Memorandum by the Minister of Reconstruction on Mr. Hayes Fisher's Memorandum of the 13th May (G.T.4533).

Mr. Hayes Fisher raises four points which have all been discussed in detail by him with myself. But some of his statements call for a brief comment in order that misunderstanding may be avoided.

(1) As regards the Consultative Council provided for by Clause 4, it is not the case, as Mr. Hayes Fisher states, that "nothing is said in the Bill about the powers of this body". The Council is limited by the terms of the Bill to "giving advice and assistance"; that is to say, it has no executive functions and no power to bind the Minister. Mr. Hayes Fisher refers to the Order in Council under which its procedure will be regulated as if the Order could invest it with powers beyond those conferred by Clause 4. This is, of course, not the case, and Mr. Hayes Fisher has had before him since March a draft of the Order which is suggested. Mr. Hayes Fisher's references to the views of the British Medical Association and the Insurance organisations about the powers of the Council are scarcely relevant to the issue. The question is not what these bodies originally asked for, but what they have been induced to accept. They will not oppose Clause 4 as it stands if the rest of the Bill, and the Order regulating the Council's procedure
procedure, are left as they stand. But the Bill is the result of concessions by all parties, and must be regarded as a whole.

Mr. Hayes Fisher is fully cognisant of the nature of the proposal Order in Council; and I attach a copy. It will be seen that so far from being able to "put the Minister in shackles", the Consultative Council are limited to advising on any of the matters specified in Article 12 (1) which the Minister may refer to them, the Minister retaining his discretion as to the nature and extent of the references.

I hope that Mr. Hayes Fisher will not continue to suspect me of being a party to a conspiracy to undermine Ministerial responsibility. But if he asks me whether Ministers have to look forward to an extended use of advisory committees, my answer is in the affirmative. He mentions the Home Office and Board of Trade. Within the last few months the Home Office have made arrangements for regular consultation with groups of police authorities throughout the country; and the formation of "a strong Advisory Council" and other specialised advisory bodies is a prominent feature of the re-organisation of the Board of Trade which the Government have approved.

(2) For the reasons indicated in my memorandum on the Bill (G.T.4399) I am strongly of opinion that a definite and final statement in favour of a policy of Poor Law Reform should be made on the introduction of the Bill and that the first paragraph of the First Schedule is the minimum provision required to convince the House and the Public that the Government are in earnest on this matter.

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(3) I am glad that Mr. Hayes Fisher does not wish to oppose the title Ministry of Health, which I am sure will help the progress of the Bill. I agree with him in principle that health and local government services should not be divorced unless very good reason is shown for divorcing them in particular cases.

(4) I believe that an overwhelming case can be made in the House for Central Reform first, and I am certain that the only way to secure the reform of local health authorities is to put an end to the division and friction between the main central authorities which at present supervise local health services under separate Ministers and through separate bodies of officials.

C. Addison.

16th May, 1918.
Whereas by Section 4 of the Ministry of Health Act, 1918, it is enacted that it shall be lawful for His Majesty in Council by Order to establish a Consultative Council for the purpose of giving to the Minister of Health advice and assistance on matters relating to his powers and duties, consisting of persons of both sexes having practical experience of local government (including the administration thereof by County Borough and district Councils), of public health, of national health insurance (including the work of approved societies and insurance committees), of housing problems of hospital work, of general and special medical practice, of research, and of pharmacy:

For therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the authority committed to Him by the Ministry of Health Act, 1918, and of all other powers enabling Him in that behalf, is pleased to order, and it is hereby ordered, as follows:

1. (1) There shall be established a Consultative Council of the Ministry of Health consisting of members.

   (2) The following persons shall be the first members of the Council:

2. (1) Subject to the provision of this Order as to the retirement of the first members of the Council, the term of office of a member of the Council shall be three years.
One-third of the members other than the first members of the Council shall go out of office annually on the appointed day, and their place shall be filled by such persons as the Minister of Health appoints.

A person going out of office may be re-appointed, provided that no person may serve continuously as a member of the Council for more than six years.

The first members of the Council shall hold office for a period of three years from the day of 1918.

On the expiry of the said period of three years one-third of the members of the Council, to be selected by lot, shall retire annually, but may, subject to the provisions of this Order, be re-appointed.

The Minister of Health shall be the President, and the Parliamentary Secretary to the Ministry of Health shall be the Vice-President of the Council.

The Council shall elect a Chairman, and the Chairman shall hold office during the first year of the initial period, and during the remainder of the initial period shall be eligible for re-appointment as Chairman in either or both of the succeeding years. Thereafter the Chairman shall hold office for a period of one year, but shall be eligible for re-appointment as a member of the Council, and, if re-appointed, for re-election as Chairman.

Provided that if during his term of office the Chairman ceases to be a member of the Council, the Council shall elect a new Chairman.

The President, or in his absence the Vice-President, or in the absence both of the President and the Vice-President, the Chairman, shall preside at every meeting of
the Council at which he is present.

7. Such person as the Minister of Health appoints shall be the Secretary to the Council and shall hold office during the pleasure of the Minister.

8. (1) The Council shall meet at such times, and notice of meetings shall be given to the members of the Council in such manner as the Council may, with the approval of the Minister, determine.

Provided that the Council shall meet at least once in each quarter.

(2) At a meeting of the Council _____ shall be a quorum.

(3) No act or proceeding of the Council shall be questioned on account of any vacancy in their body.

(4) There may be paid to the members of the Council such travelling expenses and subsistence allowances, and compensation for loss of remunerative time, as the Minister may, with the approval of the Treasury, determine.

9. The Council may for special purposes approved by the Minister appoint sub-committees of their members; and any sub-committee so appointed may, within the limits approved by the Minister, add to their numbers persons not being members of the Council.

10. If a member of the Council is absent from ______ consecutive meetings of the Council, except for some reason approved by the Minister of Health, his office shall become vacant.

11. On a casual vacancy occurring in the Council by reason of the death, resignation, or absence of a member the Minister of Health shall appoint another person in his place, and the person so appointed shall hold office until the time when the person in whose place he is appointed.
would regularly have gone out of Office, and shall then go out of Office.

12. (1) The Council shall consider and report upon the matters from time to time referred to them by the Minister, including:

(a) drafts of Orders in Council, and of Regulations, Orders, and Special Orders;
(b) matters involving questions of important principle and scientific difficulty;
(c) any other matters relating to his powers and duties;

and the Minister shall place at the disposal of the Council the information required to enable them to consider the matters thus referred to them.

(2) It shall be open to the Council to propose to the Minister from time to time any matter relating to his powers and duties shall form the subject of a reference to the Council, and the Minister shall receive and consider any such proposal.

(3) Subject to the provisions contained in this Order the Council may regulate their own procedure.