We should welcome the increased reach and influence of select committees as a sign of a rejuvenated Parliament

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*In this post **William Brett** concedes that there is certainly a case for some clearer internal regulations guiding the process of committee hearings, but offers overall support for the role of select committees. By being able to operate in the public, political space between the law and private entities, they are integral in holding power to account and ultimately act in the interest of the public.*

Adam Lent has sought to debunk the increasingly common (in the rarefied world of Parliament-watching, at least) notion that parliamentary select committees are an unqualified good thing. He claims that certain committees – most notably the Public Accounts Committee under Margaret Hodge – are going beyond their remit and are subjecting those without a direct role in government to a judicial-style public grilling without the protections afforded to defendants by the law. Lent raises the spectre of McCarthyism to warn against 'extensions of state power' through the mechanism of parliamentary (or congressional) hearings.

I feel compelled to come to the defence of select committees, but the strongest element of Lent's argument should first be acknowledged. It is certainly true that some select committees have conducted hearings which amount to little more than the bullying of relatively defenceless witnesses. On occasion, the momentary power afforded to committee chairs and MPs who are otherwise relatively voiceless backbenchers goes to their heads. Lent cites the David Kelly hearing of 2003, in which the scientist was mercilessly rebuked by MPs mainly for the benefit of the television cameras. No one wants that sort of spectacle to be repeated, and there is certainly a case for some clearer internal regulations guiding the process of committee hearings.

But there are a couple of technical points to make against Lent's overall argument, and an over-arching political point. Lent argues that select committees, by calling those without a direct role in government as witnesses, are going beyond their brief. It's true that the principal role of select committees is as a means for Parliament to hold the government to account. But it's not true that this necessarily limits them to calling those who work directly for the government as witnesses. The remit of the Public Accounts Committee (PAC), for instance, is to examine the public accounts and determine whether the public is getting value for money. Ultimately, the PAC seeks to hold the Treasury to account, but this remit surely includes the question of whether the public is being short-changed by companies which benefit from operating in Britain. In practice, the PAC works with the National Audit Office (NAO) and bases its inquiries on NAO reports. When the NAO reported on tax avoidance, it became the PAC's public duty to summon Google, Starbucks and Amazon, as well as the accountancy firms which help them avoid tax.

Secondly, Lent claims that select committees are 'legally established', and are thus abusing their legally prescribed powers. In fact, the powers of select committees are underwritten not by law, but by parliamentary convention. Even their very existence is established on the basis of 'Standing Orders' (parliamentary rules) rather than legislation. Select committees are classic examples of what the unfashionable doctrine of parliamentary sovereignty means in practice. They are parliamentary mechanisms, authorised by parliament and ultimately accountable to the electorate. The role of committee members is not to pretend they are lawyers interpreting a legally established brief, but to work on behalf of the public which elected them. What's more, to describe the work of select committees as the exercise of 'state power' is to over-simplify the British state. Committee inquiries are always ultimately directed at the government (an institution with much more claim to 'statehood' than Parliament, surely), even if these inquiries sometimes lead them to call non-governmental witnesses.

These technical issues inform the political defence of select committees, which is that they provide an increasingly important means of holding power to account, *especially* when that power has a direct bearing on the public interest

despite nominally being separate from government. Depoliticisation and privatisation have significantly widened the cast of characters whose actions have an impact on the public interest, even if they are not explicitly part of the government machinery. One of the hearings which Lent cites as proof of committees over-extending their powers was the Home Affairs Select Committee's inquiry into the security firm G4S and its handling of the Olympics contract. The government's outsourcing of the contract, and G4S's success, brings CEO Nick Buckles into the realm of the public interest whether he likes it or not. Similarly, the PAC's examination of tax avoidance was symptomatic of the fact that the behaviour of big accountancy firms and phenomenally successful multinationals have a direct effect on the public. The principle of tax avoidance is that it is done within the law, but not within the spirit of the law. Select committees are able to operate in the public, political space between the law and private entities. Ideally, their inquiries feed into the process of changing the law so that the public interest is not so compromised by otherwise relatively unaccountable blocs of power.

If select committees are to hold government to account, then they increasingly have to examine all sorts of other institutions and individuals which have some relationship with government. We should therefore welcome their increased reach and influence as a sign of a rejuvenated Parliament which is able to cross-examine power wherever it might be found. The Wright Committee reforms, enacted in 2010, have increased the legitimacy, accountability and independence of select committees. They may still have their faults, but they are publicly mandated institutions able to examine behaviour in the private sector, the public sector and – crucially – the bits in-between. 'State power' is an increasingly complex entity. If we, as 'the public', are serious about regulating it, then we ought to recognise Parliament – in all its guises – as an important mechanism for doing so.

Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our comments policy before posting.

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