can promote social diversity (Childs, 2016).

These trends have had a distinct effect on select committees. Not only has the importance of representation led to new committees (in addition to the Petitions Committee, we have seen the creation of the Women and Equalities Committee in 2015 to examine social diversity), parliamentary committees are increasingly seen as a crucial mechanism by which citizens can engage with the House of Commons (Marsh, 2016a, 2016b). This is in part to rebuild trust following the MPs' Expenses Scandal (Kelso, 2009b), and in part because members of the public generally seem to respond positively to select committee scrutiny (Hansard Society, 2014). In a sign of changing times, select committees have

adopted a new ‘core task’ (Task 10) to guide their committee work in 2012: ‘To assist the House of Commons in better engaging with the public by ensuring that the work of the committee is accessible to the public’ (Liaison Committee, 2012, paras 16-20; see also, Liaison Committee, 2015). The evidence-gathering process is a crucial element to this because evidence gives the public a route to potentially impact parliamentary proceedings beyond placing an *x* on a ballot paper once every five years and, more generally, sustain the link between elected representatives and citizens. Even if committees may not be the most appropriate vehicles for public engagement (given their design as vehicles for scrutiny of government), committees *see themselves* as critical actors to further public engagement and represent the public in their inquiries in order to reverse public disengagement with Parliament more generally. This raises wider questions about the role of committees vis-à-vis expertise and the public to which we return in the third and concluding sections of this article. In any case, committees have become increasingly committed to ensuring the diversity of witnesses as part of wider public engagement strategies.

#### *1.4. Committee hearings as a privileged arena for evidence*

What the previous sub-sections reveal is that evidence-gathering by select committees matters for a variety of reasons to ensure the fully-functioning of British representative democracy, something that parliamentarians themselves have acknowledged through commitments to widening engagement (Liaison Committee, 2012, 2015) and diversity (Commons Reference Group on Representation). As part of this, oral evidence is especially important. As the introduction to this article implied, oral evidence is the most high-profile form of participation in select committee inquiries. It is these sessions which will be picked up by the media and most likely to be subjected to scrutiny by MPs. Given a changing media landscape that focuses more directly on visual and audio-visual information (*e.g.* broadcast media, the growth of BBC Parliament, creation of parliamentlive.tv), committee hearings bring evidence, knowledge and scientific advice to life that no written piece of evidence could do. As a result, committee hearings are the places where evidence makes its biggest impact, and are also most likely what the public sees of the evidence-gathering process. In that sense, witnesses can be seen to embody evidence and play a wider symbolic role (Leston-Bandeira, 2016).

In addition, committee chairs and members are more likely to attend evidence hearings and listen to oral evidence, rather than read submissions of written evidence. A range of interviewees admitted, for example, that they could not find the time to read, let alone analyse, hundreds of pieces of written evidence as part of an inquiry. Instead, analysing written evidence is a task that often falls to parliamentary staff (something made clear during ethnographic fieldwork). This factor was reinforced by a recent workshop on academic engagement with committees, where one participant noted:

[Witnesses] give them [MPs] that personal experience ... Not something written down on a piece of paper that's got some numbers that completely contradict what they know to be true. It's talking to someone else that allows them to see someone else with a different experience and a broader awareness that might make them think, "Oh, maybe that's true in my [constituency], but elsewhere..." , give them a nuance of information. It's why who delivers it is important as well. Because if it's someone sitting there who is glib, persuasive, authoritative, they take that on board much better than a dusty old man (House of Commons select committee staff 01).

MPs tend to rely on evidence from their constituencies or anecdotal evidence (often from the media), or wider pre-existing ideas. What committee hearings are able to do, as this quote illustrates, is to bring research and scientific advice to life and, in doing so, overcome biases that MPs may have picked up.

In light of the above, who is invited to give oral evidence reveals to us the priorities and interests of select committees, especially due to finite time and attention available to committees. One MP noted:

We need to get information in a certain format to allow us to prepare the report ... you can't rely on evidence which you haven't actually taken as a committee. So that's why choosing the witnesses is key because you want to get [a] certain, you know, flavour across (interview with MP 20).

In this sense, committee hearings serve as a proxy for access; they represent a space of privilege to present evidence, information and advice to Parliament. This, then, raises fundamental questions over *who* committees choose to hear from. It is to this question that our discussion now turns.

## **II. Who gives oral evidence?**

Given the range of roles that committee hearings play in the House of Commons, it is worth exploring who gives evidence in more detail. However, publicly available data on this is fairly thin and is frequently limited to name and organisational affiliation. Further inferences can be made from this, such as social function, gender and geographical location. Other data, such as social diversity statistics (*e.g.* age, disability, ethnicity, sexual orientation), are more difficult to collect. Nonetheless, some research on parliaments and legislatures has emerged. Darren Halpin *et. al.* (2012), for example, look at interest groups in the Scottish Parliament, and find that there is a core of participants who are heavily engaged in evidence-gathering processes (both in terms of written evidence and oral hearings), which raises a number of subsequent questions about ‘usual suspects’ in parliamentary proceedings. Elsewhere, Rebecca Rumbul (2016) examines the gender balance of witnesses at the National Assembly for Wales, finding that witnesses are overwhelmingly male and evidence sessions are conducted in a gendered atmosphere. This similarly questions the representativeness of the legislature’s evidence base. Both of these sub-national examples are complemented by a national (though thus far isolated) report published by Richard Berry and Sean Kippin (2014). Their research focuses on evidence taken by Parliament (including House of Commons committees, House of Lords committees, and joint committees) between October and November 2013. Their report echoes the sub-national findings from Halpin *et. al.* and Rumbul, in that the authors found not only a startling gender gap (24.7% of all witnesses were women), but additionally that trade associations were arguably over-represented due to their frequent appearances. There has also been some research on the evidence-taking process for bill committees, an innovation introduced in 2007 (Thompson, 2015, pp.94-118) (though unrelated to select committee scrutiny). Beyond the UK, there has been limited further research. For example, Helene Helboe Pedersen *et. al.* (2015) compare the effect of institutional arrangements and other factors to giving evidence in the UK, Denmark and the Netherlands, which found that it is not necessarily structural state-society relations that solely affect the relationship between legislature and public, but the institutional arrangements themselves (such as the open or closed nature of evidence hearings); elsewhere, Manda Green (2016) has explored women’s participation in the National Assembly of France and found, similarly to others, that women are underrepresented in legislative scrutiny.

Aside from the above studies, there has been little further published research on the relationship between witnesses and committees, especially not in the UK. Given the

importance of evidence in scrutiny processes covered above, this is perhaps a little surprising, but something that this article seeks to correct. In a similar vein to the approaches taken by others, this relies on information that the UK Parliament makes available: name and organisational affiliation. This article looks at 24 departmental and cross-cutting select committees from the House of Commons between 08 May 2013 and 14 May 2014 (Session 2013-14). During this time, there were 1,238 committee hearings, featuring 3,225 witnesses. This dataset gives us new data on who gives evidence to committees that we did not know before: other studies have had a different focus (either sub-national or international) or relied on a very small dataset. This dataset, by contrast, offers a systematic account of oral evidence over the course of an entire parliamentary session in the House of Commons. A full summary of the data is given in Table 1. Overall, the Public Accounts Committee had the most witnesses (255), closely followed by the Transport Committee (252); meanwhile the European Scrutiny Committee (ESC) had the fewest (34 witnesses). The ESC is arguably an anomalous case because it examines draft European Union legislation. The Liaison Committee has been excluded because it is neither a departmental nor cross-cutting committee with few inquiries and evidence sessions that would otherwise skew the overall findings. On average, each committee heard evidence from 134 witnesses. This can be broken down further (based on available data from the House of Commons): (i) organisational affiliation; (ii) geographical breakdown; and, (iii) gender balance.

*[Insert Table 1 here]*

### *2.1. Organisations*

While the smallest category, ‘Other’, covers an amorphous grouping of witnesses that would be too small to meaningfully disaggregate further (*e.g.* it includes ‘service users and/or members of the public’ that make up 0.4% of witnesses), the single biggest category of witness is ‘civil service and public sector’, which makes up 36.8% of all witnesses over the parliamentary session. Looking at the figures for government, the civil service and the public sector, it reminds us that public service delivery is both complex and fragmented, but also – and more importantly – that civil servants appear in front of select committees on a regular basis. Though change over time is not shown here, these findings reinforce the trend indicated by other research that public servants have become public-facing figures (exemplified perhaps most clearly by the (mistaken) claim by the then-chair of the

Public Accounts Committee, Margaret Hodge, to a civil servant in 2011 that he is accountable to Parliament and not accountable to the relevant departmental minister (Public Accounts Committee, 2011, Ev 39-40)) (Grube, 2014).

The data also shows the clear importance placed on charities and/or campaign groups, business and/or trade associations, and professional associations. Trade unions made up only 7.1% of non-profit witnesses, much smaller than business and/or trade associations (21.7%). Moreover, Table 1 shows us the prominence given to multi-national businesses and large/national businesses (46.4% and 31.3% respectively) over small and medium-sized businesses (19.4%). Meanwhile, the higher education sector made up 8.1% of all witnesses. Generally, university-led research groups were subsumed into their university categories (such as the Glasgow Media Group into the University of Glasgow or the Institute of Education into University College London). The higher education category was examined in more detail by looking at institutional affiliations. These affiliations were used as a proxy to illustrate the nature of the types of universities that gave evidence. So, University Alliance tend to be business-engaged universities; Million Plus represents newer universities; Russell Group universities are perceived to be traditional research-intensive institutions; and Oxbridge (though part of the Russell Group) represent the two most elite universities in the UK. Of course, these affiliations are not without problems because many universities did not fit into an affiliated group and were therefore labelled 'non-affiliated'. With this caveat in mind, the data still shows a predominance of Russell Group universities (75.6%). This is not necessarily surprising because these universities tend to be perceived as successful research institutes (either through research audits or through reputation). However, it also demonstrates the clear preference for universities with close proximity to London: of the 15 most frequent higher education witnesses, 7 come from London or the south of England (see Table 2 and Table 3). This brings us to geographical location of witnesses.

*[Insert Table 2 here]*

## *2.2. Geography*

This dataset makes an attempt not only to give an insight into the organisational affiliation of witnesses, but also their location. This is important because it allows us an insight into the geographical range, particularly shedding light on the reach of select committee

evidence-gathering. Additionally, it indicates the accessibility for witnesses to give evidence from different parts of the country. However, this data is gathered with difficulty for three reasons. First, location is not generally listed in oral evidence records (universities are an obvious exception and therefore discussed in more detail). Second, the main office or primary location of an organisation might not be the same work location for witnesses (for example, staff may work from home, live in a different region and commute to work, work at a different office to listed headquarters of organisations, and so on). And third, some witnesses might travel regularly or might be in London over the course of an inquiry and therefore this would not impede their availability to attend. Furthermore, the data for some witnesses is simply not known.

*[Insert Table 3 here]*

These findings, then, are not definitive. Nonetheless, a large amount of information is available online through publicly available records. This reveals, even when government, civil service and public sector witnesses are excluded, that London dominates. As Table 3 shows, it makes up close to half of all witnesses (47.1%), followed by the south of England (18.0%). The other parts of the UK make up a much smaller proportion, with the north of England and Scotland representing 7.9% and 8.3% respectively, and the Midlands reaching 5.3%. Over the 2013-14 parliamentary session, more witnesses seem to come from abroad (4.1%) than from Wales and Northern Ireland combined (3.8%). This trend is replicated for geographical distribution of universities, where data is most reliable. This shows a predominance of universities in London and the south of England, which together make up more than half of all university witnesses.

Two caveats must be attached to these findings. First, a range of committees were exploring the potential impact of the Scottish independence referendum during Session 2013-14. This could explain why Scotland had a higher number of witnesses than might otherwise be expected (given other trends). Second, these findings could also be explained by the growing importance of devolution. Devolved legislatures in Wales, Scotland and Northern Ireland have their own evidence-gathering processes and policy competences (which continue to grow), so witnesses might be drawn to legislatures in those areas and not involved or interested in appearing before committees in Westminster. As such, a smaller proportion of witnesses for those regions is expected.

### 2.3. Gender

A key headline raised from Berry and Kippin's research is the low number of women that participated in committee hearings: of 583 witnesses, 24.7% were women (or 144); of all Commons witnesses they counted (391), 23.5% were women (or 92). They also looked specifically at the organisational and committee breakdown, all of which reveal a strong disparity that favours men over women (with only one exception, a temporary committee to scrutinise the Mental Capacity Act 2005) (Berry and Kippin, 2014, pp.10-13). However, their data covers only one month of a parliamentary session that may have been unrepresentative, and while more recent research for the National Assembly for Wales echoes the overall gender disparity (over a 12-year period, only 27% of witnesses were women (Rumbul, 2016, pp.70-1)), more definitive data for the UK has been missing until now.

*[Insert Figure 1 and 2 here]*

Data for this article shows that, of 3,335 witnesses, 24.6% were women (or 792 witnesses). This is broken down by committee in Figure 1 and by organisation in Figure 2. This reveals that the Treasury Committee called the smallest proportion of women to give evidence (8.1%), while the International Development Committee called the highest (42.2%). Neither committees nor organisational groups called an equal number of women and men. Private sector witnesses were particularly unrepresentative, where women constituted only 11.7% of all witnesses.

### **III. Discussion**

The data presented here questions the diversity of the evidence on which committees depend. The organisational breakdown reveals that committees rely heavily on representative associations, particularly professional bodies, trade associations, and large and multi-national companies. By comparison, trade unions, small and medium-sized businesses, and service users or members of the public made up a smaller proportion. This can be explained by the fact that the former often represent particular interests or groups. Committees are far more likely to hear from these groups as a matter of efficiency, *i.e.* gathering evidence from an organisation that has already collated a set of voices, rather



than doing so itself. Moreover, committees are also gathering evidence in other ways, such as written evidence or visits outside the Palace of Westminster (between 2010 and 2015, committees went on 640 visits (based on sessional returns)). These forms of gathering evidence may be a reason why members of the public do not frequently participate in committee hearings; they are presumed to feed into inquiries informally. Nonetheless, research conducted by Matthew Flinders *et. al.*, for the Liaison Committee, notes that public engagement has been ‘uneven’ and it is not ‘fully embedded’ into the culture of Parliament (Liaison Committee, 2015, para 91). This is in part because committees continue to depend on oral evidence as the most important aspect of the evidence-gathering process.

Turning to the location of witnesses, this indicates that Parliament is not listening to the public from across the country. Axiomatically, committees are constrained rather significantly in this regard as they cannot choose where organisations should be based. London and the south of England contain the headquarters of almost all major banks, significant centres of the media and arts world, the hubs of many major industries, and at least 50% of the FTSE 100, and the UK’s biggest airports. Further, potential witnesses may be drawn to Cardiff, Belfast or Edinburgh rather than Westminster given devolution. So, in that sense, these findings may well reflect wider dynamics about UK territorial governance. Once again, committees can use site visits as a way to alleviate the predominance of the south over other areas of the UK. Nonetheless, it arguably raises a question over the extent to which committees are receiving the best available evidence from across the country, especially if investigating policies that affect all areas of the UK. In any case, it reinforces perceptions that the UK Parliament is focusing predominantly on London and southern England.

Diversity of witnesses is also questioned through gender, and specifically that men vastly over-represent women in giving evidence in all areas of committee work.<sup>1</sup> Perhaps one of the most worrying statistics is that, over one week, 25 November to 28 November 2013, 77 witnesses gave evidence, of which only six were women (or 7.8%). This matters because – if the Liaison Committee and the Speaker want to engage the wider public in committee work and diversify the social demographics of those getting involved – it suggests that the institution is currently falling short in this task. Without descriptive representation in

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<sup>1</sup> It is not possible to make inferences about other social demographic groups, but anecdotal evidence, based on ethnographic fieldwork and comments in interviews, suggest that other groups may also be under-represented.

Parliament, it could perpetuate the perception that the House of Commons is a closed institution and does not hear from witnesses with whom the general public identify. As noted previously and by other scholars, this is of significant importance given that committee hearings are increasingly being reported by the media and shown in television news programmes. Instead, the data suggests that select committee (and this applies to all three factors) rely on ‘usual suspects’, *i.e.* familiar witnesses that give evidence frequently, and individuals who are used to speaking in parliamentary or political environments.

How can these trends be explained? There are at least four reasons. First, political balance of evidence is an over-riding concern for witnesses. This is to satisfy the political interests of members of committees, which can be diverse. In this sense, representation of political ideas trump concerns over social diversity. Second, there is a performative element to committee hearings. Committees need to ensure that evidence sessions run smoothly and are ‘accessible and understandable to members’. Unfortunately, this often means that committees depend on witnesses that are confident in a Westminster environment and are perceived to be ‘good’ at giving evidence (interview with committee staff 10). In this sense, committees are risk averse. Third, there is significant pressure on committee timetables. Some committees are highly reactive to news agendas, and so inquiries are drawn up at short notice and pre-planned sessions have to be moved from more urgent business. It is unsurprising that committees draw heavily from London-based witnesses as a result: they have to travel the shortest distance, are more likely to be available at shorter notice, and are more likely to be known in relevant policy circles. Fourth, there are some witnesses over which committees simply have no choice due to the focus of the inquiry (*e.g.* the minister or civil servants responsible for a policy area; the business leaders that have been affected by a particular policy area the most, etc.). In this sense, as covered above, statistics reveal as much about the biases of organisations as they do about Parliament (*e.g.* that men are, on average, highly over-represented in senior positions in the private sector, or that London is a predominant geographical area for a range of industries). To put it more simply: the pool from which committees seek to draw evidence may not be representative itself, so imbalances of gender or location are reflected by committees rather than caused by them.

As a result of the everyday and political nature of taking evidence, committees’ room for manoeuvre in organising a diverse panel is limited and fraught with difficulty. There is also the added question as to whether it is Parliament’s role to actively promote social

diversity on its panels. In particular, there is a possible tension for committees, who arguably wish to both ensure Parliament is able to listen to a broad cross-section of society, whilst simultaneously reflect the political wishes, concerns and interests of committee members. There are those that could argue that the findings presented here merely reflect wider divisions and inequalities in UK society, and the House of Commons committees are not themselves a cause for those differences. Others may well argue that Parliament should be more proactive, and use the committee system as a pioneer for promoting and encouraging social diversity of its witness base. To navigate this dilemma, there are three questions that must be considered by parliamentary committees. First, to what extent do current trends indicate that select committees are getting the best available evidence (and would a stronger encouragement of diversity further enhance or damage the quality of evidence gathered)? Second, what role do select committees have in engaging publics as part of their tasks in scrutinising government policy? And third, to what extent does the current make-up of witness panels enhance or damage the reputation and legitimacy of the committee system? These questions go beyond the purview of this article, yet they are important to consider at a time of growing public dissatisfaction with politics both within and beyond the UK.

#### **IV. Concluding remarks**

The cumulative effect of the issues raised in the previous section suggests that evidence sessions are complex – and highly political – performances. They do not necessarily lead to what might be termed effective evidence sessions and are unlikely to be based on the best evidence available because political considerations take precedence. This matters because evidence matters. As the first section demonstrated, evidence is crucial for three reasons: (i) for the conduct of scrutiny; (ii) to build individual- and institutional-level expertise; and (iii) in order to act as a link between public and Parliament. Thus, understanding the sources and types of evidence on which MPs rely has significant repercussions. It gives us a better understanding on what kind of evidence they build their individual expertise and the evidence used to defend or critique government policy. Though committee scrutiny is usually praised as mechanisms of influence in the policy process (*e.g.* Benton and Russell, 2013), the findings from this article question whether or not committees' abilities to scrutinise the executive would be further enhanced through a greater breadth of witnesses. Given that evidence is the foundation for committee scrutiny,

the basis of their evidence is crucial to hold government to account. Indeed, given that governments have repeatedly enshrined their commitment to ‘evidence-based policy-making’ or ‘what works’, select committees’ capacities to gather and use a variety of evidence to evaluate government policy is crucial to make their reports more compelling and influential both within and outside Parliament.

While more research could be done in this area to fully understand the role of evidence in parliamentary settings (*e.g.* the role of informal evidence, written evidence, the ‘usual suspects’, the framing of evidence sessions and the wider symbolic importance of evidence, weight of particular kinds of evidence in inquiries), the findings presented here raise important questions about the role of Parliament and its relationship to society. If we take seriously that Parliament must engage the public and that select committees offer that link (as both the Liaison Committee and the Speaker of the House of Commons have indicated), then the findings from this article raise concerns. If Parliament seems to be listening only from small sections of society, then this raises the question as to whether select committees are engaging with the problems that ordinary members of the public face in their day-to-day lives. This is arguably problematic at a time when the public’s faith in the political process, in general, and Parliament, in particular is in decline. While research on Parliament has done much to dispel the myths that the House of Commons makes no policy impact (Flinders and Kelso, 2011; Russell and Cowley, 2016; Thompson, 2015), the findings presented here suggest that select committees must do more to diversify those that engage with parliamentary proceedings in order to ensure it is not perceived as a ‘remote and self-important echo chamber’, as Jeremy Paxman put it (*The Guardian*, 2013).

**Table 1.** Summary breakdown of witnesses

|   | Total       | % of total    | % of category |
|---|-------------|---------------|---------------|
| <b>Government</b>                           | <b>257</b>  | <b>8.0%</b>   |               |
| Secretary of state                          | 65          | 2.0%          | 25.3%         |
| Minister of state                           | 106         | 3.3%          | 41.2%         |
| Parliamentary under-secretary of state      | 70          | 2.2%          | 27.2%         |
| Other government                            | 16          | 0.5%          | 6.2%          |
| <b>Civil service and public sector</b>      | <b>1187</b> | <b>36.8%</b>  |               |
| Central government department               | 412         | 12.8%         | 34.7%         |
| Arm's-length body                           | 466         | 14.4%         | 39.3%         |
| Publicly-owned company                      | 76          | 2.4%          | 6.4%          |
| Judiciary                                   | 10          | 0.3%          | 0.8%          |
| Local or regional official                  | 123         | 3.8%          | 10.4%         |
| Public service staff                        | 88          | 2.7%          | 7.4%          |
| Other official                              | 12          | 0.4%          | 1.0%          |
| <b>Higher education</b>                     | <b>260</b>  | <b>8.1%</b>   |               |
| Research council                            | 11          | 0.3%          | 4.2%          |
| Research group                              | 12          | 0.4%          | 4.6%          |
| Learned society and/or representative group | 12          | 0.4%          | 4.6%          |
| Oxbridge                                    | 34          | 1.1%          | 13.1%         |
| Russell Group                               | 136         | 4.2%          | 52.3%         |
| Million Plus                                | 2           | 0.1%          | 0.8%          |
| University Alliance                         | 7           | 0.2%          | 2.7%          |
| Non-affiliated                              | 40          | 1.2%          | 15.4%         |
| International HE organisation               | 6           | 0.2%          | 2.3%          |
| <b>Non-profit</b>                           | <b>949</b>  | <b>29.4%</b>  |               |
| Think tank or research institute            | 109         | 3.4%          | 11.5%         |
| Charity and/or campaign group               | 364         | 11.3%         | 38.4%         |
| Professional association or body            | 182         | 5.6%          | 19.2%         |
| Business and/or trade association           | 206         | 6.4%          | 21.7%         |
| Trade union                                 | 67          | 2.1%          | 7.1%          |
| International organisation                  | 18          | 0.6%          | 1.9%          |
| Other                                       | 3           | 0.1%          | 0.3%          |
| <b>Private sector</b>                       | <b>345</b>  | <b>10.7%</b>  |               |
| Small and/or medium-sized business          | 67          | 2.1%          | 19.4%         |
| Large/national business                     | 108         | 3.3%          | 31.3%         |
| Multi-national business                     | 160         | 5.0%          | 46.4%         |
| Business (size not known)                   | 10          | 0.3%          | 2.9%          |
| <b>Politician</b>                           | <b>120</b>  | <b>3.7%</b>   |               |
| Local or regional elected representative    | 85          | 2.6%          | 70.8%         |
| MPs and peers                               | 30          | 0.9%          | 25.0%         |
| Opposition                                  | 2           | 0.1%          | 1.7%          |
| International                               | 3           | 0.1%          | 2.5%          |
| <b>Other</b>                                | <b>107</b>  | <b>3.3%</b>   |               |
| Independent expert                          | 43          | 1.3%          | 40.2%         |
| Service user and/or member of public        | 13          | 0.4%          | 12.1%         |
| Campaigner                                  | 2           | 0.1%          | 1.9%          |
| Journalist/editor                           | 18          | 0.6%          | 16.8%         |
| International                               | 27          | 0.8%          | 25.2%         |
| Other                                       | 4           | 0.1%          | 3.7%          |
| <b>Total</b>                                | <b>3225</b> | <b>100.0%</b> |               |

**Table 2.** Fifteen most frequent university witnesses

| Rank | University                 | Frequency |
|------|----------------------------|-----------|
| 1    | University College London  | 26        |
| 2    | University of Oxford       | 24        |
| 3    | London School of Economics | 19        |
| 4    | King's College London      | 17        |
| 5    | University of Glasgow      | 12        |
| 6    | University of Cambridge    | 10        |
| 7    | University of Edinburgh    | 7         |
| =7   | University of Manchester   | 7         |
| 9    | University of York         | 6         |
| =10  | University of Stirling     | 5         |
| =10  | Cardiff University         | 5         |
| =10  | Imperial College London    | 5         |
| =10  | University of Birmingham   | 5         |
| =14  | University of Nottingham   | 4         |
| =14  | University of Southampton  | 4         |

**Table 3.** Geographical distribution of witnesses

| Region                                    | All witnesses | All witnesses<br>excluding gov't, civil<br>service and public<br>sector | Academic witnesses |
|---|---------------|---|--------------------|
| London                                    | 62.2%         | 47.1%   | 37.8%              |
| South of England                          | 12.3%         | 18.0%   | 22.7%              |
| Midlands                                  | 3.9%          | 5.3%  | 5.3%               |
| Wales                                     | 2.2%          | 2.4%  | 4.0%               |
| Scotland                                  | 5.8%          | 8.3%  | 14.7%              |
| North of England                          | 6.2%          | 7.9%  | 12.4%              |
| International and<br>overseas territories | 2.3%          | 4.1%  | 2.7%               |
| Northern Ireland                          | 1.3%          | 1.3%  | 0.0%               |
| Not known                                 | 3.8%          | 5.7%  | 0.4%               |

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## FIGURES

**Figure 1.** Gender distribution by committee

**Figure 2.** Gender distribution by organisation