



Recall of Parliament

Standard Note: SN/PC/01186

Last updated: 30 August 2013

Author: Richard Kelly and Lucinda Maer

Section: Parliament and Constitution Centre

The House of Commons was recalled on 29 August 2013 to debate a motion on Syria. This was the 27th recall during a recess since 1948.

Under Standing Orders, the Speaker of the House of Commons determines whether the House is to be recalled on the basis of representations made by Ministers.

Under the previous Labour Government, Members argued that they, rather than the Government, should be able to make representations to the Speaker to recall Parliament. The Labour Government announced proposals to effect this change but the proposals were never implemented.

In 1994, the House of Commons introduced an allowance to meet any costs incurred by Members in attending the House of Commons when it was recalled. The responsibility for meeting the expenses of Members has now transferred to the Independent Parliamentary Standards Authority. IPSA first made explicit provision for meeting expenses incurred in the event of a recall of Parliament in the *MPs' Scheme of Business Costs and Expenses* that came into force on 1 April 2012.

The Standing Orders of the House of Lords and of the devolved legislatures in Edinburgh, Cardiff and Belfast provide for early recall if the circumstances require it. The House of Lords was also recalled on 29 August 2013.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

1	Recent recalls	3
2	List of recalls	4
3	The Procedure and calls for it to be changed	5
	3.1 The Procedure – the Government’s instigation	5
	3.2 Calls for change – the Speaker’s instigation	6
	3.3 Government proposals for change	7
4	Members’ expenses associated with the recall of Parliament	8
5	Procedure in the House of Lords	8
6	Procedure in the Devolved Assemblies	9
	6.1 Scottish Parliament	9
	6.2 Northern Ireland Assembly	10
	6.3 National Assembly for Wales	11

1 Recent recalls

On 27 August 2013 it was announced that the House of Commons would be recalled on 29 August to debate a motion on Syria.¹ The House met at 2.30pm on 29 August. An Opposition amendment to the Government's motion was defeated with 220 voting for the amendment and 332 against. The Government's motion was also defeated, with 272 voting in favour of the motion and 285 against.²

On 10 April 2013, the House was recalled to pay tribute to former Prime Minister Baroness Thatcher, who died on 8 April 2013.³

On 11 August 2011, the House was recalled to discuss "Public Disorder". The House also heard a statement on the "Global Economy". The Prime Minister made a statement on public disorder from 11.35am to 2.20pm.⁴ After that the Chancellor of the Exchequer made his statement on the global economy.⁵ This statement was followed by a sittings of the House motion;⁶ and then by a general debate on public disorder, which was opened by the Home Secretary.⁷ As the House was sitting on a Thursday, the moment of interruption was at 6pm. However, the Order Paper included a 6pm Business of the House motion to allow debate to continue until 7pm.⁸ But during the debate, Sir George Young, the Leader of the House of Commons, indicated that he intended "to move an alternative motion to enable us to continue until 8 o'clock".⁹ At 6pm the House agreed to sit until 8pm, and that Standing Order No 41A (Deferred divisions) would not apply.¹⁰

Earlier in the same summer, on 20 July 2011, having risen for the Summer Recess the previous day, the House was recalled to discuss "Public Confidence in the Media and Police". The Prime Minister made a statement, which lasted from 11.35am to 1.54pm;¹¹ the statement was followed by a sittings of the House motion;¹² and then by a general debate, opened by the Prime Minister.¹³

Parliament was previously recalled on 24 September 2002, the House was recalled to discuss the subject of Iraq and Weapons of Mass Destruction. The Prime Minister made a statement first;¹⁴ the statement was followed by a sittings of the House motion; and then by a debate on a motion for the adjournment.¹⁵ Unusually a division was called on the question that the House do adjourn, and there voted Ayes 6, Noes 64. However, because the result of the division was not announced until after 10pm (i.e. beyond the moment of interruption) the House automatically adjourned because the time allocated for the debate had passed.

¹ See the Parliamentary website, [Recall of the House](#)

² See House of Commons, [Votes and Proceedings](#), 29 August 2013

³ [HC Deb 10 April 2013 cc1613-1720](#)

⁴ [HC Deb 11 August 2011 cc1051-1105](#)

⁵ *Ibid*, cc1106-1129

⁶ To confirm that the Recess would continue until the House returned on the previously notified date of 5 September 2011 [*Ibid*, c1130]

⁷ *Ibid*, cc1131-1205

⁸ House of Commons, [Order of Business](#), 11 August 2011

⁹ [HC Deb 11 August 2011 c1152](#)

¹⁰ *Ibid*, c1170

¹¹ [HC Deb 20 July 2011 cc918-962](#)

¹² To confirm that the Recess would continue until the House returned on the previously notified date of 5 September 2011 [*Ibid*, c964]

¹³ *Ibid*, cc965-1050

¹⁴ [HC Deb 24 September 2002 cc1-23](#)

¹⁵ *Ibid* cc24-153

Before that Parliament was recalled on 3 April 2002 to pay its respects to Her Majesty Queen Elizabeth the Queen Mother, who died on Saturday 30 March 2002. The House debated a Motion for an Address, in the following terms:

That an Humble Address be presented to Her Majesty expressing the deep sympathies and condolences of this House on the death of Her Majesty Queen Elizabeth, the Queen Mother, whose life was given unstintingly in devoted public service to the Country and the Commonwealth; who with his late Majesty King George VI rallied the nation in the darkest days of war and who in times of peace was a unifying figure for Britain, inspiring love and affection in all she met.¹⁶

The body of Her Majesty Lay in State in Westminster Hall from the afternoon of Friday 5 April until the evening of Monday 8 April.¹⁷

The House was also recalled on 14 September 2001 to debate international terrorism and the attacks in the USA on the World Trade Centre and the Pentagon on 11 September 2001.¹⁸ Parliament was recalled again on 4 and 8 October 2001 to debate the response to the terrorist attacks on the United States. Further information about sittings of Parliament, including recalls is available in the House of Commons Information Office Factsheet, *Sittings of the House*.¹⁹

2 List of recalls

There have been 27 events leading to recalls of Parliament since 1948, as follows:

¹⁶ HC Deb 3 April 2002 cc799-828

¹⁷ House of Commons Library Standard Note SN/PC/1735, [Lyings in state](#), 12 April 2002

¹⁸ HC Deb 14 September 2001 c610

¹⁹ House of Commons Information Office Factsheet P4, [Sittings of the House](#), March 2009

27-29 September 1949	Devaluation
12-19 September 1950	Korean War
04 October 1951	Prorogation – followed by dissolution
12-14 September 1956	Suez Crisis; Cyprus
18 September 1959	Prorogation – followed by dissolution
17-23 October 1961	Berlin Crisis
16 January 1968	Government expenditure Cuts
26-27 August 1968	Czechoslovakia, Nigeria
26-29 May 1970	Prorogation – followed by dissolution
22-23 September 1971	Northern Ireland
9-10 January 1974	Fuel
3-4 June 1974	Northern Ireland
3 April 1982 (Saturday)	Falkland Islands
14 April 1982	Falkland Islands
6-7 September 1990	Kuwait invasion
24-25 September 1992	Government economic policy; UN operations in Yugoslavia, Iraq, Somalia
31 May 1995	Bosnia
2-3 September 1998	Omagh Bomb: Criminal Justice (Terrorism and Conspiracy) Bill
14 September, 4 and 8 October 2001	International terrorism and attacks in the USA
03 April 2002	Death of Her Majesty Queen Elizabeth the Queen Mother
24 September 2002	Iraq and Weapons of Mass Destruction
20 July 2011	Public confidence in the Media and Police
11 August 2011	Public disorder (additional statement on global economy)
10 April 2013	Death of Baroness Thatcher
29 August 2013	Syria

Source: derived from House of Commons Information Office Factsheet P4, [Sittings of the House](#), June 2010

3 The Procedure and calls for it to be changed

3.1 The Procedure – the Government’s instigation

Under Standing Orders, the Speaker decides whether Parliament should be recalled, but only once Ministers have made representations to him that the public interest requires this. The Speaker then considers whether the public interest does require this, and if he is satisfied that it does, appoints a time for the House to meet. This is set out in Standing Order No. 13, which dates from 1948:

13. - (1) Whenever the House stands adjourned and it is represented to the Speaker by Her Majesty's Ministers that the public interest requires that the House should meet at a time earlier than that to which the House stands adjourned, the Speaker, if he is satisfied that the public interest does so require, may give notice that, being so satisfied, he appoints a time for the House to meet, and the House shall accordingly meet at the time stated in such notice.

(2) The government business to be transacted on the day on which the House shall so meet shall, subject to the publication of notice thereof in the order paper to be circulated on the day on which the House shall so meet, be such as the government may appoint, but subject as aforesaid the House shall transact its business as if it had been duly adjourned to the day on which it shall so meet, and any government order of the day and government notices of motions that may stand on the order book for any day shall be appointed for the day on which the House shall so meet.

(3) In the event of the Speaker being unable to act owing to illness or other cause, the Chairman of Ways and Means, or either Deputy Chairman, shall act in his stead for the purposes of this order.

The notice issued by the Speaker announcing the recall of Parliament is reported in the *Journal* or the *Votes and Proceedings* before the relevant day's sitting. The following table reports when notice of the nine most recent recalls was given. It shows that the amount of notice given varies.

Recall notices issued by Speaker

Date recalled	Date notice issued by Speaker
02 September 1998	25 August 1998
14 September 2001	12 September 2001
04 October 2001	25 September 2001
08 October 2001	07 October 2001
03 April 2002	31 March 2002
24 September 2002	16 September 2002
20 July 2011	19 July 2011
11 August 2011	09 August 2011
10 April 2013	08 April 2013
29 August 2013	27 August 2013

Source: House of Commons Journals – the text of the notice issued by the Speaker is recorded before the relevant day's sitting

By way of example, the notice of the recall on 2 September 1998 read:

Notice given by the Speaker, pursuant to Standing Order No. 13 (Earlier meeting of House in certain circumstances):

Whereas Her Majesty's Government have represented to me, Betty Boothroyd, Speaker of the House of Commons, that the public interest requires the House to meet at an earlier time than the 19th day of October 1998 and I am satisfied that the public interest does so require:

Now, therefore, I hereby give notice pursuant to the Standing Order (Earlier meeting of House in certain circumstances) that the House shall meet on Wednesday the 2nd day of September 1998 at half-past Two of the clock.

Given under my hand this 25th day of August 1998.²⁰

3.2 Calls for change – the Speaker's instigation

The operation of Standing Order No. 13 means that the initial trigger for the consideration of a recall lies with the executive rather than the legislature. This point was noted by the Hansard Society Commission on Parliamentary Scrutiny in its 2001 report which recommended that the Speaker should be able to recall Parliament at times of emergency:

7.43 As the petrol crisis of autumn 2000 showed, Parliament is hamstrung at times of crisis by the fact that only the Government can recall Parliament. The Commission believes that Parliament as an institution must be able to respond to issues as they arise. If Parliament is to be an effective forum at times of crisis, and retain its

²⁰ Commons Journal 1997-98 746,
<http://www.publications.parliament.uk/pa/cm199798/cmjournal/254/050.htm#220>

significance to political debate, there must be an alternative mechanism for the recall of Parliament.

7.44 **The Commission believes that the Speaker of the Commons should have the ability to recall Parliament at times of emergency.** The recall would have to be instigated by a Member of Parliament and the Speaker would adjudicate claims for recall, along similar lines to those for the choice of Private Notice Questions. The Speaker would therefore consult with the leaders of the political parties before taking the decision. It is envisaged that a recall would occur only when an urgent development affecting the national interest had to be discussed by Parliament.²¹

In some recent Sessions, a motion to amend Standing Order No. 13 has been tabled and appeared in the “Remaining Orders and Notices” section of the Order Paper. The motion called for paragraph 1 of Standing Order No. 13 to be replaced by the following text:

‘(1) If the Speaker is of the opinion that the public interest requires that the House should meet at a time earlier than that to which it stands adjourned, the House shall meet at such time as the Speaker shall appoint.’²²

3.3 Government proposals for change

In its 2007 Green Paper, *The Governance of Britain*, the Government (the Labour Government of Gordon Brown) described the procedure for recalling the House of Commons, and noted that Members of Parliament could “request a recall only through the Government. If the Government refuses such a request, MPs have no other course of action”. The Government noted recent recalls but then indicated that it wished to change the mechanism whereby the House of Commons was recalled:

... But the Government believes that where a majority of members of Parliament request a recall, the Speaker should consider the request, including in cases where the Government itself has not sought a recall. It would remain at the Speaker’s discretion to decide whether or not the House of Commons should be recalled based on his or her judgement or whether the public interest requires it, and to determine the date of the recall.

39. The Government will therefore suggest to the House of Commons that the Standing Orders of the House be amended to allow this to happen and will consult with the House of Commons Modernisation Committee on precisely what amendment should be made.²³

The Modernisation Committee announced an inquiry into *Dissolution and Recall* in October 2007.²⁴ The Committee never completed its inquiry (it last met in July 2008 and was not re-established in the 2010 Parliament). Although no oral evidence sessions were held, the Committee published some of the written evidence it received in connection with the inquiry on its website.²⁵

²¹ Hansard Society Commission on Parliamentary Scrutiny, *The Challenge for Parliament Making Government Accountable*, 2001, p 86

²² For example, see “Remaining Orders and Notices”, tabled for 10 October 2005; “Remaining Orders and Notices”, tabled for 16 July 2007; and “Remaining Orders and Notices”, tabled for 13 July 2009

²³ Ministry of Justice, *The Governance of Britain*, July 2007, Cm 7170, paras 37-39

²⁴ Modernisation Committee press notice, *New Inquiries*, Press Notice No 10 2006-07, 24 October 2007

²⁵ Modernisation Committee, *Memoranda – Contents: Recall and Dissolution*

4 Members' expenses associated with the recall of Parliament

An allowance was introduced, by the House of Commons in 1994, to cover the necessary expenses of Members returning to Westminster in the event of a recall of Parliament during a recess. Under the Scheme, Members were able to reclaim any "extra costs" they may have incurred due to a parliamentary recall. The resolution was debated and agreed to without a division.²⁶

Tony Newton, the then Leader of the House, offered the following explanation for the introduction of the allowance:

Finally, I come to part F of the resolution, which introduces a new allowance to cover the necessary expenses of Members returning to Westminster in the event of a recall of Parliament during a recess—[...]

As I said earlier, the present position is that Ministers faced with a recall can have their expenses covered by their Departments, but no such protection is available to other Members. The motion proposes that Members faced by a recall during a recess should be covered for all costs

"wholly and exclusively attributable to the recall",

which includes, assuming that time and plans make it reasonable, the expenses also of travelling to resume a holiday. This is not, of course, an allowance we would expect to be activated very often, but I think it a reasonable safeguard to introduce for Members who need or wish to attend the House in the event of a recall, and I hope hon. Members will agree with me.²⁷

Now, following the expenses scandal in 2009, the Independent Parliamentary Standards Authority (IPSA) is responsible for determining an MPs' Expenses Scheme and paying any expenses. Following the two recalls of Parliament during the 2011 summer recess, IPSA made explicit provision for recall expenses in the 2012/13 Scheme. Provision is made in the 2013/14 Scheme:

IPSA will, in the event of a recall of Parliament during Recess, settle claims for any reasonable travel by an MP and their spouse/partner or dependants to Westminster or an MP's London Area residence. This includes international travel back to the UK and may include return travel to the foreign location, up to a maximum of £3,750 per MP.²⁸

In the summer of 2011, before provision was made in the Scheme, IPSA confirmed that Members would be able to claim for the cost of "necessary travel to enable them to return to Parliament" as a result of the recall of Parliament.²⁹

5 Procedure in the House of Lords

Following changes made by the *Constitutional Reform Act 2005* and the creation of a new position of Lord Speaker, the Lord Speaker can recall the House of Lords, after consultation with the Government in certain circumstances:

²⁶ HC Deb 13 Jul 1994 Vol 246 cc1105-14

²⁷ *Ibid* c1110

²⁸ Independent Parliamentary Standards Authority, *Annual Review of the MPs' Scheme of Business Costs and Expenses - 2013*, 13 March 2013, HC 1032 2012-13, paras 10.13

²⁹ IPSA, "Recall of Parliament", *MP Bulletin 46*, 9 August 2011

The Lord Speaker, or, in her absence, the Chairman of Committees, may, after consultation with the government, recall the House whenever it stands adjourned, if she is satisfied that the public interest requires it or in pursuance of section 28(3) of the Civil Contingencies Act 2004.³⁰

Previously, the Lord Chancellor decided on these questions without the need for representations from another Minister. This reflected his multiple roles as Speaker of the Lords, member of the Cabinet and head of the judiciary, which as Donald Shell remarks, breaks “all the most sacrosanct rules regarding the separation of powers”.³¹

The provisions covering recalls of the Lords are contained in Standing Order No. 17.³²

In practice, the Lords has been recalled at the same times as the Commons, and was recalled on 24 September 2002.³³

In 2011, the House of Lords was not recalled on 20 July as it was scheduled to sit that day, and rise for the Summer Recess at the end of the day’s sitting. However, the Prime Minister’s statement on “Public Confidence in the Police and Media” was repeated in the House of Lords by Lord Strathclyde, Leader of the House of Lords.³⁴

The House of Lords was recalled on 11 August 2011 and the two statements on public disorder and the global economy, made in the House of Commons, were repeated by Lord Strathclyde and Lord Sassoon, respectively.³⁵ Notice of the recall of the House of Lords was given on 10 August, one day later than the Commons. Initially, it was reported that the Government did not intend to recall the House of Lords.³⁶

The House of Lords was recalled on 10 April 2013 to pay tribute to Baroness Thatcher.³⁷

The House of Lords was recalled on 29 August 2013.³⁸

6 Procedure in the Devolved Assemblies

6.1 Scottish Parliament

In the Scottish Parliament, a recall does not require representations by Ministers, but is purely a matter for the Presiding Officer (the Speaker’s equivalent):

The Presiding Officer may convene the Parliament on other dates or at other times in an emergency.³⁹

³⁰ House of Lords, *Companion to the Standing Orders and Guide to the Proceedings of the House of Lords*, para 2.22, 2010

³¹ Donald Shell, *The House of Lords*, 1992, p 112

³² The previous arrangements are set out in the Standing Orders dated 17 May 2005 (HL 3 2005-06); amendments were made on 3 May 2006, and are set out in HL 173 2005-06

³³ There have been additional recalls for the Address on the death of President Kennedy on 25 November 1963 and for the Address on the death of Sir Winston Churchill on 25 January 1965, when the Commons was still sitting. There was also a judicial recall on 1 February 1980. Source: House of Lords Information Office (Following the establishment of the Supreme Court from 1 October 2009, judicial matters are no longer an issue for the House of Lords.)

³⁴ HL Deb 20 July 2011 cc1397-1410

³⁵ HL Deb 11 August 2011 cc1502-1552

³⁶ Lord Norton of Louth, “[Debating the riots](#)”, *The Norton View [blog]*, 9 August 2011; Lord Norton of Louth, “[House of Lords is now being recalled ...](#)”, *The Norton View [blog]*, 10 August 2011

³⁷ [HL Deb 10 April 2013 cc1128-1206](#)

³⁸ Parliament website, [Recall of House of Lords](#)

³⁹ Rule 2.2.10, *Standing Orders of the Scottish Parliament*, 4th edition (4th revision), November 2012

Parliamentary business in the Scottish Parliament is organised by the Parliamentary Bureau. This is a group of representatives of the various political parties and groupings in the Parliament, chaired by the Presiding Officer. The Presiding Officer would almost certainly discuss recall with the Bureau, so presumably it would be open to individual MSPs who wanted to urge a recall to apply pressure via their party business manager in the Bureau.

The Scottish Parliament has been recalled on three occasions since it was established in 1999.

On 24 August 2009, the Scottish Parliament was recalled for a ministerial statement on the decision to release Abdelbaset Ali Mohmed al-Megrahi on compassionate grounds.⁴⁰

The two previous occasions on which the Scottish Parliament was recalled were:

- 13 October 2000 - to mark the death of its First Minister, Donald Dewar,⁴¹ and
- 3 April 2002 – to mark the death of Her Majesty Queen Elizabeth the Queen Mother with a Motion of Condolence.⁴²

6.2 Northern Ireland Assembly

The procedure for recalls of the Northern Ireland Assembly is contained in Standing Order 11(1), which provides that:

Whenever notice is given to the Speaker by the First Minister and deputy First Minister or by not less than 30 members that the Assembly should meet at an earlier date than that to which it stands adjourned for the purpose of discussing a specific matter of urgent public importance, or several such matters, the Speaker shall, as soon as may be, summon the Assembly to meet.

Standing Order 11 also provides that those making the request for a recall have to sign a statement that specifies the matter or matters to be discussed. When the business has been completed the Assembly “shall either stand adjourned to the date to which it originally stood adjourned or determine differently on a motion from a Member when it shall next meet”.⁴³

The Northern Ireland Assembly was recalled on 8 July 2013 to debate (from the Order Paper):

Private Members’ Business

Call for an Inquiry into Allegations of Wrongful Political Interference in the Northern Ireland Housing Executive, Potential Breaches of the Ministerial Code of Conduct and Misleading the Assembly and the Committee for Social Development

Proposed:

That this Assembly expresses concern at the contents of the major investigation by the BBC Spotlight programme broadcast on Wednesday 3 July 2013; notes the allegations of serious and wrongful political interference in the Housing Executive and that the Assembly and the Committee for Social Development were purposely misled by the Minister for Social Development over his decision to seek a review of the specification

⁴⁰ SPOR, [24 August 2009 cc18991-19016](#)

⁴¹ SPOR, [13 October 2000 cc1073-1083](#)

⁴² SPOR, [3 April 2002 cc10843-10852](#)

⁴³ Northern Ireland Assembly, [Standing Orders](#), 16 October 2012, SO 11

for the supply and fitting of double glazing; and calls for a full inquiry into the relevant Minister to establish any impropriety or irregularity as well as any breach of the Ministerial Code of Conduct.⁴⁴

The summer recess had begun on 6 July. At the beginning of proceedings on 8 July, the Speaker confirmed that the Assembly had been recalled in accordance with Standing Order 11:

Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears on the Order Paper.⁴⁵

The Northern Ireland Assembly was recalled, for the second time, on 16 July 2013, to debate the determination issued by the Parades Commission on 9 July 2013:

Parades Commission: Determination of 9 July 2013

Mr Speaker: Order. Having been given notice by not fewer than 30 Members under Standing Order 11, I have summoned the Assembly to meet today for the purpose of debating the motion that appears on the Order Paper.⁴⁶

6.3 National Assembly for Wales

The procedure for recalls of the National Assembly is contained in Standing Order 12.3:

If no plenary meeting is timetabled for a particular date or time, the Presiding Officer may, at the request of the First Minister, summon the Assembly to consider a matter of urgent public importance.⁴⁷

⁴⁴ Northern Ireland Assembly Order Paper, [Monday 8 July 2013](#), OP 151/11-15

⁴⁵ Northern Ireland Assembly Official Report, [Monday 8 July 2013](#); see also BBC News, [Northern Ireland Housing Association Executive motion blocked](#), 8 July 2013

⁴⁶ Northern Ireland Assembly Official Report, [Tuesday 16 July](#)

⁴⁷ National Assembly for Wales, [Standing Orders of the National Assembly for Wales](#), January 2013