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## Next Steps in Lords Reform:

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**UCL**

**Constitution Unit**



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members should be considered on their merits. Such an arrangement would be easier if the peerage link were broken. (Paras 54–55)

- The suggestion that members of the upper house could renounce their peerages and immediately stand for the House of Commons is potentially very damaging. As the Royal Commission proposed, there should be a bar on members standing as MPs until at least 10 years after they have left the chamber. This difficulty could however usually be avoided if members were appointed for fixed 15 year terms rather than for life. This would also help with managing size and party balance. (Paras 57–60)

# Response to the White Paper

## Introduction

1 This document is a response to the white paper *Constitutional Reform: Next Steps for the House of Lords* issued by the Department for Constitutional Affairs in September 2003.<sup>1</sup>

2 This white paper marks the latest attempt since 1997 to reach agreement about the long term future of the UK's upper house. Over that period there have been a number of important developments, and an even greater number of proposals for future reform:

- In autumn 1998 the government issued its first white paper on Lords reform,<sup>2</sup> alongside the House of Lords Bill which set out to remove the hereditary peers from the chamber. With one amendment, which allowed 92 hereditary peers to remain in the House, the bill passed into law in 1999 and the majority of hereditaries left the chamber.
- At the same time the government set up the Royal Commission on the Reform of the House of Lords, which was required to make recommendations for a second stage of reform. Its report was published in January 2000.<sup>3</sup> It proposed that the powers and functions of the chamber remain largely unchanged, but that its composition be reformed to one which was largely appointed by a statutory appointments commission, with between 12% and 35% of the house directly elected, and all members serving 15 year terms.
- The government also announced in the 1998 white paper that it would set up a new House of Lords Appointments Commission which would have responsibility

for selecting non-party peers. This commission was established in 2000 under the chairmanship of Lord Stevenson, and made one batch of appointments in April 2001. The commission has no say in the appointment of political peers, and this rests in the hands of the Prime Minister.

- The Labour Party's 2001 election manifesto broadly accepted the conclusions of the Royal Commission, and promised to implement them 'in the most effective way possible' in order to create a 'more representative and democratic' upper house.<sup>4</sup> In November 2001 a second white paper was published, proposing a 20% elected/80% appointed house, with a preference for elections on general election day, and members serving one or two House of Commons terms.<sup>5</sup>
- The response to this white paper, both inside and outside parliament, was poor.<sup>6</sup> As well as being attacked for the relatively small number of elected members, it was criticised by members of the Royal Commission for diverging from some of their principles, for example on independence of appointments and on long parliamentary terms. During the consultation period on the 2001 white paper a detailed report was published by the House of Commons Select Committee on Public Administration, proposing a 60% elected House.<sup>7</sup>
- Following this reception, the proposals in the white paper were effectively withdrawn. In May 2002 the government announced the establishment of a joint committee of both houses of parliament, which would be asked to bring forward a range of options for the reform of the chamber, to

<sup>1</sup> CP 14/03.

<sup>2</sup> *Modernising Parliament: Reforming the House of Lords*, Cabinet Office, Cm 4183, 1998.

<sup>3</sup> *A House for the Future*, Royal Commission on the Reform of the House of Lords, Cm 4534, 2000. Alongside its report the Royal Commission published a CD including all submissions it had received.

<sup>4</sup> *Ambitions for Britain*, Labour Party, 2001, p. 35.

<sup>5</sup> *The House of Lords: Completing the Reform*, Lord Chancellor's Department, Cm 5291, 2001.

<sup>6</sup> See *The House of Lords: Completing the Reform—Analysis of Consultation Responses*, Lord Chancellor's Department, April 2002.

<sup>7</sup> *The Second Chamber: Continuing the Reform, Fifth Report of Session 2001–02*, Public Administration Select Committee, HC 494-I, 2002.

be subject to free parliamentary votes. The Joint Committee reported in December 2002, proposing seven options for debate.<sup>8</sup> The principle to be decided was the proportion of second chamber members that should be elected, and the options provided for a 0%, 20%, 40%, 50%, 60%, 80% or 100% elected House. The parliamentary votes were held on 4 February 2003. In the House of Commons all seven options were rejected, with the most popular option being 80% elected.<sup>9</sup> In the House of Lords the only option to pass was an all appointed House.

3 This is the context in which the current white paper has been written. In the absence of agreement over the composition of a fully reformed upper house, the government now proposes to proceed with more minor reforms to 'establish the House on a stable basis'.<sup>10</sup> The white paper proposes a bill to remove the remaining 92 hereditary peers, and put the appointments process on a statutory footing. It proposes that the balance of appointments between the parties should be statutorily linked to the result of the last general election. Beyond this it seeks responses on a range of issues, including the makeup and accountability of the appointments commission, the representativeness of appointees, the size of the house, and the right for members to give up their seats. It proposes that upper house members should continue to be peers who hold their positions for life.

4 Given the debates that have gone before, some of the government's proposals are controversial. However, the spirit of this response is a constructive one, seeking to examine how the government's current stated objectives can be implemented most effectively. The Constitution Unit has in the past published a large number of documents on the wider issues in the House of Lords reform debate. These are listed in Appendix 2.

## *The Link to the Peerage*

5 Although the white paper proposes a significant reform of the appointments process, in some other important respects it is very conservative. In particular it proposes retention of life membership of the House, and also assumes that the link between the peerage and membership of the upper house will continue. These proposals are all the more puzzling given the government's previous position.

6 The 2001 white paper said:

*The Government proposes that membership of the House of Lords should cease to be connected to the peerage. As the Royal Commission emphasises, membership of the Lords should constitute a commitment to active engagement in the life of Parliament rather than the acceptance of an honour. At present the two purposes of a life peerage are muddled, with some members regarding the title as a necessary (but not always welcome) route to a seat in Parliament, while others accept peerages essentially as an honour (with any Parliamentary contribution being ancillary to the title).<sup>11</sup>*

7 The Royal Commission had gone even further in its criticism of the link, suggesting that:

*It is already the case that most hereditary peers are no longer members of the second chamber. It would be anachronistic and confusing to perpetuate the automatic link between membership of the second chamber and the possession of a peerage.<sup>12</sup>*

8 There is little need to add to these eloquent and succinct arguments, which were also echoed by the Public Administration Committee and other groups. As the Constitution Unit asked in its first report on Lords reform in 1996, 'is membership of the House of Lords a job or an honour?'<sup>13</sup>

<sup>8</sup> *Joint Committee on House of Lords Reform—First Report*, HC 171, 2002.

<sup>9</sup> For an analysis of these votes see I. McLean, A. Spirling and M. Russell 'None of the above: The UK House of Commons votes on reforming the House of Lords', *Political Quarterly*, vol. 74, no. 3, July 2003, pp.298-310.

<sup>10</sup> White paper, p. 15.

<sup>11</sup> Lord Chancellor's Department, para 78.

<sup>12</sup> Royal Commission, para 18.4.

<sup>13</sup> *Reform of the House of Lords*



9 The relationship between the peerage and membership of the Lords is two-way, reflected in the two difficulties that the previous white paper identified in maintaining the link. First, all upper house members must be life peers—but some members may want to sit in the upper house and not wish to accept a title. Although their numbers may be few, it is unnecessary for them to be faced with this dilemma. Second, and more importantly, all life peers are entitled to sit in the upper house—but honours may often be given to people who will not play an active part there. Even in a house of part time members, it is undesirable and misleading for largely or wholly inactive members to swell the chamber's size. It will make the already difficult job of the House of Lords Appointments Commission in maintaining balance and controlling the numbers in the house (as discussed below) far more difficult.

10 The proposal to leave the link to the peerage unchanged is connected to some of the other problematic proposals in the white paper. Maintaining the link implies that members will continue to be given seats for life (this difficulty is discussed in paras 57–60). Allowing all new peers to sit in the upper house will weaken the Appointments Commission by denying it control over all members appointed (see paras 57–60). Additionally, with hereditary peers outside the House but life peers inside, the status of both the peerage and the upper house becomes confusing, with the House of Lords continuing to appear a chamber of privilege. There seem to be no strong arguments, meanwhile, for maintaining the peerage link. For example, breaking the connection to membership of the House of Lords has no immediate implications for the continuance of the peerage itself.

**11 The proposal to maintain the link between membership of the upper house and the peerage is surprising, given the government's previous rejection of this approach. Maintaining the link is potentially both confusing and damaging to the House, whilst there is no good argument for its retention.**

## *Removing the Hereditaries*

12 One of the central proposals in the paper is to remove the right of the remaining 92 hereditary peers to sit and vote in the chamber. There has been much political comment about the propriety of the government taking this step now.<sup>14</sup> This is because understanding in 1999, when the compromise was agreed over the passage of the House of Lords Bill, was that this remaining group of hereditaries would continue to sit in the chamber until its final reform was complete.<sup>15</sup> Since the government is saying that the latest proposals are simply a further interim package on the road to full reform, removal of the hereditaries at this stage is seen by many as a breach of trust. It will significantly increase the government's difficulties in implementing the remainder of the package.

13 If the removal of these 92 members goes ahead there will be some significant consequences for the functioning of the house. Most obviously the Conservative Shadow Leader of the House, and nine other members of the Conservative front bench, are hereditary peers. Two members of the Liberal Democrat front bench also sit as hereditary peers. The over-representation of the hereditary peers on the frontbenches may initially seem surprising, but is less so when one considers that the 10% of hereditaries elected to remain in the House were amongst the most able and active of this group.

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*Table 1: Voting record of hereditary crossbenchers*

	Participation in whipped votes 1999–2002
Monson, L.	54.5%
Allenby of Megiddo, V.	47.3%
Palmer, L.	42.6%
Craigavon, V.	39.6%
Darcy de Knayth, B.	38.4%
Strange, B.	35.4%
Brabazon of Tara, L.	33.5%
Tenby, V.	32.2%
Amphill, L.	30.9%
Hylton, L.	29.2%
Saltoun of Abernethy, Ly.	28.7%
Greenway, L.	25.7%
Walpole, L.	20.8%
Bledisloe, V.	20.5%
Chorley, L.	20.5%
Listowel, E.	19.8%
Erroll, E.	19.3%
Sandwich, E.	18.8%
Slim, V.	17.8%
Brookeborough, V.	15.1%
Northbourne, L.	14.6%
Bridges, L.	14.4%
Mar, C.	14.4%
St John of Bletso, L.	13.9%
Colville of Culross, V.	13.1%
Cobbold, L.	7.4%
Moran, L.	6.7%
Freyberg, L.	5.2%
Baldwin of Bewdley, E.	2.5%
Waverley, V.	2.0%
lyn, E.	

and most other groups giving detailed consideration to Lords reform have aspired to keep. These members enhance the independent ethos of the house, ensure that policy must be argued on its merits rather than simply depending on whipping, and are likely to appeal to an electorate less loyal to political parties than in the past.<sup>16</sup> The current white paper echoes the sentiments of the Royal Commission, which were also repeated in the 2001 white paper and the Public Administration Committee's report, that a roughly 20% independent presence should be retained in the House after its reform. There are currently 179 crossbench peers in a chamber of 671, so these members make up 27% of the House.<sup>17</sup> However, the participation of these members is significantly lower than these figures might suggest. Many crossbenchers have important professional roles outside the House and their ability to attend is limited. Additionally, all independent members operate without a party whip and must decide themselves whether to attend and how to vote on each issue on a case-by-case basis. As a consequence of these factors the attendance record of crossbenchers is below that for other groups, and their voting record is lower still. Of the 193 crossbenchers who sat in the House during the three sessions 1999-2000, 2000-01 and 2001-02, 138 (72%) took part in fewer than one in ten divisions.<sup>18</sup>

16 Further analysis shows that the hereditaries are amongst the most active of the crossbenchers. The participation of all hereditary crossbenchers in whipped votes from 1999-2002 is given in Table 1. This shows that 25 of the hereditary crossbenchers are in the group participating in more than 10% of votes. Over the same period, this group included just 30 other crossbenchers. Whilst the eviction of the hereditaries might appear to have a limited impact—removing just 33 out of the 179 crossbenchers—it will in fact remove almost half of those members who in practice participate in

votes. This is clearly a matter of concern to those who want to maintain a significant independent presence in the House. It also raises questions about future independent appointments.

**17 Removing the hereditary peers will deprive the House of almost half its most active crossbench members. If the government wants to maintain an active independent presence in the House, serious efforts will need to be made to counteract this loss. This implies appointment of a sizeable new group of crossbench members, with an immediate emphasis on appointing those who will play an active part in proceedings.**<sup>19</sup>

18 In practice, one likely outcome may be that many of the active crossbench hereditaries are given life peerages. This would help address the short term issue. But it illustrates the challenge for the future of ensuring that the crossbench group remains a serious presence in the House.


### *Party Balance and the Size of the House*

19 The main problem with the appointments process at present is the extent of Prime Ministerial patronage. The Prime Minister of the day can decide the number of peers appointed, the party balance between them, and the overall size of the House. This provides considerable scope for manipulation. Although these powers have tended to be used with some caution, the arrangement has nonetheless disproportionately benefited the governing party.<sup>20</sup> The government's proposal that this form of patronage is to

20 To introduce transparency and ensure a greater equity of seats between the parties in the upper house, the government proposes to give the new appointments commission a statutory responsibility to ensure that ‘the representation of the political parties should have regard to the outcome of the previous general election’.<sup>21</sup> This is a good starting point, and reminiscent of the proposal by the Royal Commission that ‘One of the tasks of the Appointments Commission...should be to achieve or maintain an overall balance among all those members affiliated to political parties...which matches the distribution of votes between the parties at the most recent general election’.<sup>22</sup> The white paper goes on to suggest that ‘the Appointments Commission’s first priority should be given to ensuring that as soon as reasonable, given the *status quo*, the governing party has more seats than the main opposition party’.<sup>23</sup> However, it states clearly that ‘the Government of the day should not have an overall majority in the House’.<sup>24</sup>

21 The white paper also emphasises the importance of keeping the overall size of the House manageable. It notes that the House of Lords, at around 700 members, is one of the largest parliamentary chambers in the world. The Royal Commission proposed a chamber of around 550, and the Joint Committee a chamber of around 600, but these figures were widely criticised for being too high.<sup>25</sup> The Public

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wants to avoid. We assume therefore that the government is only considering some compromise between vote shares and seat shares. For the purposes of what follows we consider the consequences of using an average between the two.<sup>30</sup> Even discounting the other difficulties caused by this proposal (discussed below) it should be immediately clear that it heightens the difficulties of maintaining party balance whilst keeping the size of the chamber under control, as fluctuations in seats between elections are often greater than fluctuations in votes.

24 To illustrate how these conflicting objectives could develop in practice, we have run four possible scenarios, based on a fairly typical situation across four general elections. These are not intended to represent predictions of future election results, but are merely illustrative of what could happen across several elections as political balance changes. We use the real data from the 2001 election but then show the next election being won narrowly by the Conservatives (using 1992 data), the election after that

pointments commission does after the election—as the white paper proposes—is make appointments to ensure that the governing party has a majority over the main opposition party. For simplicity we have assumed that these are made in year one after the election.

26 The results of the detailed calculations are shown in Appendix 1.<sup>32</sup> These demonstrate immediately the conflict between the two objectives of maintaining party balance whilst keeping the size of the House down. In scenarios 1 and 2, illustrated in tables A1 and A2, party balance in the House is maintained, but its size rises inexorably in order to keep up with changes in the party of government. In tables A3 and A4, illustrating scenarios 3 and 4, the size of the House is kept at broadly 600, but there are always years in which party balance cannot be maintained.

27 The tables also demonstrate very starkly the difficulty introduced by attempting to take account of share of seats in the House of Commons, rather than simply using share of votes cast. In table A2 where the priority is given to maintaining party balance according to this formula, the size of the House rises annually to reach a breathtaking 1,150 members within only 11 years. In table A4 where the same formula is used but the priority is given to keeping the size of the House down, it is not possible to achieve the correct party balance within any of these 11 years. Attempting to match this formula results in the governing party not being able to gain a majority over the opposition without breaching the 600 member limit on two occasions, the second time by over 50 members. Indeed use of this formula creates in some respects a lose/lose situation. Where a party is in power for only one term it is not possible within the size limits to provide its due share of upper house seats within its period in office. Where a party is in power for more than one term this becomes more possible (though in our scenarios is still not wholly achieved after two terms). However, this makes it virtually impossible for the balance to be reversed if the government changes, without seri-

ously breaching limits on size. In brief, a formula that takes into account share of House of Commons seats will simply result in an upper house where the party balance lags behind that in the Commons, or numbers climb uncontrollably, or both.

28 Further illustration of this is provided by scenario 3, which is the only one that even approximately works—as illustrated in table A3. Here primary importance is given to keeping the size of the House down, with attempts made to achieve party balance on the basis of general election vote shares. Both objectives can more or less be met. Party balance is fully correct around one third of the time. The 600 member limit is breached twice but in both cases the size of the House drops below its limit again within a year. However, even in this scenario there are difficulties. Apart from some disproportionality the main problem is that opposition parties can rarely, if ever, be given seats. The representation of the two main parties results from the members they are given to rebalance after election wins, and in periods of opposition must be allowed to fall. Hence when one party holds office for two terms, the other may be denied new upper house seats for eight or nine years. This is the price which is paid for keeping the size of the House in check whilst ensuring the governing party has more seats than the opposition.

29 The difficulty of managing these two objectives even when party balance is based on vote shares (which fluctuate by only around 10% for each party) helps illustrate the impossibility of managing a system where party balance takes account of share of Commons seats (which in contrast fluctuate by up to 27% in our illustrative years). However, in case there is any remaining doubt about the feasibility of such a system, it also has two other obvious problems.

30 First, such an arrangement denies seats to minor parties in a way that seems wholly unjustified in a parliament which is already dominated by the Conservatives and Labour. In the current House the Liberal Democrats have 59 seats,

<sup>32</sup> The notes in the appendix describe what rules we have followed in carrying out these calculations, and describe the results themselves in more detail. The assumptions we have made will tend to underestimate, if anything, the upward pressures on the size of the house. For example, we assume that no further appointments are made before the process begins, whereas in fact there will be pressures to award life peerages to some departing hereditary peers. We have also suggested that immediate appointment of new independent members is essential, but these have not been included in the figures.

and there are only eight seats held by other mi-

*...of the desirable qualities we have listed, the present House is weakest in respect of representativeness. It is overwhelmingly male (84 per cent). It includes few young members (the average age is almost 68). It has a disproportionate number of members from the south-east and too few from the English regions. And, although more representative of ethnic minorities than the House of Commons (over 20 members), it still falls short of properly representing the UK's ethnic diversity.<sup>33</sup>*

36 The white paper also emphasises the importance of this issue for the effective functioning of the house. It states that 'The objective is to secure a House which is properly representative by nation or region, by age, by gender, by ethnic origin, in relation to disability and by faith'.<sup>34</sup>

37 In the past the government has cited the ability to create a more representative house, particularly in terms of gender, as one of the benefits of appointment as opposed to election.<sup>35</sup> However, in order to get the most out of such a system, it is necessary to be aware of the facts. Table 3 shows all the appointments to the House of Lords since Labour came to power in 1997. This shows that only one in five new appointees have been women. Amongst new Conservative Party peers only one in nine have been women. Although Labour has achieved a proportion of 21% of women amongst new appointees to its own benches, this compares unfavourably with the House of Commons, where 28% of new Labour entrants since 1997 have been women.

38 Although gender is the most visible indicator of diversity in the house, there are many other important factors, as the white paper



ised, but would be a core part of the commission's role.

40 The suggestion in the white paper that the Appointments Commission might have responsibility for maintaining balance amongst the 20% of independent members of the house, but not amongst the party political members, falls pathetically short of this standard. If the commission is to be charged with securing a House which is properly representative, and maintains a healthy spread of expertise, it will simply not be able to do this on the basis of controlling appointments of only one fifth of the chamber. This is recognised in the white paper.<sup>39</sup> The figures above with respect to gender, however, illustrate what happens when this matter is left to the parties. The answer to the paper's question on whether the same requirements for balance should be applied to the political parties must thus be an emphatic yes. This does not require that the Appointments Commission is given complete control of political appointees (as the Royal Commission had suggested). It should be issued with firm, perhaps statutory, guidance about the need to maintain balance on a range of dimensions. Within these broad guidelines,

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House of Lords would be valuable, as upper house members will be aware of how the House is functioning and of any obvious gaps, particularly in its expertise.

45 The term ‘accountability to parliament’ is, however, not as straightforward as it seems. The commission would be unlikely to be properly managed if it was simply accountable to one or both of the chambers as a whole. In practice it will need to be managed by a parliamentary committee, whose smaller size and greater expertise will provide better scrutiny. The Electoral Commission reports to a special committee of the House of Commons chaired by the Speaker, whose members in turn report to the House.

46 Whilst it might appear obvious that a similar arrangement should be established for the Appointments Commission, this is not necessarily the case. Given its smaller size and workload, a committee to which it accounted would have far less work to do than the Speaker’s Committee on the Electoral Commission, and if it met only rarely, in practice it might not function effectively as a group. It might therefore be more appropriate for the commission to report to a permanent committee dealing also with other matters. It has, for example, been suggested that the new Judicial Appointments Commission reports to the Constitution Committee of the House of Lords. This would be one possibility. But it might be considered more desirable for the task to be carried out by a joint committee of both Houses, and no suitable joint committee currently exists. In this case a new joint committee should be created to monitor both of these bodies. One option would be to expand the current Speaker’s Committee into a joint committee, thus including the oversight of the Electoral Commission as well. However it was constituted, such a committee might take on oversight of other constitutional watchdogs over time.

47 It will also be necessary to consider the accountability of the commission beyond parliament. It is vital to balance the strong independence which is conferred upon constitutional watchdogs with a high degree of transparency and oversight by other watchdogs. The Appointments Commission should be subject to the Freedom of Information Act, and so come under the jurisdiction of the Information Commissioner

in terms of its handling of individual requests for information, and the quality of its publication scheme. It should also come within the jurisdiction of the Parliamentary Ombudsman, and its decisions should be subject to judicial review. In its own policies and procedures it should follow the Code of Practice of the Commissioner for Public Appointments, and be able to seek her advice.

**48 The proposal to put the Appointments Commission on a statutory footing, allowing its objectives to be set out, is welcome. So too is the proposal that it be accountable to parliament. However, this will need handling carefully, and it is desirable that the commission reports either to an existent committee, or new committee with additional duties, as in practice the role of monitoring its work will be small. Its accountability beyond parliament is also important.**

### *Membership of the Appointments Commission*

49 The white paper suggests that the Appointments Commission comprises eight or nine members, including one representative each of the three main parties and of the crossbenchers. It asks whether the chair of the commission should be chosen from among its members or appointed separately. Given that the chair will in practice be the public face of the commission (as Lord Stevenson is of the current commission) this is an important appointment, and it thus seems appropriate to recruit this as a specific post.

50 It is proposed that the political parties and crossbenchers should be able to nominate commissioners who are already members of the House. This seems a reasonable suggestion to ensure that the commission has a good understanding of the House (although this would also be provided, to an extent, by its parliamentary accountability). The white paper asks whether other independent members should also be able to be members of the House as ‘leading candidates for membership of the Commission outside the House are also likely to be among their leading candidates for membership of the House’.<sup>40</sup> This concern seems exaggerated. No one has suggested it will be difficult to find inde-

<sup>40</sup> Para 36.





as this too would be likely to damage the independent ethos of the house.

**61 The suggestion that members of the upper house could renounce their peerages and immediately stand for the House of Commons is potentially very damaging. As the Royal Commission proposed, there should be a bar on members standing as MPs until at least 10 years after they have left the chamber. This difficulty could however usually be avoided if members were appointed for fixed 15 year terms rather than for life. This would also help with managing size and party balance.**

### *Conclusion*



# Appendix 1: Tables illustrating developments of party balance and size

In all of the tables, the following applies.

## 1. Method

- a. The principal adjustment to take account of the election result is made in the year of the election in each case, except in 2004, when the main adjustment to accommodate the 2001 result is made. Other than in 2004 (and 2009 where party control does not change) this is done in two stages—first to give the governing party more seats than the main opposition party, and then to give all parties their appropriate share of seats.
- b. Balance of new appointments is based on correcting last year's total figure. This year's figure then results from addition of these appointments and subtraction of deaths.

## 2. Assumptions

- a. The hereditaries are removed and no further appointments (including giving life peerages to departing hereditaries) are made before the process begins. If more appointments are made before reform, the numbers would clearly be **bigger**.
- b. Deaths are at the current level of roughly 20 per year, proportionate across the parties, with no others leaving the chamber. With the right to leave the chamber numbers might be smaller, but if younger people are appointed death rates will fall, so these may well cancel out.
- c. Number of crossbenchers is allowed to decline to 20% of the total, then is maintained at that level.
- d. To keep numbers down, once the balance in the chamber has been corrected years with no appointments generally follow, even if this means some parties go without appointment for many years. Without this, numbers would be **bigger**.
- e. Parties that are over-represented are not given any new appointees until their numbers fall, even if this means going without new appointments for many years. Without this, numbers would be **bigger**.

## 3. Notes

- a. 'Oth p.' refers to other parties. In 2003 this group includes the six Ulster Unionists and one Plaid Cymru member who sit on the crossbenches, and the one Green member of the House.
- b. 'Ind' includes all other crossbenchers and members of the current 'other' group (six, excluding the Green).
- c. In the shaded years the balance in the House roughly matches that aspired to by the particular scenario—that is that the three main party groups and the independent group are within 1% of their target share of seats.
- d. In addition to the totals shown in the tables, the House includes the 26 bishops. Thus the actual size of the chamber is **26 bigger than shown**.

Thus for a number of reasons the projections that follow will tend, if anything, to underestimate the pressure on size of the chamber.

*Table A1: Projection based on vote shares, priority given to achieving party balance rather than controlling size*

Year	Appointments					Deaths					Total membership					Total
	Con	Lab	LD	Oth	XB	Con	Lab	LD	Oth	XB	Con	Lab	LD	Oth	XB	
	p.					p.										
2003											160	182	59	8	140	549
2004																
2005*	61	0	0	0	0	5	6	2	1	6	210	208	86	44	129	677
2006																
2007																
2008																
2009																
2010																
2011																
2012																
2013*	0	62	0	0	0	6	5	3	1	5	227	229	120	35	128	739
2014																
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*Notes*

- In 2004 appointments are made to achieve party balance in the House.
- In 2005 and 2013 political control changes. In these cases the governing party is given a majority over the main opposition party in the first year. The next year the numbers of seats given to all parties are adjusted so that the main opposition party has no more than its rightful share.
- In 2009 the governing party does not change, so appointments move immediately to giving all parties their rightful share of seats.
- The House is therefore fully representative within a year of each election. However, the size of the House exceeds 600 in the first year and by 2014 has exceeded 800.





### *Notes*

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- In 2005 and 2013 political control changes. In these cases the governing party is given a majority over the main opposition party in the first year. The next year the numbers of seats given to all parties are adjusted so that the main opposition party has no more than its rightful share.
- In 2009 the governing party does not change, so appointments move immediately to giving all parties their rightful share of seats.
- The House is therefore fully representative within a year of each election. However, the size of the House exceeds 600 in year 1 and then grows continually to reach 1,150 by 2014.


*Table A3: Projection based on vote shares, priority given to controlling size rather than achieving party balance*

Year	Appointments					Deaths					Total membership					Total
	Con	Lab	LD	Oth	XB	Con	Lab	LD	Oth	XB	Con	Lab	LD	Oth	XB	
	p.					p.					p.					
2003											160	182	59	8	140	549
2005*	45	0	0	0	0	6	6	2	1	5	193	182	77	39	130	621
2006	0	0	0	0	0	6	6	2	1	5	187	176	75	38	125	601
2007	0	0	0	0	0	6	6	2	1	5	181	170	73	37	120	581
2009*	0	0	0	0	0	6	6	2	1	5	191	158	81	35	115	580
2011	0	0	0	0	0	6	6	2	1	5	194	146	97	33	110	580
2013*	0	54	0	0	0	6	6	2	1	5	187	188	98	31	110	614
2014	0	0	0	0	0	6	6	2	1	5	181	182	96	30	105	594

*Table A4: Projection based on average between vote shares and seats won, priority given to controlling size rather than achieving party balance*

Year	Appointments					Deaths					Total membership					Total
	Con	Lab	LD	Oth p.	XB	Con	Lab	LD	Oth p.	XB	Con	Lab	LD	Oth p.		



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- *Commentary on the White Paper: The House of Lords—Completing the Reform* by Robert Hazell, January 2002, £10.00
  - *Conference Papers: The Future of the House of Lords*





