

BBC Radio 4 Westminster Hour Interview, 27 July 2014: Too Many Peers

Mark D'Arcy: In the next few weeks if the press reports are to be believed ... the Prime Minister will have found it convenient to appoint another 20 peers, turning them into lawmakers for life. Their Lordships' House will then have around 850 members. Well, Dr Meg Russell of the think tank the Constitution Unit is an expert on the Lords, and none too happy about the prospect of a further increase in the size of the House. I asked her why.

Meg Russell: Well, it matters for a pragmatic reason and a principled reason. The pragmatic reason is a very simple one: if we have these 20 appointments we'll be at a House of Lords of over 850 members. The size of the chamber has just been spiralling out of control in recent years, and that has to stop. It's making the House less functional, it's more expensive - it just doesn't make any sense. The principled reason, which would matter I think even if the size of the House was not getting so out of hand, is that it's simply not appropriate any more for the Prime Minister to have the level of patronage power that he or she does over the House of Lords. The Prime Minister can decide how many people go in, when they go in, what the party balance is between them, and ultimately therefore what the party balance of the House of Lords is and what the size the House of Lords is - and that just seems indefensible now.

Mark D'Arcy: So what bad things happen, that the public in general will notice even if they're not very focused Westminster-watchers, if more and more peers pour into the House of Lords?

Meg Russell: Well one of things that people speak about is the cost. Of course the Lords is a relatively low-cost institution, they don't get salaries, but every new peer that is added does incrementally add to the costs. The place is also getting more and more crowded. It's known as a very genteel, polite, rational debating environment, but peers have been increasingly complaining over recent years about how there's overcrowding, jostling in the chamber, bad feeling because it's hard to get called in debates and so on. The government wanted to shrink the House of Commons from 650 to 600. Well, we're at 850 at the House of Lords - how can that make sense?

Mark D'Arcy: And part of the problem here is that there's a kind of ratchet effect - every general election brings a dissolution honours list, followed by an incoming prime minister creating a new wave of peers after the election as well?

Meg Russell: It's always been the case that Prime Ministers have tended to appoint rather more peers from their party than from other parties. Prime Ministers appoint across the political spectrum, they don't only appoint their own. But they always want to appoint a few more of their own than the other side. David Cameron entered Downing Street at a slight disadvantage in the House of Lords, inasmuch as there were more Labour peers than Conservative peers; so he's been putting in more Conservatives. They are now outnumbering Labour. If we see a Labour government after the next election, Labour will want to increase the Labour side, and so it goes on. And because people are put in there for life, you know, the Conservatives outnumber Labour, then Labour wants more to outnumber the Conservatives and so on, and we will be going on above a thousand peers if we're not careful, in terms of numbers. So something must be done about it.

Mark D'Arcy: We have seen a modest reform package pass through parliament which would allow peers to retire or to be expelled if they were convicted of a serious criminal offence, but that won't even take the edge off this problem will it?

Meg Russell: No, it will make very little difference to the numbers. It's not likely many will retire, and if they do they are going to be the ones who are inactive anyway. It's not going to really make any difference to the size of the working House. It will be some of the most elderly peers who have more or less withdrawn from activity in the chamber who will go.

Mark D'Arcy: So if this is an unsustainable House now, what's the answer?

Meg Russell: Well, I think we really have to face up seriously now to the need to regulate prime ministerial appointments to the House of Lords. The House of Lords matters more to British politics than it has done for a long time, and therefore the party leaders are keener than they used to be - it's more important to them - to have active members in there; they are more keen to appoint. But under Blair and Brown between 1999, when the chamber was reformed and all those hereditary peers left, and 2010 when we saw the move to the coalition government, in those 11 years the size of the House increased by 70. Under Cameron in four years, it's increased by about 120. That suggests that if Ed Miliband won maybe it would be increasing by an even larger number. We have to introduce some kind of regulation system that first of all says what the maximum size of the chamber is (it's very unusual to have a parliament with no maximum size), and then we need an agreed formula for appointments so that there's some fair distribution of appointments between the parties, and the party leaders are told how many appointments they can have within the quota. I think we need to give that over to the House of Lords Appointments Commission or some other independent body that will, in an objective independent way, regulate the system.

Mark D'Arcy: But no Prime Minister or no party leader come to that is going to want to give up that kind of patronage are they?

Meg Russell: I wouldn't suggest necessarily that you take away the power from party leaders to choose their own, but I think what really isn't defensible is for the Prime Minister to be deciding how many appointments there should be and how they should be shared out between his party and other parties. Those are decisions that should be in the hands of some kind of independent body. I mean look what's going on with the Prime Minister controlling the size of the House - it's just not sustainable. The numbers are going up and up and something's got to be done about it.