

The House of Lords & Hung Parliament

How big an influence will the Lords have?

28th June, 1-3pm, Macmillan Room, Portcullis House
A Policy Connect event

Host: The Rt Hon. the Lord Norton of Louth
Chair: The Rt Hon. the Baroness D'Souza



Discussion: Role of the Lords



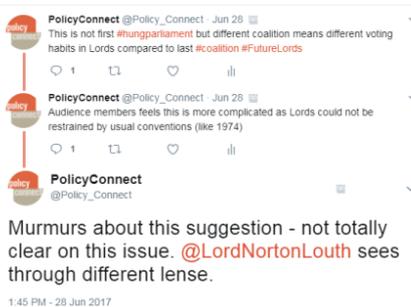
Baroness D’Souza and Lord Norton began proceedings by discussing the way that the House of Lords works with the House of Commons, particularly in light of the hung Parliament result and balance of power between the Commons’ parties.

Lord Norton commented that the Lords held a complementary role to the Commons. The role of MPs has grown significantly – larger constituencies, with fundamentally different relationship with the media and their constituents. MPs simply don’t have the time required for the scrutinising functions, and thus the Peers have taken on the role of scrutiny. They have the time and expertise to dedicate towards inspecting legislation.

The Chamber has reinvented itself since the moribund institution it was in the 1950s. (Indeed, in the post war period it could be said there was more progression in the Commons, particularly with BME representation in the 70s). Since 2014 Act approximately 60 Peers have left and 2 have been disqualified.

Lord Norton and Baroness D’Souza then went on to discuss the relationship with the Commons more in depth. Lord Norton expressed concern that the House of Lords was not seen positively, despite being a place of relative stability and in depth scrutiny.

Discussion: Salisbury-Addison convention and Brexit



The Salisbury-Addison Convention is one of the conventions which regulates the relationship between the House of Lords and the Executive. Briefly, it states that the Lords should not seek to prevent the Government from implementing manifesto pledges in legislation. This is both a convention, but also now a practice.

Peer comment: We are in uncharted waters now and conventional thinking or practice should no longer apply - the General Election result meant this wasn’t clear cut in the case of the reform (Brexit Bill), as in ‘74 the PM had asked the country for a very specific mandate and the country had rejected it – the voters do not want a hard Brexit.

Lord Norton felt that this claim was not realistic – the Brexit referendum was a simply ‘yes’ or ‘no’ to a single question; yet in the General Election constituents voted for their MPs over a number of issues

To challenge the thrust of the Bill would therefore need to come from the Commons rather than Lords.

The issue for the Lords will be the extent to which the government try to use secondary legislation (that is outlined in a Bill which allows the government to make changes to the law independent of Parliament) to advance Brexit.

Discussion: Future of the Lords

Our speakers discussed how reform must start from the principle – however often proposals do not hold up or consider the principle of judicious scrutiny, which is where the Lords really adds value.

Looking forward, particularly with the complexities emerging from Brexit:

- Greater consideration devolution across the piece will be needed – there are Commons committees on each of the Devolved Nations but no one looking at this in the round.
- The Lords should have more of a role in taking evidence from outside of Parliament in the way Public Bill Committees work in the Commons
- The Lords should perhaps consider its appointments more strategically in terms of what gaps there are in its expertise. Also this procedure must be made transparent to maintain public confidence.
 - This could then lead to more research capacity – although this would require improved press/public presence to make the case for greater resources in the Lords.
 - Here APPGs and NGOs could play an important role – while they can never substitute the official functions of the House – the limited capacity of the Lords means they are often vital in briefing and connecting Peers to the wider world.

Peer comment: Some ideas for approaching and briefing Peers, who are keen to understand the detail to issues – provide briefings some time in advance, rather than two days before a debate; make briefings short and snappy, preferably two pages at the most; approach Peers with invitations to brief verbally as we don’t hear enough directly from NGOs; provide clear facts and figures with an easy-to-read layout to make digesting the content easier.

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