

Appearing before the Select Committee

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Committee generally

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- Politicians: comfortable in the setting; used to managing people; sceptical but persuadable; feel they have a real mandate
 - Relatively focused decision-maker:
 - Cannot touch “the principle”
 - But... likely to view broader matters of policy as within their remit
 - Overwhelmed with work – so need to stand out
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Commons vs Lords

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- Understand their different roles
 - Perhaps more formality and structure in HL, but not necessarily so
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Basic process

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- Petitioner makes the case
 - Witnesses as required
 - Witnesses may be cross examined
 - Promoter answers
 - Evidence or submissions
 - HS2 practice of not recalling witnesses
 - Petitioner has final say
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Beyond the basic process



- Presentations / “teach ins”
- Site visits
 - Critically important for infrastructure schemes
 - Management required on both sides of the fence
- SoundLab etc.



The Committee as a forum



- Level of engagement varies
- Often difficult to predict where members will come from on particular points
- Physically difficult to manage the number of members and the layout of the room – try to avoid sitting in the middle!



For Promoters...



- Trust is key
 - Presentations from witnesses
 - “Honest broker”
 - Educating the Committee, e.g. the scheme, the Bill, statutory compensation provisions
 - Clearly articulating what lies within “the principle” and what does not ... but also reminding the Committee what is at stake (i.e. the wider benefits of the scheme)
 - Indicating a willingness to negotiate (“we will take that away...”)
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For Petitioners...



- “Asks”
 - Objections to the principle are a waste of time
 - Complaints about process unlikely to get leverage
 - Forget about gimmicks
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Co-ordination of Petitioners' cases



- If not a “property” case, need to bring others with you
 - Often petitions cancel each other out
 - Sometimes “asks” become incoherent because they are pursued in different forms by different people (Chiltern tunnels, Euston)
 - Getting the right slot in the programme can be important
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Witnesses



- Choose wisely – are they going to bring the Committee with them?
 - Can they deploy particular expertise in clear, concise fashion?
 - MPs as witnesses
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Exhibits



- Use the technology
 - Manage your presentation
 - Choose images carefully and be able to explain them (“are they your dogs?”)
 - Page 1 must explain what you want
 - Too much material either means members do not read it, or do read it and are annoyed by how much they had to read
 - Produce exhibits in the order you intend to use them
 - Must be exchanged in time
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Advocacy



- Cut to the chase
 - Be polite
 - Avoid hyperbole
 - Cross examination rarely effective/useful
 - Good humour required but jokes don't work (mostly)
 - How long do you need vs how long have you got?
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Managing Committee rulings



- Need to be clear as to what you are being asked to do
- Need to agree timescales and basis for reporting back
- Clear benefits for petitioner in keeping case “alive”
- Interacting with the Committee outside of hearings/using the Clerk



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