

And finally... Labour MPs rebel even as election date announced

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Even on the day that the Prime Minister announced the date of the general election, Labour MPs were *still* casting rebellious votes against the Government.

The issue concerned the Lords amendments stage of the controversial Mental Capacity Bill, which had seen substantial Labour rebellions on Report just before Christmas. In response to pressure from the Catholic Church and Labour backbenchers, the Government made a number of concessions, which make it explicit that the Bill does not give doctors or third parties considering a patient's best interests the authority to make any decision that is motivated by a desire to kill. Two Labour MPs – Ronnie Campbell and Denzil Davies – were still unhappy with that compromise – and voted against it on Tuesday night. Earlier, the former Tory leader, Iain Duncan Smith attempted to change the above formulation from 'motivation' to 'purpose'. Six Labour MPs supported IDS's amendment to the Lords amendment, while David Taylor registered a deliberate abstention by voting in both lobbies. The Conservatives, who were allowed a free vote on the issue, largely supported IDS's amendment, although three – Kenneth Clarke, Stephen Dorrell and Ian Taylor – voted against. Meanwhile, the Liberal Democrats, who were also allowed a free vote, largely supported the amendment, except for Jenny Tonge who was the only member of her party to vote in the no lobby. When the Lords compromise was formally voted upon, five Conservatives – Peter Bottomley, Kenneth Clarke, Stephen Dorrell, Richard Page and Andrew Tyrie – supported it, while all the Liberal Democrats who voted, voted in favour.

Final rebellions over Mental Capacity Bill

<i>Name of MP</i>	<i>IDS amdt</i>	<i>Lords compromise</i>	<i>All remaining Lords amdts</i>
Benton, Joe	X		
Campbell, Ronnie	X	X	X
Colman, Tony			X
Cummings, John	X		
Curtis-Thomas, Claire	X		
Davies, Denzil	X	X	
Field, Frank	X		
Iddon, Brian			X
Mackinlay, Andrew			X
Mudie, George			X
Reed, Andy			X
Taylor, David	A		X

Note: X indicates a vote against the government; A indicates a deliberate abstention by double-voting.

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The arguments did not end there. Labour backbencher Jim Dobbin had put down another amendment to a Lords amendment which would have stopped advance directives by individuals that they did not wish to receive food or water. However, because IDS's amendment was the lead amendment, Dobbin's amendment was not voted upon, much to the ire of Labour backbenchers. Instead, when the Government moved that the remaining Lords amendments be made to the Bill, seven Labour MPs voted against the party line.

The debate over Dobbin's amendment became very heated, Dobbin arguing that his amendment sought to 'close a glaring loophole in the Bill' – namely whether suicidally motivated advance directives should be given legal force in the Bill to bring about a person's death. Clare Curtis-Thomas, a rebel on Report, said that she still found the Bill to be 'very objectionable'. The Minister, David Lammy argued that the Government had accepted a number of safeguards, including giving doctors the power to reject advance decisions as valid and applicable, and that people could only make such advance decisions in writing when they were capacitated.

Meanwhile, Sir Gerald Kaufman was livid at the decision of the Government to whip an issue of conscience:

Never have I known a Government to handle a Bill of this sort in this way. To begin with, no Bill that I have been involved in, dealing with issues of this kind, has been whipped. It has been a tradition of my party – I am not interested in how the other parties conduct themselves – that on issues of conscience such as capital punishment, gay rights or abortion, we are not whipped.

I pleaded with the Government, both at meetings of the Parliamentary Labour party and at private meetings with the Chief Whip, not to whip this Bill. It is beyond my understanding why we are being whipped. It is totally beyond me.

Tuesday's rebellions bring the number of Labour rebellions in this fourth session to 61.