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Pairing of MPs: good faith needed

It appears from your Parliamentary report today (11 June 1976) that the Prime Minister and Mr Foot both regard the case of the broken pair as a private matter. Mr Callaghan says 'I do not think it would help to have a public version'. He would prefer 'to see the usual channels restored in other ways', but does not specify them. Answering the Liberal chief whip's wise remark that people inside and outside the House would be prepared to judge the matter fairly if they had the facts, Mr Foot says that the (unspecified) way proposed by the Prime Minister 'is much the best way from the House of Commons point of view'.

No one would suppose from this that the interchange between whips known as the usual channels is part of House of Commons procedure, but it is recognised to be such by the authoritative guide to that procedure *Erskine May*, who says that one of the duties of the whips is 'to arrange for their Members who are unable to attend divisions to "pair" with Members of the opposite side of the House so that their votes may be neutralised and not lost' (16th edn, pages 261-2).

Mr Nicholas Fairbairn was reported by you (10 June 1976) as saying that 'While he was abroad he was paired with a Labour whip who voted'. If true this means that Mr Fairbairn's vote was both neutralised and lost, in clear breach of the practice of the House. As a direct result the Aircraft and Shipbuilding Industries Bill, of vital concern to many thousands of people, was saved. To suggest that this allegation of a broken pair is not of public concern, and is better dealt with privately, is an insult to the electorate. What is more the conduct of the paired whip who voted may constitute a breach of privilege. The privilege of the House is described by *Erskine May* (page 44) as 'only a means to the effective discharge of the functions of the House'. Clearly those functions are impeded by the breaking of a pair, and neglect or breach of duty by Members has often been treated as Contempt of the House.

As I said in the letter you published on June 7, some form of enquiry to ascertain the truth of this matter is necessary to preserve the good name of the House of Commons. It would be improper for any outside persons to conduct the enquiry, and I suggest the most suitable course is for the House to refer the case to the Committee of Privileges.¹

¹ *The Times*, 15 June 1976.