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The 'Powerless Parliament'? Agenda-Setting and the Role of the UK Parliament in the Human Fertilisation and Embryology Act 2008

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Abstract

This article uses a case study of the Human Fertilisation and Embryology Act 2008 to examine the legislative role of the UK Parliament. Parliament is often considered to be a weak legislative actor, although this view has increasingly been challenged by legislative scholars. In this case, Parliament exercised agenda-setting powers at the pre-legislative stage that produced a significant impact on legislative outcomes. The article demonstrates the value for legislative studies of disaggregating the legislative timeframe and thereby examining the power of legislatures beyond the formal decision-making process. It also identifies a set of enabling conditions – for example, extended pre-legislative scrutiny, low political salience, and synchronisation of committee timelines with the legislative process – under which legislatures might exercise agenda-setting power in other areas of policy. The case study finds that those parliamentarians who engaged with policy in the agenda-setting phase exerted greater influence over policy outcomes than those who engaged at the decision-making stage.

Keywords: Agenda setting; Human Fertilisation and Embryology Act; Parliament; Power; morality policy

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Introduction

This article explores the agenda-setting role of the UK Parliament in the passage of the 2008 Human Fertilisation and Embryology Act (hereafter HFEA2008). It addresses two central questions: 'How powerful is Parliament in the policy process?' and, 'Under what conditions can Parliament exercise power in the policy process?'. While Parliament has traditionally, if somewhat unfairly, been understood as a relatively marginal actor in the policy process, the HFEA2008 suggests it can exercise significant agenda-setting powers under certain conditions. The most common understanding of the British policy-making style, albeit one that has been challenged by legislative scholars, is one where the executive power is dominant and develops policy through sector-specific policy communities with minimal legislative input (Jordan and Richardson 1979 ; Marsh and Rhodes 1992 ; Olson 1994). The study of the HFEA2008 suggests an alternative pattern of policy-making that may occur given certain pre-conditions. Within this mode of policy-making, Parliament can influence the policy agenda by engaging with legislation in its early developmental stages ('upstream engagement') and outside the formal processes conducted in the main legislative chambers ('extra-cameral influence'). Our findings suggest that this agenda-setting power of Parliament is facilitated by a combination of conditions that held during the passage of the HFEA2008, including: a long legislative timeframe; dedicated pre-legislative scrutiny outside the Public Bill Committees; proactive and sustained involvement by Select Committees, including the synchronisation of their work with legislative timetables; the low political salience of the issues under consideration; and high scientific and/or technical content of legislation. The procedural elements that empowered Parliament in this case are being used more frequently in 'standard' policy-making, which may point to the emergence of a more

active and influential legislative role for Parliament, and to the need for legislative scholars to look beyond formal decision-making processes to identify Parliament's impact on law-making.

The article contains five main sections. The first provides a brief overview of the Human Fertilisation and Embryology Act 2008. The second considers the treatment of Parliament's power(s) and agenda-setting in the respective literatures. The third outlines the research methods employed, while the fourth examines the passage of the Bill and analyses the three distinct phases of the legislative process: the problem definition, drafting and decision-making stages. The fifth section begins by summarising the findings – namely, that parliamentary influence was affected by both the timing of parliamentarians' engagement, and by the content of the legislation. It is argued that Parliament was at its most powerful in the pre-legislative rather than the legislative phase and its power was principally exercised in setting the agenda rather than in formal decision-making. An assessment of Parliamentary influence over legislation therefore requires an analysis of Parliamentary behaviour outside the formal legislative process. In terms of content, it is found that the low political salience and high technical content of the Bill contributed to a larger role for Parliament. Drawing on these findings, the fifth section then posits a number of propositions that can inform further research on Parliament's agenda-setting powers.

The Human Fertilisation and Embryology Act 2008

The HFEA2008 was an update of the 1990 Human Fertilisation and Embryology Act (hereafter HFEA1990). The original Act was based on the 1984 report of the Warnock

Committee, set up in 1982 to inquire into the technologies of IVF and embryology. The key elements of the HFEA1990 were the establishment of the HFE Authority to licence and regulate: the creation of human embryos outside the body and their use in treatment and research; the use of donated gametes and embryos; and, the storage of gametes and embryos (www.hfea.gov.uk). Due to scientific and technological advances, as well as changing social attitudes, the Act was eventually amended in 2008. The HFEA2008 had major ramifications for the practice of both research and clinical science by significantly extending the range of permitted techniques using human gametes and embryos that could be licensed within the UK, while implementing an outright ban or sharply curtailing other techniques.

The value of a detailed case study of the HFEA2008 is both intrinsic and instrumental. The study further illuminates what has been described as "one of the most contentious and far-reaching pieces of legislation to have come before the UK parliament in recent years" (Kettell 2010 792). Yet, it is also valuable in terms of generating propositions about the enabling conditions under which Parliament can influence policy. Historically, a piece of legislation such as the HFEA2008 might have been considered an outlier and without major consequences for the understanding of legislative behaviour in British politics. Policy issues with a substantial moral/ethical component have often been dealt with in a non-standard way by Parliament, for example by allowing MPs to vote without formal instructions from party whips (Richards 1970). However, as this article demonstrates, it is not the simple fact of the application of procedural conventions usually associated with morality policy that empowered Parliament in the case of the HFEA2008. In principle, the processes used to pass the HFEA2008 could have been, and, indeed, have been, used for non-morality policy. The

presence of free votes and the use of a Committee stage held in the whole House of Commons (conventional concessions to matters of conscience that enable greater parliamentary engagement) were relatively unimportant in shaping the content of the policy, as indeed they usually are on most matters of conscience subjected to free votes (Cowley 1998 ; Pattie, Johnston et al. 1998 ; Cowley 2001 ; Cowley and Stuart 2010 ; Marsh and Plumb 2011). Rather, it was Parliamentary involvement at the problem-definition and drafting stages prior to the formal introduction of the Bill at First Reading which were key to the exercise of agenda-setting power. This is potentially highly significant since the procedural elements that empowered Parliament in HFEA2008's development are being used more frequently in 'standard' policy-making. The increasing power and importance of Select Committees, a greater willingness on the part of government to introduce Draft Bills since 2010, the greater likelihood of coalition governments, and the shrinkage of the civil service all tend to favour the policy style witnessed during HFEA2008's passage.

HFEA2008 therefore enhances our understanding of Parliament in two ways. First, it provides an example of Parliament functioning as a significant policy actor in its own right. This provides a further counter-example to the most widely accepted account of Parliament's role in policy-making, as discussed below, and so provides further support to a revisionist perspective on parliamentary influence. Secondly, this counter-example provides an opportunity to consider the enabling conditions which permit a greater role for Parliament in policy and, subsequently, enables the production of a series of propositions about parliamentary power that can inform future research in this area.

Agenda-Setting and the Power(s) of Parliament

The perception of the UK Parliament as an institution with limited power within the legislative and policy process derives from an understanding of power-as-decision-making inspired by pluralist studies of power. Pluralists such as Dahl (1961) and Polsby (1960), defined power in terms of the decision-making capacities of political actors. For example, Dahl argues:

> A rough test of a person's overt or covert influence is the frequency with which he [*sic*] successfully initiates an important policy over the opposition of others, or vetoes policies initiated by others, or initiates a policy where no opposition appears (1961 66).

For Norton (see, for example 2013, pp. 67-77, 139-145), a pluralist understanding of the powers of Parliament tends to produce the view that the UK Parliament is a relatively minor or marginal actor in the policy process. While legal and constitutional analyses have emphasised parliamentary sovereignty (Dicey 1889), a notion which continues to exert an influence on the consciousness of parliamentarians (Bevir and Rhodes 2006), the significance of Parliament as a legislative or policy-making body has generally been downplayed. As Kelso notes: "[t]he default position of many Westminster observers is to complain that the government is too strong while parliament is too weak" (2011 58).

The weakness of Parliament's powers to initiate policy means that it has been understood primarily as a law-affecting, rather than a law-making, body (Mezey 1979 ; Norton 1993). British political history has tended to emphasise the leading role of government and Cabinet

(Bagehot 1867/2001 ; Jennings 1933), while re-interpretations of the British policy process emerging in the 1980s and 1990s emphasised the interaction between central government and extra-governmental actors in the development of policy and law (Marsh and Rhodes 1992 ; Rhodes 1996). In this vein, Jordan and Richardson (1979) famously described the British polity as a "post-parliamentary system" due to the dominance of the executive, in alliance with policy communities, over the legislature. In each case, Parliament is considered to play at best a reactive role, unable to initiate policy change and engaging as, at most, a scrutiniser or reviser of legislation already substantively decided.

Many legislative scholars have sought to modify this view and to reinstate Parliament as a relevant actor in the policy process (e.g. Judge (1993), Norton (2005), Russell and Benton (2011)). Flinders and Kelso, writing in this revisionist tradition, regard the image of the powerless Parliament as "a misleading caricature of a more complex institution" (2011, p.249) since it is founded on a mistaken, and unrealistically inflated understanding of "what parliament was ever intended, expected or resourced to deliver" (2011, p.250). It might also be argued that the notion of a powerless Parliament places undue emphasis on a single aspect of Parliamentary power(lessness) – its decision-making capacities – rather than taking a broader view that identifies other avenues – namely agenda-setting at the pre-legislative stage – through which Parliament can influence policy.

In analysing power, political scientists have long recognised the need to broaden the scope beyond formal arenas of decision-making such as legislative votes. For authors such as

Bachrach and Baratz (1962) and Schattschneider (1960), the ability to include or exclude items on the agenda for decision (through 'nondecision-making' and 'the mobilization of bias' – the ways in which issues are organised into and out of politics) were temporally prior to decision-making itself, and ought to be considered as aspects of political power in their own right[1]

Parliamentary influence, if it is to be found anywhere, may not be best represented by its 'viscosity' (Blondel 1970) in terms of altering or rejecting government proposals once introduced and put forward for decision-making. At this stage, the constitutional arrangements of the British state tend to favour the executive and induce a reactive strategy among parliamentarians of making amendments to government proposals, rather than initiating policy or vetoing government proposals, as demonstrated by the small amount of legislation introduced via backbench initiative and the rarity of government defeat in legislative divisions. This is a point Flinders and Kelso explicitly acknowledge:

> Throughout the 20th century the Parliamentary Decline Thesis tended to be informed by the externally visible elements of the executive–legislative relationship,

[1] Although Bachrach and Baratz's work has often been criticised for its behaviouralism, concepts of agenda-setting, non-decision making and the mobilization of bias remain useful if placed within a framework that takes seriously the structural and institutional dimensions of power and that is thereby able to specify the mechanisms by which, in Bachrach and Baratz's own words, "the dominant values, the myths and the established political procedures and rules of the game" are reproduced (Hayward, C. (2000). De-Facing Power. Cambridge, Cambridge University Press., Lukes, S. (2005). Power: A Radical View. New York, PalgraveMacmillan., Isaac, J. C. (1987). Power and Marxist Theory: A Realist View. Ithaca, NY, Cornell University Press., Bates, S. R. (2010). "Re-Structuring Power." Polity **42**(3): 352-376.) Bachrach, P. and M. Baratz (1962). "Two Faces of Power." American Political Science Review **56**(4): 947-952)

> in terms of debates, voting outcomes and so on, which arguably provides a shallow view of legislative dynamics. Where scholars undertook research that looked beneath the public façade of parliament through detailed empirical research it revealed a far more sophisticated and balanced relationship (2011, p.262).

This is the task to which the present article addresses itself. By focusing on aspects of parliamentary power other than decision-making, the paper aims to flesh out the models of legislative behaviour that have been applied to the UK Parliament. Existing scholarship on the HFEA2008 has focused on the decision-making phase, providing analyses of voting patterns in Parliamentary divisions, and discursive strategies in Parliamentary debates in the course of the formal legislative process from the introduction of the Bill to its passage (Cowley and Stuart 2010 ; Kettell 2010 ; Kettell and Cairney 2010 ; Bates, Jenkins et al. 2014). This paper mainly focuses its analysis instead on an earlier stage of the legislative timeline prior to the Bill's formal introduction in order to investigate Parliament's agenda-setting powers.

Method

The paper uses a case study design, focusing on the role of Parliament in the development and adoption of the HFEA2008. We use data drawn from semi-structured in-depth interviews with parliamentarians who participated in the passage of the HFEA2008, analysis of parliamentary debates during its passage, three Commons Science and Technology Committee (hereafter STC) reports that preceded First Reading (House of Commons Science

and Technology Committee 2005 ; 2007 ; 2007), the 2006 White Paper (Department of Health 2006), the report and proceedings of the Joint Parliamentary Committee (JPC) on the 2007 draft Bill (Joint Committee on the Human Tissue and Embryos (Draft) Bill 2007), and the proceedings of the Public Bill Committee (PBC) for the final Bill (House of Commons 2008). Potential interviewees were placed into one of two categories: 'activists' and 'control'. 'Activist' members were identified according to whether they had participated in the following forms of engagement with the scrutiny of the legislation:

- Commons STC member during the 2005-2010 Parliament;
- Commons STC member during the 2001-2005 Parliament;
- Lords STC member during the 2005-2010 Parliament;
- JPC Member;
- PBC Member;
- Introduced an amendment to the Bill at Committee or Report stages in either House;
- Made a speech in parliamentary debates on the Bill.

All other parliamentarians eligible to vote on the Bill were placed within the 'control' group. In total 28 interviews were conducted between March and December 2013: 16 with 'activists', 10 from within the 'control' group (all of whom voted but did not otherwise participate), and 2 with scientific advisers to parliamentary committees. Of the parliamentarians, 19 were MPs or former MPs, 6 were peers and one had been both an MP and a peer. Interviews were coded AMP for activist MPs, AP for activist peers, CMP for control group MPs, and SA for science advisers. Efforts were made to interview participants

representing a range of views on the legislation, including both supporters and opponents and the pool of respondents was broadly representative of the positions of members, as well as party allegiance.

The Parliamentary Passage of the HFEA2008

The central contention of this paper is that an assessment of Parliamentary influence over legislation requires an analysis of Parliamentary behaviour outside the formal legislative process. The formal legislative process by which a Bill becomes an Act of Parliament is the central focus of most scholarly writing on the role of Parliament in law-making. Within this formal legislative process, the role of Parliament as a collective body in legislation is to scrutinise and approve proposals brought forward by government. As Norton notes, "Parliament does not figure largely as a significant influence in the introduction and content of bills" (1993 87). This assessment is based principally on Parliament's weak powers of legislative initiative, and the infrequency of serious amendment or defeat of Bills once introduced into the formal legislative process at First Reading. The active involvement of Parliament usually begins with the formal introduction of a Bill at First Reading with the majority of Bills being introduced in the Commons, although a sizeable minority are introduced in the Lords. If introduced in the Commons, the Bill then continues to a Second Reading, when the general principle of the Bill is debated and voted upon by the whole House. The Bill then moves to a Committee stage where a smaller cross-party group of MPs scrutinises the Bill in greater depth and may make amendments. The usual vehicle for legislation introduced in the Commons is known as a Public Bill Committee (PBC). Following Committee, the Bill moves to a Report stage where the whole House again considers the Bill

and may table further amendments which can be voted on. A division of the House at Third Reading marks final approval of the Bill before it moves into the other chamber, where it undergoes the same stages (with some variations) once more. Following a phase of reconciliation of further amendments between the two Houses ('ping-pong'), the Bill moves forward for final confirmation through Royal Assent. The process is similar with some variations for Bills introduced in the Lords.

During the passage of the HFEA2008 (see *Table 1* below), parliamentarians actively engaged in developing the content of the legislation long before the Bill was formally introduced at First Reading. By the time the final Bill was introduced for First Reading in the Lords in November 2007, Parliament (or rather, that small sub-set of Parliament that served on the key committees) had had multiple opportunities – often successfully taken – to intervene in and shape the development of the proposed legislation. As *Table 1* shows, the STC undertook a review of the law relating to human reproductive technologies in 2004-2005 which substantially laid the foundation for the final Act, and subsequently produced two more related reports making recommendations on the content of the legislation prior to its formal introduction. The HFEA2008 also underwent an additional phase of formal pre-legislative scrutiny prior to its introduction at First Reading. Pre-legislative scrutiny is a relatively infrequently used process in the UK Parliament that typically involves the production of a draft Bill by government which is then submitted to either an *ad hoc* committee assembled specifically for the purposes of scrutinising the draft Bill, or to the relevant departmental Select Committee. The body responsible for pre-legislative scrutiny is able to make recommendations for amendments to the draft Bill, although the government

is not bound to accept any of the recommendations. In the case of the HFEA2008, a specialist *ad hoc* committee comprising nine MPs and nine peers was convened to examine the government's draft Bill. The use of pre-legislative scrutiny in this case was principally a matter of the content of the Bill which was regarded as both highly technical and ethically contentious. The government was keen for the scientific expertise of the Lords in particular to be brought to bear on these issues, as well as the experience of scientists in the Commons and veterans of the debates around the Bill's 1990 predecessor (Interviews AMP8 & AMP9, AP3 & AP6, SA2). Precedent also played a role as the 1990 Bill had received very extensive scrutiny prior to its formal introduction into the Lords and so the pattern for dealing with this area of policy had been set. A number of scholars have recognised the potential for pre-legislative scrutiny to serve as a vehicle for parliamentary influence on legislation and an important supplement to the limited scrutiny capacities of Parliament (Smookler 2006 ; Kalitowski 2008 ; Korris 2011). The decision to commit a draft Bill to pre-legislative scrutiny is at the discretion of government, and the process has been used sparingly since the Labour government, elected in 1997, announced its intention to submit more legislation to this form of scrutiny. The HFEA2008 was one of only seven bills (out of 154 public bills in total) in the 2007-2008 parliamentary session to receive such treatment, and no more than ten bills underwent pre-legislative scrutiny in any single session between 1997 and 2010, although there has been a marked increase in the number of draft bills published and scrutinised by committee since 2010 (House of Commons Library 2013).

Table 1 about here

The Bill was introduced for First Reading in the Lords, rather than the Commons. While this procedure is not in itself especially unusual, HFEA2008's introduction in the Lords had important consequences for parliamentary influence due to the presence of acknowledged scientific specialists in the Lords. At the crucial Committee stage in the Commons, the consideration of the Bill was divided between the PBC, as in the standard process, and a Committee of the whole House. The effect of the use of this procedural device was to allow all MPs the opportunity to vote on amendments to the Bill's most controversial aspects, whereas in the standard process, only a small number of MPs on the PBC would have the opportunity to table and vote on amendments at this stage. Furthermore, the arrangements for whipping in parliamentary divisions were unusual. In the UK, the usual strong application of party whips is often relaxed for certain sub-categories of public policy. One such sub-category is so-called 'matters of conscience' which typically apply to cases involving questions of morality where it is regarded as unreasonable to require parliamentarians to support a party line to which they may be opposed as a matter of ethical principle. By convention, morality policy is voted on in Parliament with 'free votes' (i.e. without the application of party whips) and, in this case, the convention was partially adhered to. Labour peers were whipped while the Bill was passing through the Lords, and the Labour government initially intended for its MPs in the Commons also to be whipped in support of the Bill. However, as a concession to its backbenchers, the Labour whips eventually granted free votes in the Committee stage (held in a Committee of the whole House), allowing Labour members to oppose the government position on the most controversial aspects of the Bill without formally rebelling. Nevertheless, the whip was applied for the key votes on the Bill as a whole at Second and Third Readings. The significance of this decision was to demonstrate that the government had initially not intended to treat the Bill as a

straightforward matter of conscience, but rather to whip its MPs in line with the established government position. As Cowley and Stuart note, the decision of government whips to allow their MPs free votes on some clauses in the Commons was made only once the government was confident this would not jeopardise any of the Bill's major provisions (2010 181).

The Problem-Definition Stage, pre-December 2006

The impetus for updating the HFEA1990 did not come from one group of actors, but rather from what can be described as an informal coalition of science and medical representative groups, the Commons Science and Technology Select Committee and the Department of Health (DoH). At this stage governmental, parliamentary and non-parliamentary groups acted in concert to try to ensure that particular issues surrounding human reproductive technologies and scientific research would be debated and addressed in the near future and in a particular way (Interviews AMP3, AMP4, AMP8). Interviewees who sat on the Commons STC reported that at least some members were in close contact with the DoH throughout this period and that it was the DoH who had initially contacted the Committee about the possible need to update the Act (Interviews AMP3, AMP4). As such, Parliament was already engaged at the problem-definition stage of policy development.

The production of the 2005 report on *Human Reproductive Technologies and the Law* by the Commons STC was regarded by participants as equally, if not more, important in the development of legislation than any activity undertaken by government or interest groups (Interviews AMP8, AMP5, AMP10, AMP3, AMP4). Interviewees who served on these

Committees, or who were in close contact, placed great emphasis on the importance of their reports and evidence-gathering in setting the debate's parameters (Interviews AMP2, AMP4, AMP6). As two MPs who sat on the STC said:

> *"The 2005 report was the pinnacle of it for me; around that everything evolved… that Select Committee report made the running for other reports and other examinations" (Interview, AMP3)*
>
> *"[W]hat we did and we said, really laid the ground for much of the government's exploration of what needed to change and attitudes within the Lords and the Commons" (Interview, AMP5)*.

While it might be expected that Committee members would emphasise the value of their work, the importance of the Commons STC 2005 Report is also noted in the Report of the Joint Parliamentary Committee on the Draft Human Tissues and Embryos Bill (JPC) (p.12), and by the Public Health Minister and senior DoH officials in the evidence provided to the JPC (Q 480-484, pp. 149-150)) and, indeed, the 2005 STC report very substantially provides the basis for the eventual Act. Many, if not most, of its recommendations appeared in the 2006 DoH White Paper (Cmnd 6989), in the 2007 Draft Bill, and/or in the final Act.

The strategy at this stage appears to be one of limited mobilisation co-ordinated by government with the STC that allowed the opening up of debate on human reproductive technologies to (a narrow set of) civil society groups, such as scientific research representatives, while limiting the scope for grievance groups (such as certain religious

and/or anti-abortion organisations) to expand the terms of debate beyond the technocratic boundaries that were already being put in place.

There were, however, attempts to broaden the scope of the debate at this early stage of the process. Five out of the eleven members of the STC rejected their own committee's findings and produced a minority report explaining the need for a broader framing of the issues (House of Commons Science and Technology Committee 2005), a view supported by certain parliamentary and non-parliamentary groups who submitted written evidence to the Committee (e.g. All-Party Parliamentary Pro-life Group, Lawyers' Christian Fellowship, Society for the Protection of Unborn Children) (Interview AMP1). However, elements of the institutional environment played an important role in ensuring that these expansion strategies and alternative framings did not have greater success. The debate on the 2005 STC report was successfully guillotined prior to the general election – a rare procedural manoeuvre within a select committee – in order to allow the publication of the report whose tone and recommendations, as already noted, strongly supported the framing of the issues as primarily scientific and technocratic and downplayed possible areas of ethical controversy. Committee members who opposed the final report explicitly criticised these attempts to close down avenues of discussion, but proved unable to expand the framing of the issue (Interviews AMP2, AMP3, AMP4, AMP5, AMP6). Despite internal division in the committee, the 2005 STC report went on to play a vital role in framing the subsequent debate while the initial opposition from within the committee was largely forgotten. In this regard, while supporting the government position, the STC exercised clear agenda-setting power in setting defined and enduring parameters to the debate that was to ensue. This

serves to emphasise the key point that the influence exerted at the agenda setting stage was not necessarily exerted by Parliament as a unified, corporate whole, but rather by a small sub-set of activists representing only a fraction of parliamentarians.

The Drafting Stage, December 2006 – November 2007

The 2005 STC report was understood by parliamentarians to have played an important role in bringing issues around human fertilisation and embryology towards the legislative agenda, and in setting the parameters within which the debate would continue. Backbench parliamentarians continued to play an important role in shaping the legislation in the period between the publication of the STC's Report in March 2005 and the introduction of the Bill to the Lords in November 2007. Non-government parliamentarians exerted significant agenda-setting power in this phase. Examining this pre-legislative phase in detail demonstrates the value of extending the timeline to capture a range of parliamentary activity outside the standard legislative process.

The Commons STC was again heavily involved in this process, producing two further reports on hybrid/admixed embryo research and scientific developments around abortion that influenced both the content of the legislation and parliamentarians' attitudes towards the Bill. The first report was central in persuading the government to permit the creation of admixed embryos for research (Interview AP2, see also Darzi HL Deb 15 Jan 2008, c.1182, HL Deb 19 Nov 2007, c. 663-665; JPC, Q524, p159), while the second report was clearly beneficial to government and supporters of the Bill in rebuffing attempts to use the Bill as a

vehicle for revisiting the law relating to abortion (Interviews AMP8, CMP5, CMP6). One STC member argued:

> "I can't put my hand on my heart and say, "The abortion amendments were defeated because of [the STC2007 report on abortion]". What I can say is that it formed a backbone for those who wish to continue to keep the status quo because there was the evidence to say that was no significant change [to foetal viability]" (Interview, AMP10).

Furthermore, Commons STC members were active in seeking to engage with fellow parliamentarians behind the scenes to bolster support for the proposed legislation and to head off opposition (Interviews AMP3, AMP4, AMP6, AMP8, SA1, CMP4). Having largely accepted the framework for policy change suggested by the STC 2005 report, the government made a concerted effort to reassure parliamentarians and the broader public that the legislation was principally an update rather than a fundamental review or generation of any new ethical or legal principle. The government and relevant arms-length bodies undertook extensive consultation and educative activities and put in place pre-legislative scrutiny processes that drew in interest and pressure groups. Parliamentarians who served on the STC and JPC were active in 'evangelising' for the Bill (Interviews AMP4, AMP8, CMP5), acting as a vanguard attempting to gain support for the proposed legislation from fellow parliamentarians who lacked specialist expertise.

Given the level of scientific and technical competence required to understand the detail of

the proposed legislation, the barriers to engagement for non-specialists were high. Furthermore, the unusually high level of experience and expertise among the parliamentary committees' membership involved added further weight to the conclusions reached in Committee reports (and perhaps encouraged demobilisation, by reassuring interested parties that adequate consultation and expert scrutiny would be undertaken). Twelve of the eighteen MPs who served on the three inquiries relating to the legislation conducted by the House of Commons Science and Technology Committee had a scientific background, whether by education or occupation (Goodwin 2014). The membership of the STC in 2005, for example, included four science PhDs[2] and two medical doctors among its eleven members[3], with four of these remaining on the committee for the 2007 reports. The eighteen-member JPC included four former research scientists[4], the former head of the Human Fertilisation and Embryology Authority[5] and a number of peers and MPs who had been influential in the original passage of the 1990 Human Fertilisation and Embryology Act[6], including the then-Lord Chancellor[7]. Committee members believed that this explained the influence of their recommendations, with backbenchers in particular willing to accept authoritative committee recommendations as a basis for their decision-making (Interviews AP1, CMP6, CMP9, CMP10, AMP9). As one MP from the control group argued, "There aren't many specialist scientists, but it's recognised as a technical issue so they tend to be listened

[2] Dr Ian Gibson, Dr Desmond Turner, Dr Brian Iddon, Dr Bob Spink. Iddon, Turner and Gibson were also former academic research scientists

[3] Dr Evan Harris, Dr Andrew Murrison

[4] Dr Ian Gibson, Dr Doug Naysmith, Lord Leslie Turnberg and Lord Robert Winston

[5] Baroness Ruth Deech

[6] Robert Key MP (also a member of the 2005 STC).

[7] Lord James Mackay of Clashfern

to" (Interview, AMP7). This also had consequences for those seeking to oppose the Bill as undecided members were swayed towards the position supported by those recognised as experts. One strong opponent of the Bill remarked that:

> "We were clearly less well-resourced than the other side because they had the power of the HEFA and scientists who were working in this area, very much behind it. And although the Science and Technology Committee split, the more erudite people on it were on the side of those who wanted to see those changes introduced" (Interview AMP2).

This pattern was reinforced both by a programme of cross-party briefings for MPs (Interviews AMP4, AMP8) and by informal chats in Westminster tea rooms (Interviews AP2, CMP4, CMP9, AMP4). Parliamentarians without a specialist interest in the field were largely prepared to defer to their more engaged colleagues and trust that they would effectively scrutinise the proposals (Interviews AP1, AP2, CMP6, CMP9, CMP10, AMP9). In this sense, a core of parliamentarians, largely those with prior expertise or serving as members of key committees, were helping to set, or reinforce, an agenda that was favoured by government. This manifested in both the reports and recommendations of Committees, and the participation of parliamentary science specialists in all-party briefing activities for non-specialist parliamentarians organised in collaboration with the Minister for Public Health and DoH officials. These briefings continued once the Bill had been introduced and was passing through the formal legislative process. STC members were active in both formal briefing, and informal persuasion of their fellow parliamentarians. In this sense, then, those parliamentarians with a scientific background or a history of specialisation in the field arguably engaged in 'boundary work' as part of a containment strategy, seeking to enclose

the debate within a scientific argot that would confer upon them additional resources of discursive authority (Gieryn 1983 ; Jasanoff 1987). These MPs and peers sought to frame the issue as a matter of adapting to scientific progress in an incremental fashion, and resisted the inclusion on the agenda of broader issues such as the accountability of science or potential ethical and moral controversies (Interviews AMP1, AMP2, AMP6).

However, it was not simply the case that parliamentarians followed where the government led. By establishing scientific credentials that were relied upon by government, this loose coalition of MPs and Peers were able to build a momentum that enabled them to set the agenda in ways that the government had not originally envisaged or desired. This is best demonstrated by the government's reversal of its positions, following Parliamentary committee recommendations, on two major elements of the Bill; admixed embryos and the creation of a new quango to replace the HFE Authority.

On the question of the regulation of new forms of human admixed embryos, the government position was reversed in the light of recommendations of both the JPC and Commons STC. The 2006 White Paper had proposed, in line with advice from the Chief Medical Officer, to effectively ban the creation of *in vitro* admixed embryos for scientific research. Both the 2007 STC Report produced in response to these proposals and the JPC Report strongly favoured allowing the creation of admixed embryos for research purposes. The STC report was followed up by a public consultation exercise undertaken by the HFE Authority which demonstrated public support for the STC recommendations. The

government conceded on this point and the creation of human admixed embryos for research (subject to restrictions that apply to research using human embryos) was permitted under the Act, with several amendments attempting to reverse this proposal being soundly defeated in Committee of the whole Commons and at Report stage in the Lords.

The government also conceded in the face of parliamentary opposition to another central plank of the draft Bill; the proposal to merge the regulatory agency, the HFE Authority with the Human Tissue Authority to form a new body, RATE (the Regulatory Authority on Tissues and Embryos). This was the one proposal that clearly represented a break with the 1990 settlement. Pressure from a core of parliamentary activists, especially the opposition of the JPC to this measure, ensured that it was removed from the Bill that was eventually introduced, a concession perhaps made easier by its coincidence with a reshuffle of the ministerial staff at the DoH (Interview AMP8). Parliamentarians on the JPC were not persuaded that the merger would produce better regulation, or that the HFE Authority was failing to fulfil its existing remit. The balance of opinion on the Committee appeared to regard this measure as belonging to a different agenda and rationale in comparison to the rest of the Draft Bill, being principally a cost-cutting measure deriving from a recurrent attempt to streamline arm's length bodies, with the case for cost savings in any case not made (Interviews AMP5, AMP10, AP2, AP3, SA2). As one member of the JPC forcefully argued:

> "[The JPC] really had huge impact. Particularly in one way, we simply sank below the waterline, about a third of the government legislation... We simply blew [the merger

> proposal] apart… And the government dropped it. So we had a huge impact. But we also made powerful recommendations… Government took Parliament seriously, and Parliament took their Select Committee seriously and their Bill Committees and their Joint Committees… That was why it worked." (Interview, AMP5)

Thus, the government failed in its attempt at 'tacking on' an administrative reorganisation to the agenda due to the agenda-setting power of Parliamentarians sitting on the JPC. The effect of removing the RATE proposal was to narrow the agenda to the scope of regulation rather than its institutional structure, and to preserve the fundamentals of the regulatory regime established by HFEA1990. The influence of these oversight and pre-legislative committees were frequently commented on both in parliamentary debates and by our interviewees (Interviews AMP1, AMP3, AMP4, AMP7, AMP10; AP1, AP2, AP3, AP6, SA2). For example, one member of the JPC contended:

> "The Joint Committee… was hugely influential; there's no doubt about that. The Bill that came out was a much better Bill as a result of it. It had some amendments but they were relatively minor. The great thrust of the Bill was as a result of what had happened with the Joint Committee." (Interview, AMP10)

The Decision-Making Stage, November 2007- November 2008

It was during the first two stages identified in this article – the problem-definition and drafting stages – that Parliamentarians had the greatest scope for setting the agenda. In the two years prior to the formal introduction of the Bill, Parliament had made four major

interventions into the shape of the legislation presented to the House. The two most decisive were the 2005 report of the Commons Science and Technology Committee which recommended legislative change and identified most if not all of the key areas of revision that made their way into the final Act and, secondly, the Report of the Joint Parliamentary Committee on the Draft Tissues and Embryos Bill which removed the government proposal for scrapping the sector regulator, and forced the government to reverse its position on the use of admixed embryos in research. Parliament also exerted important agenda-setting influence through two further reports of the Commons STC which set out the evidence base and key areas of contention on the precise form of admixed embryos that would be permitted, and on the question of abortion. At the point of its first introduction on the floor of the Lords, the Commons committee of 11-12 MPs and the Joint Committee of 18 MPs and peers had already debated, taken evidence and made recommendations on all of the key areas of the Bill, the majority of which were taken up in the version that was presented to Parliament for decision-making. Once the Bill was introduced in the Lords in November 2007, the emphasis switched from agenda-setting by a core of parliamentarians serving on key committees to agenda-challenging by various groups of parliamentarians who attempted to alter the agenda pursued by the government and its supporters in Parliament.

The Bill's introduction in the Lords helped to sustain the momentum in favour of the legislation, since the role of the Lords as a store of expertise was largely respected once the Bill reached the Commons, with MPs deferring for the most part to the specialist expertise of peers. A number of interviewees suggested that the inclusion of expert peers on the JPC and the Bill's introduction in the Lords gave the Upper House a degree of ownership over

the legislation that most non-specialist backbenchers did not seek to dispute once the Bill reached the Commons (Interviews AP1, AP2, AP3, AP4, CMP8, CMP10, AMP4, AMP7, AMP9). This also meant that the Bill's most contentious aspects had been thoroughly debated without the time pressure that would have applied in the Commons, and hence, debates were exhausted and/or broadly resolved by the time they reached the Commons (Interview AP1). Controversies tended to be tempered, while government was able both to identify remaining issues that were to feature in Commons debate and to develop a response. Thus, the Bill's introduction into the Lords helped to support and shore up the agenda set by MPs and peers in the pre-legislative phase and to reduce the likelihood of successful agenda-challenging behaviour by parliamentarians opposed to the Bill. The decision of government whips to allow their MPs free votes on some clauses in the Commons was partly a recognition of this, since it indicated confidence that the Bill was now likely to survive with all of its major provisions intact (Cowley and Stuart 2010 181).

The agenda developed in the pre-legislative phase did not go completely unchallenged once the Bill reached the formal legislative phase. There was a concerted attempt to broaden the discussion to include issues around family breakdown (resulting in the revised 'Fathers Clause' amendments voted on at Committee stage in the Commons and Report stage in the Lords), abortion, and access to infertility treatment. There were also amendments tabled to ban or restrict the use of admixed embryos for research, and to prevent or restrict testing for saviour siblings and on various other technical issues relating to embryo research. Yet none of these attempts to amend the Bill were successful. Seventeen substantive amendments were all defeated at Committee stage in the Commons, with the government

majority never lower than 63, with a further 7 also comfortably defeated in the Lords where the majority opposing the amendments ranged from 29 up to 172.

Elements of the institutional environment again played an important role in ensuring that this agenda-challenging behaviour did not have greater success in affecting legislative outcomes. While the willingness of parliamentarians to defer to science specialists in Committees and the Lords was important in ensuring the defeat of these amendments, providing vital reassurance to those members lacking specialist expertise or entrenched moral viewpoints on the issues at stake (Interviews AMP8, AMP9, CMP9, CMP10), the government was also able to mobilise additional resources to quell agenda-challenging behaviour in the Commons. For example, government control over the timetable limited the amount of time that could be given to debating abortion and access to infertility treatment. On the latter issue, the attempt by parliamentarians and civil societal groups to shift the agenda was successfully blocked by government with the relevant amendments not being debated or voted upon. The significance of this agenda-challenging behaviour is that it failed on a piece of legislation which was being treated at least partially as a matter of conscience, a category of policy on which Parliamentary influence is expected to be greater than usual. Despite most parliamentarians being granted free votes on the most contentious aspects of the Bill, the use of a Committee of the whole House and a generous parliamentary timetable to allow extensive debate and scrutiny of the ethical issues, the Bill reached the statute book without any substantive amendment to its content.

Parliamentarians who were opposed to the Bill felt that once the decision-making stage had been reached, the opportunities for debate or amendment were sharply reduced. Opponents of the Bill often commented both in our interviews and in parliamentary debates on the lack of time allowed for debate by the government. This again serves to emphasise the different opportunities available to those parliamentarians who engaged with legislation at the decision-making phase in comparison to those who had been working on the legislation since the first STC inquiry three years prior to the passage of the Bill:

> "So we started in a good scrutinising position. I don't think that was wholly reflected all the way through the House's proceedings… [T]he government of the day whipped members of the committee to vote according to the party line, on issues which were ones plainly of conscience. It was fairly artificial really, their concession to allow free votes on certain issues… [O]nce it gets into the formal Parliamentary timetable, the government are limiting the amounts of scrutiny and debates… And that just becomes unsatisfactory … Having started well, as a joint committee looking at a Draft Bill, it ends so badly... The government were in control of the amendments rather than the House of Parliament" (Interview AMP1).

> "We realised we weren't going to [defeat the Bill] so we looked at some of the practical applications and tried to get some changes, particularly at committee stage and report stage. I just felt a lot of this was being quite rushed through. That there hadn't been an awful lot of debate about the way in which this could have some quite big repercussions in the future. And there was just a desire to get this through at this stage because it would seem to be the one legislative opportunity. So you know those in favour of it were clearly going to drive it as hard as they could then" (Interview AMP2).

The subset of parliamentarians that had engaged in committee work and scrutiny prior to introduction of the Bill in the Lords had much more success in affecting the content of the Bill than did the subset of parliamentarians who sought to influence the Bill by submitting amendments and rallying free votes. Parliament's influence was felt much more strongly in the pre-legislative, agenda-setting phase than in the decision-making phase. Crucially, however, in the pre-legislative phase, it is only a select group of specialists who represent Parliament (many of them chosen for committee positions for their scientific credentials), whereas in the decision-making stage, it is Parliament as a whole that acts. Through gaining (partial) control of the pre-legislative process, scientists and pro-research activists were able to determine the development of the legislation, while activist opponents of the Bill were unable to match or challenge the agenda set out in the pre-legislative phase, even with the advantages conferred by the use of procedural devices associated with morality policy that ostensibly would grant them greater influence. As both groups of activists sought to win over or reassure the much larger non-activist group of MPs, pre-legislative agenda-setting powers proved much more effective than agenda-challenging powers or veto powers in the decision-making phase.

Discussion: Which factors enable greater Parliamentary influence over legislation?

By focusing on agenda-setting power it can be seen that Parliament played a major role in shaping the content of legislation in the case of the HFEA2008. This power was most strongly exercised at the problem definition and drafting stages prior to the Bill's formal introduction, with the Commons STC and the JPC playing a leading role. The work of these committees was further bolstered by the introduction of the Bill in the Lords, where peers

with scientific, medical and legal expertise worked to limit challenges to the agenda established by the Committees. Parliament, or rather a small subset of parliamentarians occupying key strategic positions, played a significant role in framing the legislation as fundamentally continuous with past practice and requiring merely a technocratic updating of regulation, and pushed the Government both to allow research using admixed embryos and to drop plans to create a new regulatory agency.

Those parliamentarians who engaged with the Bill principally at the decision-making stage had far less success in influencing the content of the legislation. While HFEA2008's framing as a piece of morality policy created opportunities for activist opponents of the Bill in Parliament to engage in agenda-challenging behaviour and bring forward new issues for decision-making (such as family breakdown in relation to the Fathers Clause, abortion, and access to infertility treatment), these challenges were unsuccessful in altering the Bill. Although morality policy mechanisms - such as free votes and the right of all MPs to propose amendments at Committee stage - were in use, these had no discernible effect. All amendments to the government Bill in the Commons were soundly defeated and the key votes on the Second and Third Readings (on which Labour MPs were whipped, while MPs from other parties were granted free votes) were won comfortably (Cowley and Stuart 2010 ; Goodwin 2014). Once the Bill had been formally introduced, the impact of Parliament on the Bill's content, as a consequence of procedural devices associated with matters of conscience, was minimal. Parliament was influential, not because of its 'viscosity' at the decision-making stage (where indeed it was mainly ineffectual), nor because of the additional influence granted to Parliament at the decision-making stage by the morality policy process, but as a consequence of its role in shaping the initial agenda and framing.

The study of the HFEA2008 thus allows the generation of a set of propositions about the enabling conditions under which Parliament may exercise greater (agenda-setting) power. Specifically, the successful exercise of agenda-setting power might be expected to occur under some combination of the following conditions:

1) The use of formal pre-legislative scrutiny: Most scholarly analysis of pre-legislative scrutiny has found that it provides an important channel for parliament to influence the legislative behaviour of government (Smookler 2006 ; Kalitowski 2008 ; Korris 2011). In the case of the HFEA2008, the pre-legislative process produced a core of cross-party expertise among members who served on key committees, and reassured the rank-and-file that the issues had been fully discussed and debated on the basis of evidence. As a consequence, the pre-legislative process bestowed a degree of authority upon a section of parliamentarians to which other members could respond in their decision-making, and in their judgements as to how far to invest their own energies in legislative scrutiny. This seems to have been particularly significant in preventing the possible fracturing of government backbench support in the Commons. Government strategy supported this 'demobilisation by reassurance', seeking to engage MPs early and often in the pre-legislative phase to persuade them that the Act was an incremental updating exercise and that the scientific and ethical questions were not so profound as to require the engagement of non-specialists in scrutiny. Smookler's (2006) study of pre-legislative scrutiny identified the potential of pre-legislative scrutiny to permit parliamentary influence in both the pre-legislative and legislative phases, a finding which this case study bears out. However, it is clear that in the

case of the HFEA2008, the decisive changes to legislative content were made at the agenda-setting, pre-legislative stage, with the legacy of sustained committee scrutiny manifesting itself in reduced parliamentary opposition at the legislative stage.

2) A long legislative timeframe: This might be considered to be the *sine qua non* of parliamentary influence since without it, there is no opportunity for the other elements to take place. This also implies that parliamentary influence may be greater in the absence of crisis or emergency seen to require immediate and decisive government action. This condition may also have an interaction with the political salience criterion since issues with high political salience, such as government flagship Bills, and key manifesto pledges are less likely to be submitted to lengthy legislative development processes.

3) Early, sustained Select Committee involvement: Both academic analyses and parliamentary reports have found that the engagement of Select Committees can enhance parliamentary influence over legislative outcomes in at least some cases (Liaison Committee 2000 ; Modernisation Committee 2002 ; Hindmoor, Larkin et al. 2009 ; Russell and Benton 2011). While these analyses often acknowledge the difficulty of demonstrating causation in the relationship between committee recommendation and legislative revision, there is clear evidence from both the pattern of legislative change and from our interviewees that the government position on key elements of the case studied was reversed due to pressure from both the select committee and the committee on the draft bill. The early, proactive involvement of the STC appears to have strongly influenced the policy outcome. The

synchronisation of STC timetables with the legislative timetable was important in this. Committee members described a process whereby ministers and DoH officials had begun to consider revising HFE legislation without having concrete policy instruments or proposals in mind, allowing the STC to effectively take up the task of developing a drafting agenda itself. This granted the STC a 'first mover' advantage with the government responding to its recommendations rather than vice versa. Once the government position began to harden, the STC remained synchronised with the legislative timeline of the proposals for new HFE legislation throughout the process, undertaking two further influential inquiries. The early, sustained and timely involvement of the STC, along with widespread recognition of its authority, seemed to be among the most decisive enabling conditions for parliamentarians to exercise agenda-setting power.

4) Low political salience: This may take the form of low salience for government (an absence of prior ideological or manifesto commitments), or low salience for voters. In the case of the HFEA2008, there was no manifesto or Queen's Speech commitment to introducing legislation before the preliminary review of the Bill by the Science and Technology Select Committee in 2004-2005. However, as with much recent legislation on matters of conscience (Cowley 2001), this did not mean that the government did not develop a position, only that the STC had begun to examine the issues 3-4 years before legislation reached Parliament, and so Parliament had the advantage of being first mover. The government subsequently developed a position, outlined in a White Paper in 2006 and a Draft Bill in 2007. The government also whipped its own MPs on Second and Third Readings and only made a decision to allow its MPs free votes on particular clauses late in the

process. While the government clearly developed a line on the issue, the ministers among our interviewees recognised that the costs to government of modifying its established position and commitments was much lower at the pre-legislative phase than it would have been at the decision-making phase with the potential for lost votes and successful opposition amendments at stake. Furthermore, the relatively low political salience of the issue with voters permitted the government to make alterations to proposed legislation where necessary or expedient, and also encouraged MPs to defer to authoritative committee or expert recommendations, and hence buttress the influence of the activists within Parliament.

5) Highly specialised scientific or technical content of the issue under consideration: This is a somewhat counter-intuitive lesson of the HFEA2008. Highly technical legislation might be expected to favour specialist government officials and advisers over generalist parliamentarians. Yet in the case of HFEA2008, deference to the scientific expertise of parliamentarians played a key role. The presence of scientific, medical and legal experts on key parliamentary committees and in the Lords may partly explain this (as well as a lack of relevant expertise in the rest of Parliament). The framing of the policy as primarily scientific-technical empowered those parliamentarians who could claim scientific expertise by setting high barriers to engagement with the policy area for non-specialists, and by conferring authority onto those parliamentarians with prior experience or specialisation in the area. This made it more likely that 'rank-and-file' members would be prepared to take a lead from them, which decisively shaped the subsequent path taken by the legislation.

Conclusion: Towards a more Powerful Parliament?

This paper has used a case study of the 2008 Human Fertilisation and Embryology Act to address two central questions: 'How powerful is Parliament in the policy process?' and 'Under what conditions can Parliament exercise power in the policy process?'. In relation to the first, our findings suggest that scholars interested in the power(s) of Parliament during the policy process ought to devote sustained attention to the agenda-setting role of Parliament, alongside its decision-making role by giving due consideration to the role of Parliament outside the formal legislative process. By disaggregating the passage of legislation and its scrutiny in this way and by differentiating further the types of power that Parliament may exercise, scholars can provide a better understanding of how parliamentarians can affect legislation, and the kinds of legislative scrutiny that are possible and/or desirable in British politics.

A number of current developments in British politics suggest that this alternative pattern of upstream and extra-cameral parliamentary engagement with legislation may become more common in future. Select Committees, for example, which played an integral role in the HFEA2008, have since been considerably strengthened by a programme of reforms initiated in 2010 to bolster their independence from government (House of Commons Reform Committee 2009 ; House of Commons Liaison Committee 2012). The use of pre-legislative scrutiny has also increased markedly since HFEA2008's passage and particularly since the 2010 election. The publication of draft bills, and the appointment of joint scrutiny committees have both been used to a greater extent, with the 2010-2012 and 2012-2013 sessions producing the highest and second highest number of draft bills published and

scrutinised by parliamentary committee prior to legislation (House of Commons Library 2013). The experience of coalition rather than single party majority government (a condition possibly likely to occur more often in future), along with a dramatic reduction in the size of the civil service since 2010 and the growing stature of Commons Select Committees since the committee system was reformed in 2010 may all play a role in this with the executive making greater use of Parliament for scrutiny and legislative development. Significantly, these scrutiny measures have been used for legislative proposals which, though complex, clearly fall outside the category of matters of conscience, again supporting the claim that the case of the HFEA2008 is, at least in principle, generalisable beyond morality policy. Legislative proposals which have made use of these pre-legislative mechanisms include the Children and Families Bill, House of Lords reform, Financial Services (Banking Reform) Bill, the Pensions Bill, and Energy Bill, all of which involved or will involve the scrutiny of a draft Bill by either a departmental Select Committee or a JPC. Analyses of these pieces of legislation would help to establish which, if any, of the enabling conditions for parliamentary influence over policy outlined above are important, and the reasons why certain policies are selected for pre-legislative parliamentary engagement. As these pre-legislative practices become more common, it will become even more important than previously for scholars of Parliament and of British politics to take into account the agenda-setting phase in assessing parliamentary power.

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Table 1: Passage of HFEA2008, pre-legislative and legislative phases

Pre-Legislative Phase		
2005	March	Report of the Commons Science and Technology Select Committee on *Human Reproductive Technologies and the Law*
	August	Department of Health public consultation on review of the Human Fertilisation and Embryology Act 1990
2006	December	Department of Health White Paper *Review of the Human Fertilisation and Embryology Act: Proposals for revised legislation (including establishment of the Regulatory Authority for Tissue and Embryos)* (Cmnd 6989)
2007	March	Report of the Commons Science and Technology Select Committee on *Government Proposals for the Regulation of Hybrid and Chimera Embryos*
	August	Report of Joint Parliamentary Committee on the Human Tissues and Embryos (Draft) Bill
	November	Report of the Commons Science and Technology Select Committee on *Scientific developments relating to the Abortion Act 1967*
Legislative Phase		
2007	November	First Reading of the Human Fertilisation and Embryology Bill (Lords) in House of Lords
	November	Second Reading – Lords
	December	Committee Stage – Lords
2008	January	Report Stage – Lords
	February	Third Reading – Lords
	February	First Reading of the Human Fertilisation and Embryology Bill (Lords) in House of Commons
	May	Second Reading – Commons
	May	Committee (whole house) – Commons
	June	Public Bill Committee – Commons
	October	Report Stage – Commons; Third Reading – Commons; 'Ping-Pong'
	November	Human Fertilisation and Embryology Act receives Royal Assent