



Northern Ireland
Assembly

Research and Information Service Briefing Paper

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Members' statements: information on provisions in other legislatures

1 Introduction

This briefing paper has been prepared to inform the Committee on Procedures' Inquiry into members' statements. The committee requested research on the provision for members' statements in the legislatures in the UK and Ireland.

The committee undertook its inquiry following a request from the Speaker, who wished to introduce a more flexible method for members to raise important topical issues without them having to be judged against a particular set of criteria.

2 Approach

The research looked at Standing Orders and any accompanying guidance in the House of Commons, Scottish Parliament, Welsh Parliament and Dáil Eireann. To provide international comparisons, the same approach was taken with the Australian Parliament and New Zealand Parliament. It also drew on existing information in relation to the Canadian legislatures.

3 UK and Ireland

House of Commons

There is nothing in the Standing Orders of the House of Commons to allow a member to make a statement on a topical issue.

Erskine May, the guide to parliamentary procedure and practice, provides brief information on ‘personal statements’, although they do not feature in Standing Orders:

The Speaker can allow any MP to make a personal statement. They are usually related to conduct. For example, if the Standards Committee recommends that an MP make a personal statement for having breached the Code of Conduct, the Speaker will generally allow this.

If the Speaker has agreed that you can make a personal statement, you must clear the text with the Speaker in advance, and must stick to that text.

Personal statements are made after Question Time and any urgent questions or oral statements. The annunciators (the monitors around the parliamentary estate) will show that a personal statement is taking place.¹

Personal statements are therefore quite narrow in focus and are not used to bring to the attention of the House wider topical issues.

Members may also apply for an emergency debate under Standing Order 24, but the procedures around such debates would not allow the flexibility envisioned for a member’s statement.

Debates also take place in Westminster Hall. These allow MPs to “raise local or national issues and receive a response from a government minister”.² There are no divisions on debates in Westminster Hall although if a question is challenged the Chair will report to the House, possibly leading to a vote in the main Chamber.

Scottish Parliament

Rule 13.1 of the Scottish Parliament allows for personal statements:

1. Any member may, at the discretion of the Presiding Officer, make a personal statement to a meeting of the Parliament.

¹ MPs Guide to Procedure, *Personal Statements*: <https://guidetoprocedure.parliament.uk/collections/Q3haabms/personal-statements>

² UK Parliament, *Westminster Hall debates*: <https://www.parliament.uk/about/how/business/westminster-hall-debates/>

2. A member wishing to make a personal statement shall notify the Presiding Officer that the member wishes to do so.
3. If the Presiding Officer decides that a personal statement may be made, the Presiding Officer shall notify the Parliamentary Bureau which shall include notice of that statement in a business programme.
4. Where a personal statement is made, it may not be debated.³

The research did not find any recent use of the personal statement facility and it is likely that, as in the House of Commons, it is intended to be used in relation to matters of conduct.

Welsh Parliament

Standing Orders 12.50 and 12.51 provide for 'Statements', which can be made by the Presiding Officer; a member of the Government; a member of the Commission about any matter coming within the responsibility of the Commission; or:

*any other Member, where the subject matter of the statement relates to a function of the Senedd for which they are responsible, with the agreement of the Presiding Officer.*⁴

The *Guidance on the proper conduct of Senedd business* elaborates on this point:

*...(this includes, for example, statements by Committee Chairs, and introductory statements on a piece of Member proposed legislation by the Member in Charge of that legislation).*⁵

This would not appear to encompass statements on topical matters of importance.

Paragraph 56 of the guidance also states:

*The Business Statement and Announcement is made in Plenary by the Minister responsible for Government business each week, in accordance with Standing Order 11.11. Members are permitted to ask questions on the Business Statement and Announcement. **This is an opportunity for Members to request that the Government makes a statement or holds a debate in the Siambr on a matter of concern to the Member** (emphasis added), and Members' contributions must be framed in those terms. As for*

³ Standing Orders of the Scottish Parliament: *Statements and Parliamentary Questions*:
<https://www.parliament.scot/parliamentarybusiness/26507.aspx>

⁴ Standing Orders of the Welsh Parliament:
https://senedd.wales/NAfW%20Documents/Assembly%20Business%20section%20documents/Standing_Orders/Clean_SOs.eng.pdf

⁵ Welsh Parliament, *Guidance on the proper conduct of Senedd business*, May 2020:
https://senedd.wales/NAfW%20Documents/Assembly%20Business%20section%20documents/CollationOfGuidance/Collation_of_Guidance_Eng.pdf

other statements, Members must ask questions, and not make long speeches...

Again, however, this does not provide the flexibility of an unscheduled statement.

There is also provision for personal statements in standing orders 12.52 and 12.53, but these “must be brief, factual and must not be subject to debate.”⁶

Standing Orders 14.9 and 14.10 provide for ‘Statements of Opinion’:

A Statement of Opinion not exceeding 100 words on a matter affecting Wales may be tabled by any Member other than a member of the government; and any such Statement may be supported, opposed or otherwise subject to comment in writing by any other Member.

If a Statement of Opinion is deemed by the Presiding Officer to be in order it must be published, together with any expression of support or opposition tabled by any other Member.⁷

Statements of Opinion are published on the Parliament’s website, but are not debated in plenary. An example is reproduced below:

Figure 1: Excerpt from Statement of Opinion, taken from website of the Welsh Parliament, 18 May 2020

OPIN-2017-0064 Enabling Young Carers to Study (e)
Tabled on 20/11/2017

Adam Price
Carmarthen East and Dinefwr

This National Assembly:

- 1) Recognises the immense contribution of young carers in our society and in supporting their loved ones;
- 2) Notes that the Carer's Allowance cannot be provided to carers who study for 21 hours per week or more;
- 3) Believes this disadvantages young people who wish to study to improve their future employment prospects and reach their full potential;
- 4) Congratulates Carmarthenshire Young Adult Carers for their nation-wide campaign to scrap the 21-hour criteria; and
- 5) Calls on the Welsh Government to support their campaign to enable young carers to study without fear of losing their financial lifeline.

Subscribers

Angela Burns Carmarthen West and South Pembrokeshire Subscribed on: 04/12/2017	Bethan Jenkins South Wales West Subscribed on: 27/11/2017	Dai Lloyd South Wales West Subscribed on: 23/11/2017	David J. Rowlands South Wales East Subscribed on: 22/11/2017
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The guidance on the conduct of business provides more detail on statements of opinion:

Standing Order 14.9 provides for Members, other than a member of the Government, to table Statements of Opinion not exceeding 100 words on a

⁶ Standing Orders of the Welsh Parliament

⁷ As above

matter affecting Wales. These Statements of Opinion may be supported, opposed or amended by any other Member.

Statements of Opinion are a mechanism for Members to draw attention to issues of concern or highlight achievements by putting their views on a subject on record and canvassing support from other Members.

It goes on to say:

A record of all Statements of Opinion and the Members who have raised, subscribed to or amended them will be maintained by the Table Office and published to the Internet.

Dáil Eireann

Standing Orders of Dáil Eireann do provide for topical issues to be raised at relatively short notice. Standing Order 37 sets out the procedure to be followed should a member wish to raise a topical issue and this is reproduced at Appendix 1.

The main points are set out below:

- Any member may give notice in writing of a matter which he or she wishes to bring forward for consideration as a topical issue, and this may include matters of a national or international nature;
- Notice of topical issues should reach the Clerk no later than 10am on a Tuesday, Wednesday or Thursday to be considered for selection on that day;
- The Ceann Comhairle selects a maximum of four topics for consideration on each of the three days, plus one topic in reserve in the event that a topic is deferred;
- The topics must relate to public affairs connected with a Department of State or to matters of administration for which a member of the Government or Minister of State is officially responsible (including bodies under the aegis of a Department of State in respect of Government policy);
- Although the Ceann Comhairle has ultimate discretion in choosing topics, he or she will be guided by the following principles:
 - the balance of local, national and international issues raised
 - the content of the Dáil schedule for that sitting week
 - the number of groups (within the meaning of Standing Order 163) represented
 - the number of topical issues previously raised by the members concerned

- If the member of Government or Minister of State will not be available, they must inform the Ceann Comhairle by no later than 12 noon on that day. The member will then be given the option of deferring or proceeding with another member of the Government;
- The topical issue will consist of:
 - A statement by the member not exceeding four minutes;
 - A reply by a member of the Government or Minister of State, not exceeding four minutes;
 - A further statement by the member not exceeding two minutes;
 - A concluding statement by the member of Government or Minister of State not exceeding two minutes
- The total time for topical issues on any day shall not exceed 48 minutes.⁸

None of the legislatures in the UK allow for members' statements on topical issues. Dáil Eireann does provide for this, but notification must still be given to the Clerk and statements must fall within certain parameters to be admissible.

This is in contrast to the greater flexibility afforded in some other legislatures, as the following section demonstrates.

4 International comparisons

Australian House of Representatives

Standing Order 43 of the Australian House of Representatives provides for brief statements by members:

*In the House at 1.30 pm on Mondays, Tuesdays, Wednesdays and Thursdays, the Speaker shall interrupt business and call on statements by Members. The period allowed for these statements may extend until 2 pm.*⁹

Accompanying guidance provides more detail on the procedure:

During this period any Member other than a Minister (or Parliamentary Secretary) may be called by the Chair to make a statement on any topic of

⁸ Standing Orders of Dáil Eireann 2020:

https://data.oireachtas.ie/ie/oireachtas/parliamentaryBusiness/standingOrders/dail/2020/2020-02-17_dail-eireann-standing-orders-relative-to-public-business-2020_en.pdf

⁹ Standing Orders of the Australian House of Representatives 2019:

https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/House_of_Representatives_Standing_Orders

concern for no longer than 90 seconds. The call is alternated between government and non-government Members, subject to the proviso that Members who have not received the call are given priority over Members who have already spoken. Independent Members have been given the call with the frequency appropriate to their representation in the House. Opposition frontbench Members do not receive precedence. If no other Member rises to make a statement, a Member who has already spoken may speak again. The Chair has given the call preferentially to Members who have been present for the full period, and to Members who were not regular participants. The raising of spurious points of order and other disruptive tactics are not in accord with the spirit of the procedure and have not been tolerated.

A Member may present a petition during this period, provided the Petitions Committee has checked the petition for compliance with the standing orders and approved it for presentation.

In the House a daily 30 minute period for 90 second statements is scheduled at 1.30 pm prior to Question Time. In the Federation Chamber a 45 minute period is scheduled at 4 pm on Mondays.¹⁰

The Federation Chamber of the Australian House of Representatives is a chamber where relatively uncontroversial matters can be debated, similar to Westminster Hall in the House of Commons. Standing Order 193 allows for three minute constituency statements in this chamber:

The first item of business on any day that the Federation Chamber meets shall be constituency statements by Members. The Deputy Speaker may call a Member to make a constituency statement for no longer than three minutes. The period for Members' constituency statements may continue for 30 minutes, irrespective of suspensions for divisions in the House.¹¹

The *House of Representatives Practice* goes on to state:

Periods are reserved for Members' constituency statements at the start of Federation Chamber proceedings on every day that the Federation Chamber meets. This opportunity lasts for 30 minutes, irrespective of suspensions for divisions in the House. Any Member (including Parliamentary Secretaries and Ministers, and the Speaker and Deputy Speaker) may speak for no longer than three minutes. If no other Member rises, a Member who has already spoken may speak a second time. The period for statements is sometimes extended (by motion moved in the House or by leave of the Federation Chamber) when there is no other business to be considered by the Federation

¹⁰ House of Representatives Practice (7th Edition):

https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/Practice7/HTML/Chapter16/Members%E2%80%99_90_second_statements

¹¹ Standing Orders of the Australian House of Representatives

Chamber. The standing orders do not define ‘constituency statements’, and matters of more general interest have been raised without objection.

A Member may present a petition during this period provided the Petitions Committee has checked the petition for compliance with the standing orders and approved it for presentation.¹²

Parliament of New South Wales

Standing Order 108 allows members to make short statements about matters in their constituency and furthermore:

Members may also make Private Members' Statements on other issues, as long as the matter raised affects their constituents or was brought to them by a constituent. Ministers should not use private members' statements to raise policy issues related to their portfolio responsibilities except when relevant in replying to matters raised by Members...

Members may speak for up to five minutes each in the time allocated in the routine of business. Ministers or Parliamentary Secretaries may reply to the statement for up to one minute and it must remain within the scope of the statement given by the Member. Up to 75 Private Members' Statements may be given each sitting week.

Up to 16 Members may speak for up to 5 minutes each and replies by Ministers are limited to 2 minutes each.¹³

Canadian House of Commons

Standing Order 30(5) allows for statements by members:

At 2:00 p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, and at 11:00 a.m. on Fridays, members, other than ministers of the Crown, may make statements pursuant to Standing Order 31.

Standing Order 31 goes on to say:

A member may be recognized, under the provisions of Standing Order 30(5), to make a statement for not more than one minute. The Speaker may order a member to resume his or her seat if, in the opinion of the Speaker, improper use is made of this standing order.¹⁴

¹² House of Representatives Practice (7th Edition):

https://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/Practice7/HTML/Chapter16/Constituency_statements

¹³ Standing Order 108 of the Legislative Assembly of the Parliament of New South Wales:

[https://www.parliament.nsw.gov.au/la/houseprocedures/standingorders/Documents/Legislative%20Assembly%20Standing%20Orders%20\(Current%20-%2013%20April%202016\).pdf](https://www.parliament.nsw.gov.au/la/houseprocedures/standingorders/Documents/Legislative%20Assembly%20Standing%20Orders%20(Current%20-%2013%20April%202016).pdf)

¹⁴ Standing Orders of the Canadian House of Commons: <https://www.ourcommons.ca/about/standingorders/SOPDF.pdf>

The House of Commons Procedure and Practice provides further detail on how members' statements occur in practice:

The second activity under the Daily Proceedings of the House is Statements by Members, which takes place at 2:00 p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, and at 11:00 a.m. on Fridays. When recognized by the Speaker, Members who are not Ministers can address the House for up to one minute on virtually any matter of international, national, provincial or local concern. This one-minute time limit is rigorously enforced by the Speaker and has on occasion left Members in mid-sentence.

If Statements by Members begins promptly at 2:00 p.m. (11:00 a.m. on Fridays),³¹ the entire 15 minutes provided for these proceedings is used; 15 Members at a minimum are typically recognized. If the start of these proceedings is delayed, the time allotted to Statements by Members is reduced accordingly and, if the delay is too great, may even be entirely eliminated from that sitting. The next activity under Daily Proceedings, Question Period, usually begins at 2:15 p.m. (11:15 a.m. on Fridays), regardless of whether or not a full 15 minutes has been allotted to Statements by Members. If not enough Members rise to use all the time provided for Statements by Members, then the Speaker will proceed to call Oral Questions, although there is no record of this having occurred.¹⁵

Other Canadian legislatures

The regional Canadian legislatures all provide a facility for members' statements within their proceedings. An overview is provided in table 1:

Table 1: Provisions for members' statements in Canadian legislatures

Legislature	Facility
Newfoundland	Affords private Members the opportunity to make a non-partisan statement, often concerning matters of significance in their district. The time limit on these statements is 60 seconds. They must be submitted to the Speaker for review by 10:00 a.m. on the day they are being delivered.
Alberta	When Members' Statements is called, up to 9 Members other than members of the Executive Council may make a statement, each statement to be no more than 2 minutes in duration. Members' Statements shall be allocated in proportion to the number of Members other than members of the Executive Council in each party represented in the Assembly or as agreed to by House Leaders or, failing agreement, as determined by the Speaker.

¹⁵ House of Commons Procedure and Practice, 3rd Edition, 2017:

https://www.ourcommons.ca/About/ProcedureAndPractice3rdEdition/ch_10_1-e.html

British Columbia	<p><i>There are two types of statement private members of which private members can avail:</i></p> <p>(1) Every Monday at 10 a.m. four Private Members may make a statement, notice of which has been tabled no later than 6 p.m. the preceding Wednesday.</p> <p>(2) The order in which such statements are to be called shall be determined by lot by the Speaker, before appearing on the Orders of the Day.</p> <p>(3) The time allocated on Monday for statements and discussion thereon shall not exceed one hour, and the time for each statement shall be limited to 15 minutes as follows:</p> <p>Proponent: maximum of 7 minutes Any other Members: maximum of 5 minutes Proponent in reply: maximum of 3 minutes</p> <p>(4) Private Members' statements shall not be subject to amendment, adjournment or vote.</p> <p>(5) Statements and discussions under this Standing Order:</p> <p>(a) shall be confined to one matter;</p> <p>(b) shall not revive discussion on a matter which has been discussed in the same Session;</p> <p>(c) shall not anticipate a matter which has been previously appointed for consideration by the House, in respect to which a Notice of Motion has been previously given and not withdrawn;</p> <p>(d) shall not raise a question of privilege.</p>
	<p>Six Private Members are permitted a two minute statement each day immediately prior to Oral Question Period subject to the following guidelines:</p> <p>(1) A Member desiring to make a statement shall so advise his or her Whip 24 hours prior to the relevant day the statement is to be made.</p> <p>(2) Party Whips shall confer to settle the names of the six Members who will be recognized for "Statements" for the following sitting day and shall advise the Speaker by noon of the day in question as to who has been selected, together with the topic of the statement.</p> <p>(3) Statements under this Standing Order shall be subject to the ordinary parliamentary rules of decorum and debate.</p>
Ontario	<p>33. (a) A member, other than a Leader of a recognized Party in the House or a minister of the Crown, may be recognized to make a statement for not more than 1½ minutes.</p> <p>(b) Up to 9 members of recognized Parties in the House may make a statement during the period for "Members' Statements" and the statements shall be allocated in proportion to the number of private members of each of the recognized Parties in the House.</p> <p>(c) The Speaker has the discretion to permit an independent member to make a statement for no longer than 1½ minutes. In exercising his or her discretion, the Speaker shall have regard to the opportunities that members of recognized Parties have to make such</p>

	statements. An independent member shall notify the Speaker of his or her intention to make a statement.
Manitoba	<p>On each sitting day, up to five Members may be recognized to make Members Statements not exceeding two minutes each, on any matter.</p> <p>Restrictions on scope 27(2) A Minister of the Crown may not use the time allotted for Members' Statements to comment on government policy or ministerial or departmental action.</p>

Appendix 1 – Standing Order relating to topical issues, Dáil Eireann

Topical issues

37. (1) Any member may give notice in writing of a matter which he or she wishes to bring forward for consideration as a topical issue, and this may include matters of a national or international nature. Such matters shall be considered on a Tuesday, Wednesday or Thursday on which the Dáil meets.

Provided that topical issues shall reach the Clerk not later than 10 a.m. on a Tuesday, Wednesday or Thursday to be considered for selection on that day.

(2) The Ceann Comhairle shall select a maximum of four such matters for consideration on each Tuesday, Wednesday and Thursday and may also select one additional such matter as an alternative to be considered in the event one of the other four matters is deferred: Provided that—

- (a) the matters considered on any day shall be limited to a maximum of four;
- (b) all such matters must relate to public affairs connected with a Department of State or to matters of administration for which a member of the Government or Minister of State is officially responsible (including bodies under the aegis of a Department of State in respect of Government policy);
- (c) while the Ceann Comhairle has the ultimate discretion in selecting issues for consideration, s/he will be guided in his/her selection by, inter alia, the following principles:

- (i) the balance of local, national and international issues raised,
- (ii) the content of the Dáil schedule for that sitting week,
- (iii) the number of groups (within the meaning of Standing Order 163) represented,
- (iv) the number of topical issues previously raised by the members concerned, and s/he shall have regard to any requests made pursuant to Standing Order 54(7);

(d) where, in exceptional circumstances, the member of the Government or Minister of State officially responsible for the matter is not available on the day, he or she shall, no later than 12 noon, so inform the Ceann Comhairle, who shall advise the member who has given notice and that member shall then be given the option to—

- (i) defer consideration of the matter to the next day, or
- (ii) proceed with the matter on the day with the participation of the available member of the Government or Minister of State;
- (e) the first matters to be taken on any day shall be, first, any matter deferred from the previous day and then, if not used on the previous day, the alternative matter chosen by the Ceann Comhairle on the previous day, and the number of other matters to be selected on that day shall be reduced accordingly.

(c) on Thursdays, on the conclusion of Government business, but not later than 5.15 p.m.

(4) Consideration of each topical issue shall consist of—

- (a) a statement by the member who has given notice which shall not exceed four minutes,
 - (b) a statement in reply by a member of the Government or Minister of State, pursuant to paragraph (2), which shall not exceed four minutes,
 - (c) a further statement by the member who has given notice which shall not exceed two minutes, and
 - (d) a concluding statement by the member of the Government or Minister of State concerned which shall not exceed two minutes:
 - Provided that—
 - (i) where the Ceann Comhairle has selected a matter of which valid notice has been given by more than one member and s/he is of the opinion that the number of members sharing time would result in insufficient time for each member to make an adequate contribution, s/he may, subject to paragraph (2), select fewer than four matters and aggregate the time that would ordinarily be assigned to two or more topical issues;
 - (ii) the total time allowed for consideration of topical issues on any day shall not exceed 48 minutes;
 - (iii) where topical issues on the same matter have been aggregated, and where the member of Government or Minister of State who is officially responsible for the matter is not available on the day, if any of the members who have been selected on the matter wish it to be deferred, then the matter shall be deferred.
- (5) The Dáil shall not divide on any matter arising out of consideration of topical issues.
- (6) A list of the matters in respect of which notice has been given under this Standing Order and the name of the member concerned in each case shall be printed in the Official Report of the Debates.