

Gender diversity among Committee witnesses: the large variations in the Commons and why Holyrood is doing better



Hugh Bochel draws on 2017-19 data to discuss gender diversity among witnesses to select and public bill committees in the Commons, and compare these to figures from the Scottish Parliament.

The eventual end of the 2017-19 parliamentary session, followed by the very short 2019 session and the general election, has finally allowed for the publication of the Sessional Returns, which provides statistical information on the work of the House of Commons, and allows us to examine some features of the session, including data on witnesses to select committees and public bill committees.

While considerable attention has been paid to the characteristics of elected representatives, questions of equality, diversity and representation can, and arguably should include the voices that legislatures hear from. Indeed, drawing on literatures from policymaking and evaluation, engagement and participation, and representation, benefits of hearing from a wider range of voices might include:

- Enhancing participation, including by those who may not be well represented in parliaments;
- Providing a range of knowledge, such as background, specialist and experiential, with which to inform committees;
- Offering a variety of different perspectives on the actions of governments and the potential and actual impacts of policies;
- Providing additional external voices which can be used to test existing views as part of the scrutiny of policy and legislation;
- Potentially leading to improved outcomes;
- Demonstrating that parliaments are engaging with and representing society, and thus potentially contributing to more favourable public perceptions, trust, and increased legitimacy.

Figures on the gender of witnesses to select committees were first published in the [Sessional Returns for 2016-17](#). They showed that select committees heard from 3,153 witnesses. Of those, 1,309 were described as 'non-discretionary' (roughly speaking, ministers and heads of public bodies, although there does appear to be some variation across committees in how this is interpreted), of whom 76% were male. Even among the 1,844 'discretionary' witnesses, only 32% were women. For some committees, such as Defence and the Treasury, fewer than 10% of witnesses were women; for others, such as International Development and Women and Equality, the gender split was roughly equal.

When, during 2018, the Liaison Committee produced a report on [witness gender diversity](#), it suggested that the overall imbalance needed addressing and set a target that by the end of the Parliament, at least 40% of discretionary witnesses should be female. It also said that where panels involved three or more discretionary witnesses, they should normally include at least one woman. Given these developments, it is perhaps not surprising that the [latest returns show that during 2017-19](#), of the 7,419 witnesses 35% were female, and that almost 40% of the more than 4,000 'discretionary' witnesses were women. However, there continue to be large variations across committees. For example, the Women and Equalities and Work and Pensions committees had a majority of female 'discretionary' witnesses, and the Education Committee had an equal split, but the International Trade Committee had less than 25% female witnesses and the Transport Committee under 10%.

A new inclusion in the Sessional Returns for 2017-19 is figures on the gender of witnesses to public bill committees. In contrast to select committees, in general relatively little attention has been paid by academics to public bill committees, and in particular to their witnesses. The most significant work to date has been Louise Thompson's [Making British Law: Committees in Action](#). That not only shed considerable light on the work of the committees, but also provided some information about witnesses. It highlighted, for example, the disparities in the number of witnesses called for different measures, and suggested that in some policy areas large interest groups could be seen as dominating proceedings.

While the number of witnesses to public bill committees (262 in the last session) is far smaller than for select committees, it is notable that the proportion of female witnesses is also considerably lower, at 28%, and that there is again significant variation across policy areas, with only 4 of 30 witnesses for the Agriculture Bill and 1 of 17 witnesses for the Automated and Electric Vehicles Bill being female. In contrast, 12 of 26 witnesses to the Immigration and Social Security Co-ordination (EU Withdrawal) Bill, 6 of 11 witnesses to the Wild Animals in Circuses (No. 2) Bill and 3 out of 4 witnesses to the Voyeurism (Offences) (No. 2) Bill were female.

It is perhaps important to note that there are a variety of constraints that can affect committees' abilities to choose witnesses. These include the often short timescales, the challenges of accessing organisations and individuals, the need to hear from particular stakeholders and interests, the expectation and wishes of parliamentarians, including the widely perceived need to have 'balanced' panels in terms of the views expressed, and the understandable reluctance to impinge upon organisations' choice of whom to send as witnesses. While these affect all committees, they might be seen to be particularly problematic for public bill committees which often work to very tight timescales and which may be even more reliant upon particular organisations to provide witnesses.

As well as within the House of Commons, another possible comparator is with the Scottish Parliament, where the committees undertake both inquiries and legislative scrutiny. In 2018-19, the Scottish Parliament's committees had [1,942 witness appearances](#) (by 1,339 individuals from more than 570 organisations). Of those, 58% were male and 42% female. The proportion of female witnesses was up from 38% in 2017-18 and 36% in 2016-17. As with the House of Commons, the proportions varied greatly by committee, with the Equality and Human Rights Committee having over 60% female witnesses, while for the Finance and Constitution and Rural Economy and Connectivity Committees, fewer than 30% per cent were women.

As noted above, the Scottish Parliament's committees undertake both legislative scrutiny and inquiries, effectively combining the roles of select committees and public bill committees at Westminster. If the activities are separated, we find that unlike for the Commons, there was very little difference, with 46% of witnesses for post-legislative scrutiny being female, and 41% for each of inquiries and scrutiny of both primary and secondary legislation. That may be as a result of previous [research for the Parliament](#) and subsequent recent efforts to increase witness diversity, because the broader work of Holyrood committees means that they interact with a different set of potential witnesses, because there is the smaller pool of possible witnesses in Scotland, or indeed there may be other explanations.

Parliamentary committees clearly have a variety of needs and constraints in relation to witnesses, including the ability to access expertise, to gain the views of important stakeholders, and to question governments and public bodies. In addition, these will differ greatly by committee and by topic, so that the voices sought and heard will inevitably vary considerably. It is also true that gathering oral evidence is only one part of the work of committees. Nevertheless, given the increased external scrutiny that legislatures face, the greater availability of data on committee witnesses can perhaps tell us something more about who they hear from and any changing patterns of representation.

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