

EARLY DAY MOTIONS

HC Factsheets - Procedure Series No 3

*Early Day Motion is a colloquial term for a notice of motion given by a Member for which no date has been fixed for debate; there is very little prospect of these motions being debated. Early Day Motions exist to allow Members to put on record their opinion on a subject and canvass support for it from fellow Members. This **Factsheet** discusses the procedure Members follow to instigate one and how information about EDMs is compiled and distributed. The history of the Early Day Motion is covered in Appendix 4 to this Factsheet.*

INTRODUCTION

The Early Day Motion (EDM) is a much-used device to publicise the views of individual Members of Parliament, and to demonstrate the extent of support among MPs for a particular cause or point of view. In parliamentary terms, the EDM virtually never has any direct consequence. Public interest in them, which is well known to Members, perhaps in itself demonstrates their purpose. Even if an EDM does not attract wide national press coverage it may well receive attention locally or regionally.

TABLING AND PRINTING EDMs

Members give notice of an Early Day Motion by handing in its text to the Table Office near the House of Commons Chamber, behind the Speaker's Chair. The Table Office is part of the Department of the Clerk of the House. A specially printed form is provided for Members on which to submit their Motions, but they are not obliged to use it. The forms provide spaces for six main sponsors and 50 further names, the short title of the Motion and its text. The word "That" with which all motions begin is also printed.

Motions begin "That ... " because they must be expressed in the form of a resolution. Also, they must be in the form of a single sentence, which may, be broken up by use of brackets, semi-colons or colons; the maximum length of an EDM is 250 words.

After the EDM has been checked for conformity with the rules of the House (which are the same for all Motions, whether for a specified day or not) it is printed. The Table Office can advise on the rules of the House; the final decision on whether a Motion is in order rests with the Speaker. The main rules are that motions should not criticise other Members, Peers, judges or members of the royal family except as the main subject of the motion; no reference should be made to matters before the courts; motions should not include unparliamentary language; motions should not contain irony; and their titles must be purely descriptive.

EDMs are printed in the section of the Vote Bundle (see *Factsheet* No P16) called Notices of Motions for which no days have been fixed. EDMs first appear in print in the Vote Bundle on the day after they are tabled, even when the House sits very late. Every effort is made to print all EDMs tabled up to the rising of the House. The title and text of the Motion with the names of up to six sponsors are set out each time the EDM is printed. The first-named Member, who is normally the Member who brought the Motion to the Table Office, is regarded as the Member in charge of the Motion. The Member in charge may choose which five other names should appear among the six sponsors at the head of the Motion. Other supporters are then set out following the sponsors' names, more or less in the order in which they were submitted. Each EDM is given a running number and this should be quoted with the session (e.g. EDM 387 2001/02) as the numbers begin again at 1 each session. The pages of the Notice Paper concerning EDMs have a separate sequence of numbers from those connected with Questions and other notices. The Notice Paper is colloquially known as the "*Blues*".

EDMs may be referred to in debate. In particular, they are often mentioned during Business Questions. The first time an EDM is mentioned at Business Questions, the text is set out in full, in the Official Report [*Hansard*] which is more widely available than the "*Blues*". Members will often ask a supplementary question following the weekly Thursday lunchtime Business Statement, along the lines of "Can we have a debate next week on my motion EDM No. XXX, which" It is not necessary to read out the text of the EDM, as *Hansard* will insert the full text, but not the names of the signatories, in the *Official Report*. Because EDMs may be raised in this way with the Leader of the House, it is probable that the relevant Government department has provided the Leader of the House with a "line to take" in response to a supplementary at Business Questions. The requirement to prepare a brief in this way for a Cabinet Minister may in practice be one of the best ways in which civil servants are alerted to the strength of feeling on the topic raised in the EDM.

EDMs are formally proceedings in Parliament and as such enjoy a special status in any legal proceedings, such as libel suits or copyright claims. The Clerk of the House, or the Clerk of the Journals in the Department of the Clerk of the House, can advise Members on the possible implications where parliamentary privilege might be an issue. Anybody else, including reporters in the print or broadcast media, who seeks to shelter behind parliamentary privilege in reporting the content of an EDM ought to take legal advice. It should not be assumed that just because an allegation has been made in an EDM it may be repeated in the media or elsewhere with no consequences.

Some typical EDM entries in the Notice Paper are shown in Appendix 3.

SUPPORTING EDMS

Additional Members can sign the Motion on subsequent days. Commonly, Members do this by tearing out pages from their copy of the “*Blues*” and signing below the chosen Motion or Motions. The pages are then handed to the Table Office, and the EDM (together with its top six sponsors, but not others who have previously signed the Motion) will be reprinted in the next Notice Paper with the new names appended. Members often simply give the Table Office the relevant number and ask for their name to be added. A running total of the number of signatures to date is also printed each time the EDM appears in the “*Blues*”

Members may give the Table Office the names of other Members to be added to the list of those supporting the EDM. Any Member doing so is personally responsible for the accuracy of the names of other Members appended by them to EDMs and they ought to have those Members’ authority for the addition of their names. Members may not assume that because other Members have agreed to support an EDM in one session that they will automatically support an identical motion tabled in a subsequent parliamentary session.

In an average Session only about six or seven EDMs reach over 200 signatures, but perhaps 70 or 80 get over 100 signatures. Quite a number will attract only one or a couple of signatures. Appendix 2 provides a list of EDMs since 1939 which have attracted 300 or more signatures. There is no guarantee that an EDM that reaches a certain number of signatures will be debated on the floor of the House.

The printing and publication costs associated with early-day motions in 1999 was approximately £597,000. Other costs associated with early-day motions, such as editorial preparation and control and electronic publication, are not separately identifiable.

TYPES OF EDM AND THEIR PURPOSE

EDMs tend to fall into several distinct groups. First, the Opposition may put down an EDM to pray against Statutory Instruments. Many appear in the name of the Leader of the Opposition or of another opposition party. This is how the Opposition gives public notice that it may seek to secure a debate; this type of EDM is to all intents and purposes about the only one which ever leads to a debate. Under Standing Order No. 118, the Government may refer a statutory instrument subject to negative procedure [see *Factsheet L7*] for debate in a Standing Committee once a motion for its annulment has been tabled.

Secondly, a group within a party might put down an EDM. This may express a view different from the official position of the party concerned. For example, Motions put down by Government backbenchers may seek to accelerate or otherwise change Government action.

Another type frequently found is the all-party motion, which expresses a view across party divides, often on social issues;

or one which, largely promoted by one party, can attract signatures from a section of another. All-party motions are on the increase, and a great deal of work may go into their compilation. It is generally only all-party motions that can obtain very large numbers of signatures. The titles of such motions given in Appendix 2 will give an idea of the subjects which have regularly commanded very wide support. When looking at an EDM, scrutiny of the names of the six sponsors will usually provide a clue as to its type. Certain motions, especially of the all-party category, are suggested to Members by pressure groups outside the House, and such organisations often go to much trouble in trying to persuade Members to sign "their" motion.

Some EDMs are completely ephemeral in character - those offering congratulations to a particular football or cricket club are a case in point (it has been known for separate but virtually identical EDMs to be tabled on this sort of thing). Other EDMs relate to local issues - for instance criticising the decision to close a post office or hospital - or purely personal matters (eg a deportation or similar case).

Members often seek to draw up an EDM if they have been debarred from putting down Questions on a subject because of the rules of the House.

Occasionally EDMs are tabled criticising another Member of the House, or a member of the House of Lords. These EDMs will usually have a title beginning "Conduct of ...". It is out of order to criticise the conduct of hon. Members by innuendo, so such an EDM must state clearly what the allegation is, in a form that would allow the House to take a clear decision if the matter were ever debated.

DURATION OF EDMS

EDMs remain current for the rest of the Session in which they were put down and extra names can be added at any time up until the session ends in prorogation or dissolution. For the first two weeks, motions are reprinted when new names are added; thereafter, they are reprinted only on Thursdays if any signatures have been added to the EDM since it was last printed. Before each parliamentary recess, the Table Office prints a list of EDMs giving their titles in numerical order, the date of first printing and total number of signatories to date. This is issued with the "*Blues*".

At the end of the Session all EDMs fall, but can be introduced again in the new Session. They do not automatically carry forward the signatures appended to them in the previous Session. Some EDMs reappear session after session.

SIGNING EDMs

Any Member may formulate or sign an EDM. The Official Opposition regularly promote them. For instance, as mentioned before, prayers against Statutory Instruments are put down in this way, and also Motions of Censure - the Motion eventually approved by the House which led to the

fall of the 1974-79 Labour Government started out as an EDM (see Appendix 3). Similarly, a Motion put down by one or more of the smaller parties will often be in the names of the party leader and principal spokesmen. Ministers and Whips do not normally sign EDMs. Under the Ministerial Code Parliamentary Private secretaries “must not associate themselves with particular groups advocating special policies”, and they do not normally sign controversial EDMs. Neither the Speaker nor Deputy Speakers will sign EDMs. The internal Standing Orders of the Parliamentary Labour Party require Labour Members to consult the Chief Whip before tabling an EDM, and to delay the tabling of an EDM for one sitting day at the Chief Whip’s request.

Members themselves sometimes accidentally sign EDMs which they have already signed. Any such duplication is filtered out by the Table Office computer system, and only the original signature is printed or counted towards the total number of signatures.

AMENDMENTS

A Member may put down an amendment or amendments to another Member's EDM. If a Member wishes to table an amendment to an EDM which they have already signed, they first have to withdraw their name from the main Motion.

Some amendments advance a view contrary to that offered by the main Motion and may advocate the replacement of the whole text from "that" with an alternative proposition on the same subject, whilst others may seek additional or strengthening provisions. The Table Office can advise whether amendments which amount to total opposition to the EDM [in the form of an “expanded negative”] would be in order.

Members sign amendments in the same way as main Motions, and the Notice Paper counts and records these in exactly the same way. Members can therefore solicit support for amendments; it is by no means unknown for an amendment to attract more support than the original Motion.

WITHDRAWAL OF EDMS AND NAMES

The Member in charge of a Motion may withdraw an EDM or an amendment put down in their name without reference to any of those who have signed it. Members may also withdraw their names from motions or amendments. In either case, the notification of withdrawal is published as a Memorandum at the end of the EDM section of the “*Blues*”; together with any corrigenda

REGISTER OF INTERESTS

The sponsor of any EDM, or any amendment, is required to declare whether they have a relevant registered pecuniary interest to the Table Office at the time of tabling. Any such registered interest is now indicated on the Notice Paper by the letter R against the name of the relevant Member(s).

**CUMULATING
SIGNATURES**

The House of Commons Information Office can supply complete lists of Members who have signed a particular EDM. The POLIS EDM database, with a browser interface, is available on the Parliamentary Website at <http://edm.ais.co.uk>. This enables lists to be produced of those who have signed particular EDMs, or of all the EDMs a certain Member has endorsed. Similarly, it is possible to isolate the date of the notice paper on which the signature of a Member was recorded, and the titles of all the EDMs a Member has signed.

The House of Lords Record Office is the best place for research into old EDMs, since they have both the papers concerned and expertise in their use. They would also be able to obtain and copy from the cumulations made up by the House of Commons Library, which were prepared from 1944 to 1989, and hard copy derived from POLIS thereafter. There is a charge for photocopying.

**NUMBER OF
SIGNATURES**

The record for most signatures on an EDM is quite old; that on service pensions, put down on 6th February 1964 by Sir Robert Cary, which attracted 482 signatures. A list of all those main motions that have had 300 or more signatures since 1939-40 is given in Appendix 2. A number of very popular EDMs do not appear in this Appendix because they took the form of a main motion, with 250 signatories and a strengthening or neutral amendment with 100 signatories. Similarly, no attempt has been made to add amendment signatures to the figures given: these are signatures on the main motion only. No account is taken of any signatures withdrawn.

For a history of the Early Day Motion, see Appendix 4.

ACKNOWLEDGEMENTS

The House of Commons Information Office is grateful to Liam Lawrence-Smyth of the House of Commons Department of the Clerk who helped in the preparation of this Factsheet.

October 2001 No P3 Ed 2 Pr 1 300
ISSN 0144-4689

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Providing information on the work, history and membership of the House of Commons

APPENDIX 1

NUMBER OF EARLY DAY MOTIONS PRESENTED SINCE 1939

Session	EDMs	Session	EDMs	Session	EDMs
1939-40	21	1960-61	169	1981-82	716
1940-41	30	1961-62	154	1982-83 (a)	502
1941-42	41	1962-63	176	1983-84 (b)	1,058
1942-43	77	1963-64	180	1984-85	979
1943-44	88	1964-65	356	1985-86	1,261
1944-45	64	1965-66 (a)	164	1986-87 (a)	999
1945-46	71	1966-67 (b)	640	1987-88 (b)	1,600
1946-47	37	1967-68	446	1988-89	1,414
1947-48	79	1968-69	443	1989-90	1,478
1948 (c)	3	1969-70 (a)	300	1990-91	1,283
1948-49	77	1970-71 (b)	717	1991-92 (a)	860
1949-50	55	1971-72	474	1992-93 (b)	2,574
1950-51	97	1972-73	448	1993-94	1,691
1951-52	106	1973-74 (a)	174	1994-95	1,575
1952-53	135	1974 (a)	245	1995-96	1,246
1953-54	102	1974-75	759	1996-97 (a)	724
1954-55	52	1975-76	701	1997-98 (b)	1,745
1955-56	116	1976-77	475	1998-99	1,009
1956-57	96	1977-78	611	1999-00	1,198
1957-58	105	1978-79 (a)	368	2000-01 (a)	658
1958-59	99	1979-80 (b)	907		
1959-60	111	1980-81	631		

(a) short session

(b) long session

(c) very short session

APPENDIX 2

EARLY DAY MOTIONS SINCE 1939 WITH 300 OR MORE SIGNATURES

Session	EDM Subject Number	Sponsor	Number of Signatures
1948-49	23 Analgesia (Childbirth)	Mrs L Manning	346
1953-54	88 War Disability Pensions	Mr C Simmons	324
1955-56	59 Living Theatre	Sir B Baxter	361
1958-59	45 Restriction of Offensive Weapons	Mr B Janner	309
1960-61	17 Civil Service Pensions (Unestablished Service)	Sir L Heald	388
1960-61	116 Fire Services Manpower	Mr R Harris	332
1963-64	53 War Disability Pensions (Limbless Ex-Servicemen)	Sir R Cary	482
1965-66	18 Rhodesia	The Prime Minister (Mr H Wilson)	333
1966-67	99 Soviet Jewry	Sir I Orr-Ewing	396
	518 Sachsenhausen Concentration Camp	Mr A Neave	357
1967-68	149 Public Service and Armed Forces Pensions	Mr J Jennings	356
1967-68	168 The Population Problem	Sir D Renton	322
1970-71	212 Treatment of Jews (USSR)	Mr G Janner	333
1970-71	509 Cease-Fire in Pakistan	Mr B Douglas-Mann	300
1971-72	291 International Assistance to Bangladesh	Mr J Stonehouse	328
1976-77	222 Select Committee for Foreign Affairs	Mr C Brocklebank-Fowler	385
1977-78	502 Pay, Pensions and Allowances of Hon Members	Mr I Stewart	322
1979-80	17 Whale Products Import Ban	Mr T Garel-Jones	347
1980-81	150 Access for Disabled People	Mr D Wigley	328
1982-83	83 Baby Seals from Canada	Mr D Ennals	308
1983-84	688 Norwegian Government & Commercial Whaling	Dr J Marek	371
1986-87	29 Drug Abuse (Grange Hill Campaign)	Mr D Atkinson	317
1987-88	792 Grandparents' Rights, etc	Mr R Powell	331
1988-89	68 Treatment of widows of servicemen	Mr J McWilliam	334
1988-89	174 First Aid in Schools	Mr J Browne	330
1988-89	256 Public Safety Information	Ms J Quin	328
1990-91	197 First Aid in Schools	Mr N Thorne	413
1990-91	299 Resettlement grants, ex MPs	Mr A Morris	348
1990-91	500 Merchant Navy	Mr J Sayeed	353
1993-94	2 Civil Rights (Disabled Persons)	Mr R Berry	313
1994-95	1223 Independent Review Bodies recommendation	Mr A Morris	353
1994-95	383 Reducing VAT on energy saving materials	Mr A Simpson	342
1994-95	24 Children in Prostitution and Pornography	Mrs A Winterton	329
1995-96	269 Homepride Campbell Soups	Mr D Campbell-Savours	340
1997-98	18 National targets for road traffic reduction	Ms Joan Walley	362
1997-98	261 Serjeant at Arm's staff	Mr N Brown	355
1997-98	2 Pardon for executed soldiers	Mr A Mackinlay	354

Session	EDM Subject Number	Sponsor	Number of Signatures
1997-98	80 Warm Homes	Mr A Simpson	342
1998-99	11 Wildlife Charter and Wildlife Bill	Mr D Lepper	349
1998-99	108 Warm Homes and Energy Conservation	Mr A Simpson	345
1998-99	158 Bills on Energy Conservation	Mr C Efford	319
1998-99	323 National Targets for Road Traffic Reduction	Ms Joan Walley	318
1998-99	488 Recycled Content of Newsprint	Mr D Chaytor	315
1998-99	929 U.S. Senate Rejection of Test Ban	Mr M Savidge	359
1999-00	317 Warm Homes and Energy Conservation	Mr A Simpson	396
1999-00	449 Fiftieth Anniversary of the election of the Rt Hon Member for Old Bexley and Sidcup	Mr W Hague	345
1999-00	17 Newspaper and Magazine Recycling	Mr D Chaytor	308

APPENDIX 3

A: SOME TYPICAL EXAMPLES TAKEN FROM NOTICE PAPERS, SESSION 2001-02

APPENDIX 4

HISTORY OF THE EDM

In the 18th and early 19th centuries, Members had ample opportunity to raise matters of interest to them in debate, since a large part of the time of the House was available for their Bills and Motions. Motions were notified to the House in general by a Member announcing in the Chamber that he proposed to raise such and such a question, though written notice could also be given. However, in the 1850s and 60s, at the end of a session, when it was impractical to name actual dates, the practice grew up of Members giving notice that they intended to raise matters at some future date (eg Next session, at an early opportunity, etc) rather than on a specific date.

By 1865 a separate section, headed Notices of Motions for which no days have been fixed, was appearing in the daily Notice Paper regularly throughout the Session. Some of the Motions were actually intended for debate, and others were expressions of opinion. More than one Member might submit the same Motion in order to demonstrate solidarity or the strength of feeling on an issue. Throughout the late nineteenth century and early twentieth century, the time available for Private Members' Bills and Motions reduced as Governments took increasingly more House of Commons time, and the use of these motions therefore increased. By 1921, more than one name was commonly seen, but the text of the Motion was not repeated for each name.

It was presumably considered that each name was in fact separately submitting the same Motion, and each name was given a fresh number in the list as if a separate Motion. By 1928 the majority of such motions were submitted in multiple names, but never more than six were prefaced to each: the practice had not grown up of attracting tens or hundreds of signatures. This development took place in the 1930s; by 1943 the system was in operation much as at present, and the Clerks at the Table were compiling a listing and index of EDMs in much its present form. From 1944, a number was allocated to each Motion, to facilitate reference to them. Appendix 1 gives the numbers of EDMs presented in each session since 1939. (Please note that figures given include EDMs that were subsequently withdrawn).

In the 1940s, the phrase An Early Day was often appended to each Motion - this probably being the origin of the colloquial name still used - meaning the motion was for debate, theoretically, on some date in the near future. (The phrase has now been moved to the head of the EDM section of the Notice Paper). Not all EDMs in the 1940s were from backbenchers; some Ministers gave notice of their intention to bring in Bills in this way. The Bill which became the Education Act 1944 was one of them, on 24 November 1943 and the Chairman of Ways and Means even gave notice of amendments to be moved to Private bill Standing Orders in this way.

The 1940s saw an increase in the popularity of the EDM probably because the war footing of the Commons meant that time for debate of Private Members' Motions and Bills was not available. The EDM may have been used as a vehicle for the expression of views due to the lack of alternative - and possibly more effective - means of such expression. Some motions at this time attracted large numbers of signatures - for instance, the 279 appended to a 1942-43 Motion on Nazi massacres.

In the 1950s there were approximately 100 EDMs each Session. By the late 1960s this had risen to about 400 and by the early 1980s to about 700. The thousand mark was first passed in the long Session of 1983-84; the Session 1985-86 saw 1,262 EDMs, a virtual doubling of the numbers usual at the beginning of the decade. By the end of the 1990's, 1,400 in an average session was the norm.

In 1976, the Services Committee recommended that when EDMs had names added to them, only the title of the Motion - not its text - and the names of the six sponsors should be reprinted; and these details be immediately followed by the added name(s). This, it was said, would save HMSO £45,000 p.a. in printing costs, and expedite delivery of the Vote Bundle. The House agreed to this for an experimental period of one Parliamentary Session on 18 January 1977. The experiment began the next week, but after only eight weeks the Chairman of the Sub-Committee

responsible for the suggestion admitted the experiment had not been a success. Proposing an amendment would cause the text of the EDM to be reprinted: on 15 March 1977 a Member (Mr N Winterton) put down insubstantial amendments to every EDM, thus causing all of the 229 then current to be reprinted. This action attracted comment in the Chamber the next day, and the experiment was ended soon afterwards. An EDM about the printing of EDMs itself attracted 68 signatures.

From 5 April 1989, it was decided that when names were appended to EDMs, the full text should only be printed on the Thursday of that week where 2 or more weeks had elapsed since first put down.

On 28 June 1993 the House debated and approved the First Report from the Select Committee on Members' Interests of Session 1991-92 (HC 326 1991-92). This report included the recommendation that the sponsor of any EDM, or any amendment, should be required to declare any relevant registered pecuniary interest to the Table Office at the time of tabling. This recommendation was implemented from the beginning of the 1993-94 Session and any such registered interest is now indicated on the Notice Paper by the letter R against the name of the relevant Member(s).

Factsheet P3
Early Day Motions

It would greatly help to ensure that *Factsheets* fulfil their purpose if users would fill in and return this brief pre-addressed questionnaire, or e-mail a response. Negative responses can be as useful as positive.

For your purposes, did you find this *Factsheet*:

- | | | | | | | |
|----|--------------------|---|-------------------------|---|-----------------------|---|
| 1. | Very useful | ρ | Fairly useful | ρ | Not much use | ρ |
| 2. | Too long | ρ | The right length | ρ | Too short | ρ |
| 3. | Clear | ρ | Not always clear | ρ | Rather unclear | ρ |

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