

REPORT FOR MR SPEAKER: INVESTIGATION INTO EVENTS OUTSIDE THE “NO” LOBBY ON 19 OCTOBER

Report prepared by the Serjeant-at-Arms, the Clerk of the Journals and the Clerk of the Liaison Committee

1. We have been asked to investigate the incident during the division which took place at 7pm on 19 October 2022, which gave rise to allegations that Members were bullied or manhandled into voting against their will.

Background

2. On 19 October the House was debating an Opposition Day motion to suspend Standing Order No. 14 and take control of the Order Paper in order to pass Opposition legislation to ban fracking.
3. Government Whips had made clear throughout 19 October that the vote on the Opposition motion was a matter of confidence, and that anyone voting against the Government was liable to lose the party Whip and any party positions. Meetings had taken place during the day with Government Members with significant opposition to fracking. It therefore generated significant confusion amongst Government Members when the Minister in closing the debate suggested that the vote was not a confidence issue ([HC Deb, 19 October 2022, col. 796](#)). Several Government Members expressed concerns about fracking during the debate, but noted that they would vote with the Government on this particular motion.

Our investigation

4. In order to establish the facts of what took place in the Bar Lobby during the division, we interviewed 33 Members who were present in the lobby and the 4 officials who were closest to the area. Three other Members sent us a written account of what they observed. We also examined a number of photographs taken by Members within the Bar lobby.

Investigation findings

5. The announcement by the Minister that the vote was not a matter of confidence came as a surprise to the Whips. Both the Chief Whip and Deputy Chief Whip sought to clarify with No. 10 what had taken place. Initially both left the Chamber for the Whips Office, before returning to the No Lobby. This meant that new tellers had to be found for the Government and there was a slight delay in putting in tellers. We understand the delays at the end of the division were due to this change in tellers.
6. Government Members gathered outside the No lobby. Discussions began between Members about the division and whether or not this was indeed a matter of confidence. In the absence of the Chief and Deputy Chief, the Whips at the entrance to the No lobby were unable to give a conclusive answer, saying only that this lobby was for voting against the Opposition proposition.
7. More and more Government Members joined the discussion, creating a huddle of Government Members within the Bar Lobby around one Member who was particularly concerned about whether or not it was a matter of confidence. At the same time, Opposition Members exiting the Aye Lobby, seeing a developing situation which appeared to

be politically challenging for Government, and hearing rumours that the Chief Whip and Deputy Chief Whip had resigned, remained in the area rather than moving back into the Chamber as they might normally have done.

8. The continued uncertainty about the status of the vote meant that discussions between Conservative Members became more fraught and some opposition Members also sought to make themselves heard by those involved in the discussions. The crowded nature of the lobby meant that voices were raised in order to be heard; some Members may have raised their voices more than was necessary. While it appears that only a few Members engaged in outright shouting, the noise level was sufficient that the tellers at the exit to the Aye Lobby were forced to pause their counting on two occasions because it was too loud for them to continue.
9. It appears that a few Members, from differing parties, used intemperate language towards one another, although exact details of what was said are unclear. Some of the contributions from opposition Members, urging those concerned to vote with their conscience, suggesting that this would be the biggest mistake of the Member's life or that they would regret it, further inflamed general tensions, whether or not that was their intention. They did not have any effect on the Member at the centre of the incident who did not register them, but provoked other Members to respond.
10. The group of Government Members then moved into the No lobby at around the time the one minute warning was called, where discussions continued, before Members proceeded around the lobby to vote, or back into the Chamber for those who had exited from the Aye Lobby. Once inside the No lobby, the crowd dispersed and the person at the centre of the reports spent some time in the lobby in discussion with colleagues, sitting down to do so.
11. It is very clear that the general atmosphere in the lobby was intense and several of those present found it very upsetting, both at the time and afterwards. However there is no evidence that anyone was bullied into voting in a particular way: two Government Members were particularly keen to seek clarity from the Whips about the status of the vote, given the importance of fracking as an issue in their constituencies (one of whom was identified as the apparent victim of bullying). They were both engaged in intensive discussions with Government colleagues, but their own evidence is clear – the robust nature of the discussion was a result of their uncertainty about the status of the vote, rather than of their being subjected to any inappropriate pressure to vote. The Member closest to the incident and another who watched the events in their entirety from just inside the No lobby also confirm that nothing untoward occurred.
12. While there was some physical contact between Members, there is no evidence from our investigation that this was any more than a gesture of comfort. Most witnesses said they could not observe what was going on, or said they saw hands placed on people's arms or on their back. The crowded nature of the Lobby would have made it very difficult for any Member to have a full view of what was taking place. The Member who it was suggested was subject to physical encouragement to enter the lobby has said very clearly that they did not consider any such force to have been used, and noted that he had said publicly both in the chamber and outside that he intended to vote with the Government. Given the close press of bodies within the Bar lobby and the fact that a large group of Government Members

moved into the No lobby at the one minute call, we can see why some Members may have had the impression that physical contact was being used to compel a Member into the lobby. Nevertheless the evidence as a whole does not support this conclusion.

13. While all this was taking place, a number of Members took photographs of the gathering in the Bar Lobby. This is clearly prohibited, as set out in the [Conventions and Courtesies of the House](#). Given the rules on photography in the House, we have asked any Member who took photographs to delete them and remove them from any public platform, and they have complied.
14. Several Members made comments in the media about the matter, or posted about it on Twitter.

Conclusion

15. It is undoubtedly the case that it was very intense in the lobby – voices were raised; some Members were clearly stressed and intemperate, but their conduct did not amount to sustained personalised abuse, bullying or physical pressure to vote.

1 November 2022