

The Future of the House of Lords: Briefing paper and Discussion Report

Briefing paper

The House of Lords is the second chamber of the UK Parliament. It is independent from, and complements the work of, the elected House of Commons. Lords have four main roles:

Making laws: All bills are considered by both Houses of Parliament before becoming law.

In-depth consideration of public policy: Members consider specific policy areas in select committee meetings which are open to the public.

Holding the government to account: Members scrutinise the work of the government through oral and written questions to ministers and debates on current issues.

Serving in the government: Currently 27 out of 130 government ministers are Lords.

Lords are appointed by the Queen on the advice of the Prime Minister. Many have a political background, others have experience of a wide range of professions. There are 820 members, including 92 hereditary peers (elected when a vacancy occurs by themselves from candidates with suitable hereditary titles), and 26 Church of England archbishops and bishops.

Below are some options for the future of the House of Lords, for discussion. Options C - F could be used to select all of the House or just part of it with the remainder being appointed in a similar way to the present system. Furthermore, Options C - F could be used to re-select the whole House at each election, or just to replace one half or one third of the members in a rotating system.

- A. No change
- B. Abolish the House of Lords, and govern without a second chamber
- C. Select members of a second chamber at random

This is the “Athenian option”, also known as “sortition”, and advocated in a book by Anthony Barnett and Peter Carty in 2008. Members are selected to serve for a specified period from the electorate by lot, as in the selection of people for jury service. Random selection could be pure (like the lottery, but you don’t even need to buy a ticket), or it could seek fixed quotas within strata defined by age, gender, geographical place of residence and so on.

D. Select according to a secondary mandate

This option has been championed by Billy Bragg, who has provided a detailed description of how it might work. The concept is as follows. A general election proceeds as normal. The proportion of votes cast for each party within each of about a dozen geographical regions (for example EU constituencies) is calculated. Each region is granted a certain number of members, and these places are allocated to parties according to the proportion of votes they receive. Members are then drawn from a party list drawn up and ordered in advance.

E. Select by direct election within regions

In this option, separate elections are held for the second chamber: they might coincide with general, local or European elections. Around 40 members might be elected to represent each of a dozen or so large regions, with voters specifying a party. Elected members would then be drawn from party lists in proportion to votes cast. This is similar to the practice in European elections. Alternatively, 4 or 5 members might be chosen to represent each of around 100 smaller sub-regions, with voters ranking individual candidates in order and a suitable algorithm being used to select those elected.

F. Select by direct election within occupational group

This is similar to Option E, but constituencies are formed by occupational group, not by geography. Thus, there are members representing teachers, doctors, car manufacturers, farm workers, members of the army, faith workers, prisoners, school students (if the voting age is 16), students, job seekers, the retired (perhaps sub- divided by former job) and so on. Constituency membership is self-declared and can be challenged. Candidates need not be part of the group represented, but it could well be an advantage. Voters would rank individual candidates in order and a suitable algorithm would be used to select those elected. This would lead to a *House of Trades*.

G. Other option

If none of the Options B - F appeal to you, then please suggest an alternative scheme. Otherwise return to Option A!

Source for some of the material

<http://www.electoral-reform.org.uk/sites/default/files/Direct-Elections-for-the-House-of-Lords.pdf>

The future of the House of Lords: Discussion Report

Members strongly rejected Options A, B and C. Leaving the current system in place (A) was felt to be unacceptable. The continuing presence of hereditary peers was felt to be particularly offensive, and the reserved places for Church of England Bishops to be anachronistic. Nevertheless, governing without a second chamber (B) was felt to be unwise. Proposed legislation does need to be checked, and mistakes can be made for technical or political reasons or due to excessive haste. Random selection (C) was felt to place too great a burden on unwilling citizens, who might not wish to break their careers or move to London for a Parliamentary term. Enthusiasm and commitment would be likely to be lacking. On the other hand, a generous salary together with a posh title and a cool set of robes may attract some people: mostly the wrong people!

Options D, E and F were looked on more favourably. It was recognised that D and E would strengthen the hold of parties over the second chamber, and provide little or no link between voters and members of the second house. Option F has the advantage of bringing in people with specific types of experience and expertise. Members elected by an occupational group might be seen as lobbyists for their constituency, although this would be more open than many types of lobbying. Some felt that identifying which constituency to vote in would be a problem in an age when people change jobs so quickly, or do two or more jobs. Declaration of an occupational group might also be open to fraud or making a tactical choice.

Some general considerations included the need for members of the second house to gain experience by serving for relatively long terms, and for only a proportion of the house (perhaps a third) to be up for re-election at any time. The number of members was mentioned. The present size of the House of Lords was felt to be excessive, and perhaps a membership of 500 or so might be sufficient.