

Labour's House of Lords reform

Emma Kilheeney McSherry takes us through the new reforms in the Lords

In September 2024, Sir Keir Starmer's Labour government introduced the House of Lords (Hereditary Peers) Act into Parliament. It was the most significant reform to the Lords since 1999.

Why did Labour announce this reform?

The 2024 Labour Party manifesto and king's speech made clear that reform to the Lords was 'long overdue' and that the removal of the hereditary peers was necessary for 'immediate modernisation'. Minister for the Constitution, Nick Thomas-Symonds, described the bill as a 'landmark reform to the constitution'. Defending the need for such reform, he said:

'The hereditary principle in law-making has lasted for too long and is out of step with modern Britain. The second chamber plays a vital role in our constitution and people should not be voting on our laws in parliament by an accident of birth.'

The Labour leader of the House of Lords, Baroness Smith of Basildon, stated that while many hereditary peers had provided valuable contributions to the chamber, this change was needed to complete the

reforms started in 1999. It will also help Labour to deliver on a manifesto pledge.

Who are the hereditary peers?

These are individuals who have inherited their position in the House of Lords. This contrasts with the life peers or people's peers, who are appointed following nomination by the House of Lords Appointments Commission.

When Labour reformed the House of Lords in 1999, 92 hereditary peers were kept in place. This was intended to have been the first stage of Labour reforms and a temporary measure. However, 92 hereditary peers remain to this day. The 2024 House of Lords (Hereditary Peers) Act will end this.

Party affiliations

These reforms will arguably make the House of Lords more democratic, as individuals will no longer be able to sit in the legislature simply due to their birth right. They will also benefit the Labour Party politically, as the party currently only has four hereditary peers (Table 1). This is because the number of hereditary peers is proportional to the party allegiance of peers in 1999.

Table 1 Number of hereditary peers, by party affiliation

Party	Number
Conservative	45
Labour	4
Liberal Democrat	4
Crossbench (no party affiliation)	33
Non-affiliated (due to role – see below)	2

[In September 2024, there were 88 hereditary peers attending the House of Lords out of a possible 92.]

Will all 92 hereditary peers be removed permanently?

It is expected that two hereditary peers will be allowed to remain in the House of Lords to perform their ceremonial roles:

- 1 The **Lord Great Chamberlain** (the Marquess of Cholmondeley) is the monarch's representative in parliament. The incumbents of this role have only ever come from three different families.
- 2 The **Earl Marshall** is responsible for coordinating and overseeing the state opening of parliament and other major events such as coronations and royal funerals. This position has been held by the Duke of Norfolk since 1672.

Under the new legislation, while these two peers may remain in the House of Lords, both are expected to lose their right to vote and partake in the legislative process. Although all the remaining hereditary peers will lose their right to sit and vote in the House of Lords under the 2024 Act, they could return to the Lords if reappointed as life peers or people's peers.

What other reforms might Labour introduce?

Baroness Smith of Basildon confirmed that Labour also plans to reduce the size of the chamber and eventually replace the existing House of Lords with an alternative second chamber. Prior to the 2024 general election, there was an expectation that Labour would introduce a mandatory retirement age for peers, although this was not mentioned in the king's speech. Former Conservative MP, Lord Archer

of Weston-super-Mare, was one of five peers over the age of 80 who chose to retire in the summer.

Other recent Lords reforms

As already stated, the last significant reform to the Lords was in 1999. However, since then the 2014 House of Lords Reform Act has allowed peers to retire but keep their title. It has also ensured that peers are removed if they fail to attend the Lords for an entire parliamentary session. In September 2024, six peers were removed under this rule including former Labour Party Deputy Prime Minister, Lord Prescott. While the 2014 Act can remove peers for not attending, it cannot force them to contribute by voting or debating.

Can peers block the reforms?

While they could attempt to amend and delay this legislation, under the Salisbury Convention, peers should not vote against these reforms as they were included in the government's manifesto.

Class debate

Is further reform to the House of Lords needed?
Would you:

- give peers more power to scrutinise legislation?
- remove other groups, such as the Lords Spiritual?
- have an age limit?
- introduce a term limit?
- replace the chamber with a partly or wholly elected chamber?

Weblinks

Read what constitutional expert, Professor Meg Russell, thinks about House of Lords reform:

<https://tinyurl.com/2nex74n4>

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