

**The House of Lords in 2006:
Negotiating a
Stronger Second Chamber**

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Full details of the project and its publications can be found at:

<http://www.ucl.ac.uk/constitution-unit/research/parliament/house-of-lords.html>

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Summary of Key Points

- The House of Lords, and prospects for its reform, were much in the news in 2006. No real progress was made with reform, although the chamber continued to develop gradually.
- The biggest story related to the allegations of ‘cash for peerages’, when it was discovered that several figures had loaned money to the parties and subsequently been recommended for seats in the upper house. After their names were rejected by the Appointments Commission this sparked a police investigation, and an inquiry by a House of Commons select committee which recommended reform of the appointment process. Although these developments had potential to damage the Lords the greater damage seemed to be sustained by the parties.
- The chamber continued to grow during the year, in a way that seems unsustainable. The year ended with over 750 entitled to sit and vote, as appointments outstrip deaths and retirements. The Northern Ireland DUP won seats in the House for the first time.
- The ‘cash for peerages’ affair renewed interest in Lords reform, as did jostling for position in the (still unofficial) race to be Labour’s next leader and deputy leader. New Leader of the House of Commons Jack Straw took over responsibility for Lords reform policy, and a white paper was promised which was expected to recommend a 50% elected, 50% appointed House. However, no paper had been published by the end of the year, perhaps in part because of the criticism that these proposals attracted when leaked to the press.
- The year saw the establishment of the parliamentary Joint Committee on Conventions, looking at the conventions governing the relationship between the Commons and the Lords. The committee took much interesting evidence, but offered little comfort to the government. It suggested that conventions cannot be rigid, and are likely to continue to change if the composition of the chamber is further reformed. It also demonstrated that the government’s proposal to limit the time bills spend in the Lords would breach current practice, and the government distanced itself from this proposal.
- Real reform arrived in terms of the election of the first Lord Speaker, to take over as presiding officer of the chamber from the Lord Chancellor. Baroness Hayman was elected to the position in June. It was agreed that the chamber will continue to be largely ‘self regulating’, and the Lord Speaker has far more limited power than her House of Commons counterpart.
- There were 52 government defeats in the chamber over the year, and the peers won some major concessions. One feature which is becoming clearer is the ability for the Lords and Commons to act in partnership – rather than opposition – to achieve legislative change. This was seen this year over the Identity Cards Bill, the Police and Justice Bill, and particularly the Racial and Religious Hatred Bill, where MPs backed a Lords amendment and defeated the government in the House of Commons.
- Overall, evidence continues to point to a stronger second chamber, gaining confidence following the reforms of 1999. This does not necessarily threaten the House of Commons, but has the potential to strengthen parliament as a whole with respect to the executive. The government had hoped that establishment of the Joint Committee on Conventions would result in the powers of the chamber being curbed, but the chamber’s progress looks difficult to stop. It also seems more difficult than ever to agree a way forward on major reform.

Introduction

Since 1999, when the majority of hereditary peers were removed from the House of Lords, there has been a feeling that Britain's second chamber is increasing in confidence and strength. This belief particularly pervades the political community, and is also beginning to be discussed by scholars.¹ While continuing to be unelected the chamber now primarily comprises members appointed on their merits, rather than by accident of birth. It is also far more politically balanced than it was before 1999. This has given it a greater sense of *legitimacy* – although its unelected nature means this continues to be questioned.² Between the chamber's reform and the end of 2006 it had inflicted over 350 defeats on the Blair government. The greater confidence of the Lords leads some politicians to conclude that it has been dangerously strengthened and that any new reform should be targeted at reigning it back. But for others the priority is to democratise the chamber and give it an even more legitimate role in the policy process.

Various events fuelled debates about the legitimacy, strength and reform of the Lords during 2006. One was allegations early in the year that money given to the Labour and Conservative parties had been exchanged for peerages and thus seats in the upper house. This threatened to taint not only the parties but also Parliament, and helped revive calls for Lords reform. Such calls also received a boost from jostling for position by Labour figures anticipating the succession to Tony Blair. However, while this may have provided comfort to those wanting to democratise the Lords, there were also contrary moves. A new joint committee was established to consider the conventions governing the Lords – the clear motivation being government views that increasingly confident peers are stretching the boundaries of existing convention, and that something must be done to stop it. And although a new reform package was promised, this was delayed, and no action ultimately taken.

While debates about reform raged amongst the political and media classes to little effect, events in the Lords showed further gradual change. The chamber continued to grow, ending the year with almost 750 members entitled to sit. The centuries-old tradition of the Lord Chancellor acting as presiding officer ended and peers elected their first Lord Speaker. The number of government defeats was again high, with significant concessions made on key bills, and growing signs of the Commons and the Lords acting in partnership to extract concessions from the executive. Although small and piecemeal, these real life events may reflect trends which prove to be of more lasting significance than any rhetoric about reform. Slowly, the Lords is finding a new place in British politics, and becoming a more influential and more mainstream institution.

Allegations of 'cash for peerages'

The biggest Lords-related news story during 2006 was a negative one which ran most of the year, centring on allegations of 'cash for peerages'. A list of proposed appointees was leaked to the press in November 2005, with rumours suggesting that the House of Lords Appointments

¹ See M. Russell and M. Sciara, 'The House of Lords in 2005: A More Representative and Assertive Chamber?' in M. Rush and P. Giddings (eds.), *The Palgrave Review of British Politics 2005* (Basingstoke: Palgrave Macmillan, 2006), pp. 122-36; P. Cowley, 'Making Parliament Matter?', in P. Dunleavy, R. Heffernan, P. Cowley, and C. Hay (eds.), *Developments in British Politics 8*, (Basingstoke: Palgrave Macmillan, 2006).

² For a discussion see M. Russell and M. Sciara, 'Legitimacy and Bicameral Strength: A Case Study of the House of Lords', Paper to 2006 Conference of the Political Studies Association specialist group on Parliaments and Legislatures, University of Sheffield. Available at: <http://www.ucl.ac.uk/constitution-unit/research/Parliament/house-of-lords.html>; A. Kelso, 'Reforming the House of Lords: Navigating Representation, Democracy and Legitimacy at Westminster', *Parliamentary Affairs*, 59 (2006), 563-81.

Commission (responsible for vetting the propriety of party nominees, as well as choosing independent members) was concerned about some of the names. In April, one, Dr Chai Patel, broke his silence, to demand details of the objections to his nomination. It was already known that some nominees were major party donors. But Dr Patel revealed that he had funded Labour through a £1.5m loan, avoiding the need for the party to declare the contribution to the Electoral Commission. It turned out that three other Labour nominees, and one Conservative nominee, had similarly made loans to the parties. To make matters worse, Labour Party Treasurer Jack Dromey revealed that he knew nothing of the transactions in his party. Shortly afterwards, a police investigation began considering whether the Honours (Prevention of Abuses) Act 1925, which forbids the sale of honours, had been breached.

These events did little to boost the image of the House of Lords, though the main damage was sustained by the parties. Various party advisers and ministers, including the Prime Minister himself, were questioned by the police, and at one point party fundraiser Lord Levy was arrested. The affair cast doubt on the appointments process to the Lords, and whether this includes adequate checks – though ironically it was the new system the government put in place in 2000 which had brought these difficulties to light. There is little new about allegations of ‘cash for peerages’: the 1925 Act followed similar allegations on a far larger scale under Lloyd George. What is different now is that there is Appointments Commission to vet nominations, which seems prepared to question the Prime Minister’s judgement.

Concern about appointments boosted those campaigning for an elected upper house, though – as discussed below – little concrete happened. It also raised questions about how the appointments process could be improved. The Appointments Commission remains non-statutory, its role in political nominations is limited to advising on the propriety of names put forward by Number 10, and there are no clear criteria for choosing party nominees. The two largest parties have no system of internal democracy for selecting their candidates for peerages, though the Liberal Democrats now involve their party conference and the Greens ballot their members. The Prime Minister continues to choose the nominees for the governing party, as well as deciding the timing and party balance of creations.

Questions about the Prime Minister’s patronage powers will not easily go away. They were examined by the House of Commons Public Administration Select Committee (PASC) which announced an inquiry into the scrutiny of political honours in March. Although this was almost immediately put on hold at police request (as public witness sessions could prejudice the criminal investigation) PASC decided to publish an interim report in July.³ This recommended ‘making it explicit that nominations to the peerage entail appointment to the legislature rather than the award of an honour’⁴, greater transparency within parties over how nominees are chosen, a statutory basis for the Appointments Commission giving it a clear role and powers, and consultation on the criteria for future nominees. Such proposals would help boost the integrity (and thus legitimacy) of the Lords while not fundamentally changing its composition. Unfortunately, this means they were not readily embraced either by government or most Lords reformers. But if, as looks likely, large-scale reform is further delayed, the proposals may yet be returned to.

³ Public Administration Select Committee, *Fourth Report – Propriety and Honours: Interim Findings*, HC 1119, 2005-06.

⁴ *Ibid*, para. 30.

Compositional changes

Overall Labour continues – for only the second year – to be the largest party in the Lords. But the balance of power remains with the Liberal Democrats, Crossbenchers and ‘others’, as shown in Table 1.

Table 1: Composition of the House of Lords, 1 January 2007

Affiliation	Life Peers	Hereditary Peers	Serving Law Lords	Bishops	Total	Losses in 2006	Gains in 2006*	Net change
Conservative	159	47	0	0	206	5	7	+2
Labour	207	4	0	0	211	4	8	+4
Lib. Dem.	73	5	0	0	78	0	5	+5
Crossbench†	153	33	12	0	200	8	14	+6
Bishops	0	0	0	26	26	1	2	+1
Other‡	12	2	0	0	14	0	0	0
Total	618	91**	12	26	735	18	36	+18

Source: Calculated from House of Lords Information Office figures and Hansard.

* Based on dates that members take the oath

** There was one vacancy, due to the death of Lord Mowbray and Stourton in December

† Including nine Ulster Unionist Party members, three Democratic Unionist Party members and one Plaid Cymru member, who by convention sit as Crossbenchers.

‡ This group largely comprises members who have left one of the main parties, and it includes the one Green Party member.

The controversy over appointments resulted in a delay in announcing a new peerage list at the start of the year. This was finally published in April minus the five names of the original major lenders. It comprised seven Labour, seven Conservative, five Liberal Democrat and four ‘Crossbench’ names. This latter included, for the first time, three nominees from the Northern Ireland Democratic Unionist Party, which had long argued for seats, along with former Ulster Unionist Party leader David Trimble. It remains an anomaly that these political members join the crossbench group, consisting largely of independents, rather than sitting in their own right. The one Green member of the Lords (whose existence is one of the lesser known facts about the British Parliament) chooses to sit under his own party label. There were strong rumours that this lone representative, now aged 78, was to gain a party colleague in the new round of appointments. However, if this opportunity was real it was rather spectacularly missed, when the party’s chairman put his own name forward without permission of its executive. His nomination was withdrawn, and the party balloted members on a replacement, selecting London Assembly member Jenny Jones. However, there was no Green name on the final list.

As well as these arrivals there were 13 other entrants to the chamber over the year.⁵ With only 18 deaths and retirements, the size of the chamber continues to grow, and is now 79 higher than it was when reform greatly reduced the membership in November 1999. The pattern of gradual growth since then is shown in Table 2, and does not appear sustainable in the longer term. One difficulty is that (with the exception of Bishops) members of the Lords cannot retire.⁶ This problem was highlighted in July by Lord Phillips of Sudbury (Lib. Dem.), when he announced his

⁵ Seven were independent members announced by the Appointments Commission in May. Other included the new Archbishop of York, John Sentamu, the retiring Bishop of Oxford, Richard Harries, and Retiring NHS Chief Executive Nigel Crisp. The latter two were Prime Ministerial nominees and sit as crossbenchers.

⁶ Though they can go on temporary ‘leave of absence’. The figures in Table 1 exclude the handful who have done so.

desire to leave the House. He introduced the Life Peerages (Disclaimer) Bill, which would have allowed a peer to renounce their position, and require the Prime Minister to appoint a replacement from the same political party. However, it had no chance of becoming law. Full lists of those entering and departing the chamber during 2006 are given in Appendix A and Appendix B.

Table 2: Arrivals and departures from the House, 1999-2006

	Total at start of period [†]	Losses	Gains*	Net change
1999, Nov onwards	669	4	4	0
2000	669	18	42	+24
2001	693	28	47	+19
2002	712	25	5	-20
2003	692	28	14	-14
2004	678	24	53	+29
2005	707	23	46	+23
2006	730	18	36	+18
Total at 1 Jan 2007	748	168	247	+79

Source: Project House of Lords database, derived from Hansard and House of Lords website

[†] Including members on leave of absence (who are excluded from Table 1)

* Based on dates that members take the oath

Reform

Labour's 2005 manifesto had promised three things on reform: the removal of the remaining hereditary peers, a further free vote on Lords composition (following the inconclusive votes of 2003), and action on the powers of the House. The Blair government had not initially questioned the chamber's powers, but in the face of growing Lords activism had started to consider this necessary. It proposed a review of conventions by a joint committee, and limits on the time bills could spend in the Lords to 60 sitting days. By the start of 2006 no progress had been made on any aspect of reform. The 'cash for peerages' scandal resulted in a flurry of interest, and there was much talk of reform, but aside from the review of conventions (discussed separately below) no further progress had been made the year's end.

Aside from 'cash for peerages', the unofficial contest for a new Labour leader and deputy leader made many senior figures keen to demonstrate their radicalism by talking up Lords reform. This is seen as one of Tony Blair's policy failures, which could be exploited by challengers in his own party, as well as by David Cameron. As early as April, Peter Hain called for a 'great reforming bill' to deal with the House of Lords.⁷ In November Hilary Benn spoke out for an 80 per cent elected house.⁸ Both cabinet ministers declared themselves as deputy leadership candidates. Even Alan Milburn (who unlike them had voted for an appointed House in 2003) came out for a directly elected second chamber.⁹ Gordon Brown, expected to take over from Tony Blair, has long hinted that he would like to introduce elections to the Lords. However Blair himself suggested in September that Lords reform remained one of the '39 steps' he wished to complete before leaving office.¹⁰

⁷ Appearing on GMTV, 23 April, reported by the Press Association.

⁸ *The Guardian*, 20 November 2006.

⁹ 'Milburn Looks to Leadership' <http://news.bbc.co.uk/1/hi/uk_politics/5346572.stm>.

¹⁰ 'Blair sets out the 39 steps he hope will secure his legacy', *The Times*, 27 September 2006.

Despite this rhetoric, past failures probably taught the government to proceed cautiously. Behind-the-scenes negotiations between the parties, and with Labour backbenchers, were initially led by the Lord Chancellor, Lord Falconer. When Jack Straw became Leader of the House of Commons in May he then took over responsibility for Lords reform. Straw was previously sceptical about elections to the upper house, having voted against all elected options in 2003. However, he expressed a willingness to compromise, and in a speech in July suggested that a 50/50 elected/appointed mix was likely. In the autumn a leaked paper from the cross-party talks indicated that this was now the government's preferred position, and a white paper along these lines was widely and imminently expected. However, its publication was delayed and it had not appeared by the end of the year. The Queen's Speech, rather than promising a bill, merely stated that the government would 'work to build a consensus on reform of the House of Lords' and would 'bring forward proposals'.¹¹ Given the political difficulties the delay was not surprising: both main parties remain split on the issue and complaining about Blair's inaction is much easier than devising a widely acceptable solution. In particular the proposal of a 50/50 chamber probably suits no one, and notably was defeated without a division in the Commons votes in 2003. The leaked proposals attracted criticism from senior figures in all three parties – some for including too many elected members, and others for including too few. The delay to the votes (initially promised for spring) at least saved both main parties from the embarrassment of displaying their splits on the floor of the House of Commons, as happened on the previous occasion.

A new leader, or even the existing one, may seek to restart Lords reform again in 2007. But the task is so complex that intentions are not enough. Essentially, the job is to find a compromise that democratises the chamber without making it any stronger. This appears both logistically and tactically impossible. The more confident the chamber becomes in blocking government legislation, the more interest there is on the Labour side in limiting its powers. For many in the party, Lords reform has always been about ensuring that governments can govern unimpeded, rather than about adding further democratic checks.¹² But with respect to the Lords' powers the government was forced during the year to distance itself from its specific manifesto commitment to limit the chamber's consideration of bills to 60 days. Evidence by the senior parliamentary clerks to the Joint Committee on Conventions demonstrated that almost half of bills take more time in the House than this.¹³ Jack Straw told the committee that the government had 'no immediate plans to legislate in this way and we wish to await the proposals of this Committee before making any decisions'.¹⁴ However, he also stated that without agreement over the conventions it would be 'extremely difficult to reach agreement on future composition'.¹⁵ This suggested that progress would now be more difficult than ever.

A *Times* poll in April showed the public also split and confused about Lords reform: 75 per cent believed that 'The Lords should remain a mainly appointed house because this gives it a degree of independence from electoral politics and allows people with a broad range of experience & expertise to be involved', while 72 per cent believed that 'At least half of the members of the House of Lords should be elected so that the upper chamber of Parliament has democratic

¹¹ HL Debs., 15 November 2006, c. 3.

¹² See P.Dorey, '1949, 1969, 1999: The Labour Party and House of Lords Reform', *Parliamentary Affairs*, 59 (2006), 599-620.

¹³ Joint Committee on Conventions, *Conventions of the UK Parliament*, Report of Session 2005-06, HL 265-II, November 2006, pp. EV 95-7.

¹⁴ *Ibid*, p. EV 11.

¹⁵ *Ibid*, p. EV 13.

legitimacy’.¹⁶ This internally inconsistent set of positions may also sum up the views of the political class.

Wrestling with the conventions

Contemporary anxieties about the Lords were neatly encapsulated during 2006 by the establishment in May of the Joint Committee on Conventions.¹⁷ Although the government is reluctant to admit that the Lords is more legitimate as a result of the 1999 reform, this was a clear indication of its concern about the chamber’s growing assertiveness. Not only have recent years seen high numbers of government defeats in the Lords but also, as evidence to the committee from the Clerk of the Parliaments showed, there is a tendency to more rounds of ‘ping-pong’ between the two Houses before legislation is agreed. Although comparison over time is difficult, given the lack of historic data and the different behaviour of the Lords under Conservative governments, Table 3 shows that the number of times the Lords insisted on its amendments was particularly high in the 2001-05 Parliament. In 2000, the Lords also rejected a piece of secondary legislation for the first time since 1968, and further such defeats have been threatened. Just before this, the Conservative leader in the chamber, Lord Strathclyde, had pronounced previous conventions ‘dead’ following reform.¹⁸ More recently, the Liberal Democrats have repeatedly questioned the Salisbury convention that a manifesto bill should not be rejected outright by the Lords.¹⁹

Table 3: Number of bills per Parliament where the House of Lords has insisted on its amendments 1974-2005

Parliament	Number of insistences*				Total
	1	2	3	4	
1974-79	2	1	1	0	4
1979-83	0	0	0	0	0
1983-87	1	0	0	0	1
1987-92	0	1	0	0	1
1992-97	1	0	0	0	1
1997-2001	3	1	0	1	4
2001-05	12	3	0	2	17
Total	19	6	1	3	29

Source: Figures drawn from the Clerk of the Parliament’s evidence to the Joint Committee.²⁰

* i.e. number of times the bill has returned to the Lords and been defeated again, after the initial defeat.

The Joint Committee’s terms of reference required it to consider ‘the practicality of codifying the key conventions of the relationship between the two houses of Parliament which affect the consideration of legislation’.²¹ In particular it was asked to consider the Salisbury convention, and conventions regarding secondary legislation, the notion that government legislation should be considered ‘in reasonable time’, and the ‘ping-pong’ process.

Given the constitutional limbo between one reform and the next in which the Lords finds itself (a situation indeed prevailing for most of the twentieth century), the committee’s work had a certain

¹⁶ See <www.populuslimited.com/pdf/2006_04_04_times.pdf>.

¹⁷ The committee comprised 11 peers and 11 MPs – 11 Labour, six Conservative, three Liberal Democrat and two crossbencher and was chaired by Labour’s Lord Cunningham, a trusted former minister.

¹⁸ Speech to the thinktank Politeia, 30 December 1999.

¹⁹ See Russell and Sciara, ‘The House of Lords in 2005’, pp. 123-4.

²⁰ HL 265-II, pp. EV 97-8.

²¹ Joint Committee on Conventions *First Special Report*, HL 189, 2005-06, para. 2.

surreal quality. It was unclear at times whether Lords' conventions were being discussed in the past, present or future tense, and evidence sessions included much reflection on questions such as when a convention is a convention and whether it is possible for conventions to be codified at all. While widely accepted conventions (such as the confidence vote applying in the Commons alone) were barely mentioned, the committee concentrated on matters that were so contentious they seemed impossible to agree, and could therefore probably no longer be considered conventions.

Aside from providing rich material for scholars of philosophy or law to pore over, the committee's work served other useful purposes. The evidence from the clerks provided interesting data, and the parties were pressed to state their positions. The Liberal Democrats maintained their view that reform of the chamber has rendered the Salisbury convention obsolete, but also proposed that no bill (whether in the manifesto or not) should be rejected outright by the Lords.²² In its report in November the committee concluded that conventions by their nature must remain 'flexible and unenforceable', but suggested that some understandings might be reached between the chambers by mutual resolution. These could include manifesto bills not being subject to 'wrecking' amendments, government legislation being considered by the Lords in 'reasonable time' and both chambers being given notice before considering each other's amendments.²³ Even the terms of these agreements, however, would remain necessarily ill-defined. The committee also stated, in a conclusion troubling for the government, that current conventions could not necessarily be expected to hold if the chamber were reformed in future to include elected members.

Reform in action: the Lord Speaker

Although wholesale Lords reform did not happen, 2006 nevertheless saw real reform of another kind. In 2003 the government announced its intention to abolish the office of the Lord Chancellor, who historically acted as presiding officer in the Lords. Although strong opposition to the proposals resulted in the post of Lord Chancellor being retained, the final settlement – in the Constitutional Reform Act 2005 – allowed the post to now be held by a member of the Commons. As the Lords was potentially left with no presiding officer, a select committee was set up to consider the role and powers of a Speaker for the Lords.

In July 2005, the House agreed a resolution that it should 'elect its own presiding officer' and 'consider further how to implement this resolution with full regard to the House's tradition of self-regulation'.²⁴ The committee then provided concrete proposals. It concluded that the Lords should not have a 'House of Commons type speaker'.²⁵ To respect the established culture of self-regulation the new Lord Speaker, like the Lord Chancellor, should therefore have no power to, for example, select amendments, call on peers in debates, or intervene when members speak for too long or stray from the point. There was some debate over whether the Speaker should take over the role performed by the Leader of the House (a government minister) of deciding the order of speakers at question time. Even this was considered a step too far, though the Speaker, rather than

²² The party's written evidence to the committee stated that 'the House should not vote down entire Government Bills at Second Reading, as to do so would run contrary to its role as a revising chamber' and 'the House should not reject whole Bills at Third Reading either, but we strongly believe that the House must maintain its unfettered right to amend at Third Reading'. HL 265-II, p. EV 66.

²³ Joint Committee on Conventions, *Conventions of the UK Parliament*, Report of Session 2005-06, HL 265-I, November 2006, pp. 76-9.

²⁴ HL Debs., 673, 12 July 2005, c. 1002.

²⁵ Report of the Committee on the Speakership of the House, *The Speakership of the House of Lords*, HL 92, 2005-06, para. 8.

the Leader, will now rule on the admissibility of Private Notice (i.e. urgent) Questions. In addition, the Lord Speaker will have a role representing the House at home and overseas.

At the Motion for Approval debate in January 2006, Lord Strathclyde, the Conservative Leader in the House, moved an amendment to combine the Speaker's position with that of the already existing Chairman of Committees. This proposal reflected concern about whether two posts (and two salaries) were justified – however it was dropped due to lack of support. Another amendment to transfer the Leader's duties at Question Time to the Speaker was defeated on a free vote, and it was agreed to proceed on the basis of the committee's report.

The election of the first Lord Speaker took place at the end of June by secret ballot, using the alternative vote system, by which candidates are ranked in order of preference and those with fewest votes eliminated on each round.²⁶ Each of the nine candidates provided a 75-word statement describing why they wanted the position. On 4 July it was announced that Baroness Hayman, who was the clear leader on the first ballot, had defeated Lord Grenfell (a Deputy Speaker) by 263 votes to 236 in the final round.²⁷ Baroness Hayman is a former Labour minister, but upon election she announced that she would give up the whip and she now sits as an unaligned peer.

On the surface, it appears that little has substantively changed. It has been emphasised that self-regulation, rather than firmly chaired debate, should remain. As the committee noted, many feared that 'any change in the role currently performed by the Lord Chancellor would be a "slippery slope"' away from these traditions.²⁸ Consequently, the former presiding officer's responsibilities have largely been transferred unchanged. However, it is too soon to predict what the medium to long-term consequences of this reform will be. The position of Lord Speaker has the potential to be moulded by its occupier, as well as by wider events. Formally, the extent to which she can take an active role is limited and she remains subservient to the House. However, as peers become more assertive the role may become a more active one, adding to the cultural changes that have already affected the chamber since its reform in 1999.

The Legislative Evidence

As data is gathered from the passage of bills over several parliamentary sessions, a picture of a stronger House of Lords is slowly emerging. The number of government defeats in the chamber in 2006 is shown in Table 4. In 2005-06, there were 62 defeats, compared with 56 in the similar long post-election session of 2001-02 and 39 in 1997-9. It is difficult to draw definitive conclusions from such trends, as each session is different and the political context constantly changes. Post-2005, the Blair government is less popular, and its majority in the House of Commons is reduced. Accordingly, one might expect to see the balance tilt from the Lords to the Commons, in terms of keeping the government in check. However, an interesting pattern of partnership between the chambers is instead emerging, and became clearer in 2006. This challenges the popular assumption that the two chambers are in competition and instead shows that they can unite against the executive, particularly when policy is contested by government backbench MPs. This is reinforced by the fact that 78 per cent of peers and 75 per cent of Labour

²⁶ This is the same as the electoral system used in hereditary by-elections. It is a more streamlined system than that agreed in 2001 for electing the House of Commons Speaker, which requires repeated voting.

²⁷ The other candidates were Lord Boston of Faversham (Crossbench), Lord Elton (Con), Baroness Fookes (Con), Countess of Mar (Crossbench), Lord Redesdale (Lib Dem), Lord Richard (Lab) and Viscount Ullswater (Con).

²⁸ HL 92, para. 14.

MPs believe the chamber is more legitimate since its 1999 reform.²⁹ The indications are, therefore, that this may have significantly boosted the strength of Parliament as a whole.

A kind of partnership had already been demonstrated over the Terrorism Bill in late 2005, when MPs inflicted their first defeats on the Blair government, over the period for which police could detain suspected terrorists. Although the bill had not yet been to the second chamber, this could be seen as a pre-emptive strike by the Commons, knowing that the Lords would certainly have amended the bill.³⁰ The other main issue of concern to MPs was that of ‘glorification’ of terrorism, where the government had avoided defeat by one vote.³¹ Peers voted by a large margin to remove all references to ‘glorification’; but, following minor concessions by the government, MPs were persuaded to overturn the Lords amendments. At this stage, the Conservatives in the Lords dropped their opposition and the ‘glorification’ clause was accepted. Without continued Commons support peers were not prepared to press the point.

Table 4: Government defeats in the House of Lords, 2006

Subject	Calendar year 2006	2005-06 session total
<i>2005-06 session business</i>		
Charities Bill		1
Civil Aviation Bill	4	4
Companies Bill	1	1
Company Law Reform Bill [HL]	5	5
Compensation Bill [HL]	1	1
Criminal Defence Service Bill [HL]		1
Electoral Administration Bill	2	2
Equality Bill [HL]		1
Government of Wales Bill	6	6
Identity Cards Bill	11	12
National Lottery Bill	1	1
NHS Redress Bill [HL]	2	2
Northern Ireland (Miscellaneous Provisions) Bill	2	2
Police and Justice Bill	8	8
Racial and Religious Hatred Bill		1
Road Safety Bill [HL]	4	8
Terrorism Bill	4	4
Violent Crime Reduction Bill	1	1
Motions and other business		1
<i>2006-07 session business: no defeats by year end</i>		
<i>Total</i>	52	62

Note: [HL] = bills originating in the House of Lords.

²⁹ Surveys of Peers and MPs carried out for the project, in February 2005 and February 2004 respectively. For peers response rate was 57 per cent (n=374 on this question, including 103 Labour). For MPs the response was 30 per cent (n= 107 on this question amongst Labour MPs). For further analysis see Russell and Sciara, ‘Legitimacy and Bicameral Strength’.

³⁰ Particularly in the light of the marathon argument between the government and the Lords on the Prevention of Terrorism Bill earlier in the year: see Russell and Sciara, ‘The House of Lords in 2005’.

³¹ See HC Debs, 2 November 2005.

On the Racial and Religious Hatred Bill the partnership was more effective. Here the key sticking point between ministers and Parliament was the definition of ‘incitement’ to religious hatred.³² In 2005, the government faced public campaigns, rebellions in the House of Commons and the largest Lords defeat of the 2005-06 session. Peers did not seek to remove the clause, but to clarify that ridicule, insult or abuse would not be sufficient grounds to prove incitement. The government’s offer of a ‘freedom of expression’ clause did not go far enough to placate either peers or MPs. When the bill returned to the Commons in February as amended by the Lords, the Conservative spokesperson, Dominic Grieve, proposed that ‘the Government can have their legislation . . . in the form that the Lords have wisely altered and it can then go forward’.³³ Similarly, Labour’s Tony Wright suggested that ‘the Lords delivered to us a Bill which, if it did not completely square the circle, did it as well as it was humanly possible’.³⁴ Such claims are normally mere debating points, but to everyone’s surprise a majority of MPs agreed. The Commons inflicted two defeats by voting not to overturn the Lords amendments.³⁵ On this occasion, the two Houses’ interests remained aligned, and in partnership they achieved their preferred policy positions.

The Identity Cards Bill, like the Terrorism Bill, demonstrated a less visible partnership, but nonetheless put the government under significant pressure. Despite its controversial nature, the bill had a relatively smooth passage through the Commons. In the Lords, the largest points of contention were the costs of the scheme and the extent of compulsion of the cards. On the latter point the peers sought to turn the Salisbury convention on its head, by arguing that they, not the government, were defending the election manifesto.³⁶ This had stated that ID cards would be introduced ‘initially on a voluntary basis as people renew their passports’, but the bill required all passport applicants to apply for a card.³⁷ Consequently, there were four rounds of ‘ping-pong’ on the bill, driven by a coalition of Conservative and Liberal Democrat peers. This continued despite insufficient support for their position in the House of Commons each time the amendments returned. The minister, Baroness Scotland, argued that ‘the Government, with the support of the elected House, will continue to resist them strongly’ should the Lords persist, and they eventually backed down.³⁸ What went less noticed, however, was that an early Lords defeat, removing the right for government to make ID cards compulsory for all by means of secondary legislation, was reluctantly accepted by ministers, without being put to the Commons. Following the problems over the Terrorism and Racial and Religious Hatred Bills, and given the wording of the manifesto, the government chose not to take the risk. Again, the prospect of MPs and peers united in opposition was enough to extract major policy concessions, made easier by lack of media attention and thus embarrassment to the government.

³² This had previously been considered by the Lords and rejected twice in the Anti-Terrorism, Crime and Security Bill in 2001. Consequently the clause was dropped.

³³ HC Debs., 442, 31 January 2006, cc. 215-6.

³⁴ Ibid., c. 229.

³⁵ P. Cowley and M. Stuart have documented the politics of these defeats in detail in ‘Rebelliousness in a Westminster System: Labour MPs under the Blair Government’, Paper prepared for Seventh Workshop of Parliamentarians and Parliamentary Scholars, Wroxton College, Oxfordshire, 29-30 July 2006.

³⁶ Some similar arguments took place on the Health Bill where the government whipped its peers to vote for a total ban on smoking in public places though the manifesto had claimed that a partial ban would be introduced. On this occasion Lord Stoddart of Swindon complained that ‘Yesterday, [on the Terrorism Bill] we were being told that we must honour manifesto commitments; today, we are being told to ignore a manifesto commitment. The Government cannot have it both ways’. (HL Debs., 679, 1 March 2006, c. 324). However, this aroused less opposition from peers than the Identity Cards Bill, as the tougher measures had been imposed overwhelmingly on the government by MPs.

³⁷ *Britain Forward not Back*, Labour Party, 2005.

³⁸ HL Debs., 679, 6 March 2006, c. 546.

Two other defeats towards the end of the session, on the Police and Justice Bill, saw peers achieve mixed success in extracting policy concessions. One responded to the public controversy following the extradition of the 'NatWest three', with peers opposing the lower threshold of evidence required to extradite British citizens to the US. However, there proved to be insufficient support for their position in the Commons, and this opposition was dropped. The peers did win a major victory, however, over government plans to merge the five criminal justice inspectorates. Their amendment was moved by Lord Ramsbotham, former Chief Inspector of Prisons (crossbench), and supported by both the opposition parties, the other 32 crossbenchers voting, and 11 Labour rebels. It was consequently a large defeat (by 113 votes) and one which looked difficult to reverse. This led ministers to drop the proposals immediately rather than seeking to overturn the Lords' position and facing prolonged ping-pong. It demonstrated the force that united opposition, and crossbench experts, in the House of Lords can have. A full list of government defeats in the chamber in 2006 is given in Appendix C.

Conclusion

The events of 2006 continue to suggest that the House of Lords is growing in influence, enhancing Parliament's negotiating power with the executive. It is not yet possible to say definitively that 1999 was a turning point in the development of the second chamber's role; there are too many short-term factors at play. In 2006, a key factor was the waning popularity of the government, stimulating its parliamentary opponents and helping them unite and inflict defeats via the House of Lords. This might have been the case even without reform, but this is doubtful. In any case, two things are clear. First, the government itself believes that the House of Lords is changing, and it is worried about the chamber's strength. This was shown by the threats to reduce the time for the consideration of legislation, and the attempt to agree conventions stating that the chamber should act with restraint. Second, it is increasingly clear that little can easily be done to weaken the chamber again. Opposition parties are unlikely to consent to formal weakening, except perhaps where this is coupled with democratisation. But it is widely recognised that introducing elections would further increase the chamber's confidence and authority, and thus its *de facto* strength. Agreement on more reform thus looks very difficult.

Two wider points can be made, given these developments. First, a chamber does not necessarily have to be elected in order to be strong – it can be enough to act with a certain level of public and elite political support. Based on the characteristics of second chambers generally considered by scholars, little has changed about the House of Lords since 1999 – it remains unelected and has the same powers as before.³⁹ Indeed, some even argued that the reform would make the chamber weaker.⁴⁰ Instead, what we see is that the departure of the hereditaries and, crucially, the new party balance, have boosted the Lords' sense of legitimacy and given it more confidence to challenge the government. This remains even despite allegations of cronyism in Lords appointments. Second, a stronger upper house does not necessarily mean a weaker lower house – indeed possibly quite the reverse. Although ministers try to present arguments as Lords versus Commons, the far more interesting dynamic is that of Parliament versus executive. The existence of the Lords as a serious longstop has given a greater confidence to MPs to extract concessions from ministers, and the

³⁹ For example Arend Lijphart in his *Patterns of Democracy* (New Haven: Yale University Press, 1999) argues that what matters are formal powers and the extent to which the two chambers are 'congruent' in membership, but that unelected chambers 'lack the democratic legitimacy, and hence the real political influence, that popular election confers' (p. 206).

⁴⁰ M. Flinders, 'Majoritarian Democracy in Britain', *West European Politics*, 28 (2005), 62-94. Flinders' argument, based on Lijphart, is that the composition of the two chambers is now more similar following the departure of the hereditaries, and that the Lords must therefore be weaker after reform.

greater rebelliousness of the Commons also acts to boost the power of peers. This inter-cameral partnership, if it continues and grows, could represent a real shift of power within the British Westminster system.

Appendix A: New members of the House of Lords in 2006

Date took oath	Lords name	Party	Previous name	Route entered House	Notes
25.01.06	Archbishop of York	Bishop	John Sentamu	B	Replaced retiring Archbishop of York
28.03.06	Lord Davidson of Glen Clova	Labour	Neil Davidson	PM	Advocate General for Scotland
05.06.06	Lord Cotter	Lib Dem	Brian Cotter	PH	
05.06.06	Lord Taylor of Holbeach	Conservative	John Taylor	PH	
06.06.06	Lord Burnett	Lib Dem	John Burnett	PH	
06.06.06	Lord Trimble	Crossbench*	David Trimble	PH	
12.06.06	Lord Lee of Trafford	Lib Dem	John Lee	PH	
12.06.06	Lord Marland	Conservative	Jonathan Marland	PH	
13.06.06	Baroness Quin	Labour	Joyce Quin	PH	
13.06.06	Lord Morris of Handsworth	Labour	William Morris	PH	
15.06.06	Baroness Kingsmill	Labour	Denise Kingsmill	PH	
15.06.06	Baroness Thomas of Winchester	Lib Dem	Celia Thomas	PH	
22.06.06	Baroness Verma	Conservative	Sandip Verma	PH	
22.06.06	Lord Leach of Fairford	Conservative	Charles Leach	PH	
26.06.06	Lord Crisp	Crossbench	Nigel Crisp	PM	Retiring Chief Executive of NHS
26.06.06	Lord Teverson	Lib Dem	Robin Teverson	PH	
27.06.06	Lord Sheikh	Conservative	Mohamed Sheikh	PH	
27.06.06	Lord Morrow	Crossbench**	Maurice Morrow	PH	
03.07.06	Lord Boyd of Duncansby	Labour	Colin Boyd	PH	
03.07.06	Baroness Paisley of St George's	Crossbench**	Eileen Paisley	PH	
10.07.06	Baroness Ford	Labour	Margaret Ford	PH	
10.07.06	Lord Patel of Bradford	Crossbench	Kamlesh Patel	APC	
11.07.06	Lord Bruce-Lockhart	Conservative	Sandy Bruce-Lockhart	PH	
11.07.06	Lord Low of Dalston	Crossbench	Colin Low	APC	
18.07.06	Baroness Jones of Whitchurch	Labour	Maggie Jones	PH	
18.07.06	Lord Bradley	Labour	Keith Bradley	PH	
20.07.06	Lord James of Blackheath	Conservative	David James	PH	
20.07.06	Lord Rowe-Beddoe	Crossbench	David Rowe-Beddoe	APC	
24.07.06	Lord Bilimoria	Crossbench	Karan Bilimoria	APC	
24.07.06	Lord Browne of Belmont	Crossbench**	Wallace Browne	PH	

Date took oath	Lords name	Party	Previous name	Route entered House	Notes
25.07.06	Baroness Butler-Sloss	Crossbench	Ann Butler-Sloss	APC	
25.07.06	Lord Harries of Pentregarth	Crossbench	Richard Harries	PM	Retiring Bishop of Oxford
10.10.06	Lord Dear	Crossbench	Geoffrey Dear	APC	
10.10.06	Baroness Meacher	Crossbench	Molly Meacher	APC	
12.10.06	Lord Jay of Ewelme	Crossbench	Michael Jay	PM	Retiring head of FCO and Diplomatic Service
23.10.06	Bishop of Ripon and Leeds	Bishop	John Packer	B	Replaced retiring Bishop of Oxford

† Key: PH = Political Honours list (April), PM = Prime Minister's Appointment, APC = Appointments Commission, B = Bishop

* UUP

** DUP

Appendix B: Deaths and retirements in 2006

Death/retired date	Name	Forename/ name	Party	Type†	Year entered House
05.01.06	Lord Merlyn-Rees	Merlyn	Labour	L	1992
08.01.06	Lord Stratford	Tony Banks	Labour	L	2005
21.01.06	Lord Chan	Michael	Crossbench	L	2001
27.01.06	Lord Mishcon	Victor	Labour	L	1978
06.02.06	Lord Brightman	John	Crossbench	LOA	1982
14.03.06	Lord Gray of Contin	James	Conservative	L	1983
21.03.06	Lord Ackner	Desmond	Crossbench	LOA	1986
07.05.06	Lord Simon of Glaisdale	Jocelyn	Crossbench	L	1971
02.06.06*	Bishop of Oxford	Richard Harries	Bishop	B	1993
28.06.06	Baroness Lloyd of Highbury	June	Crossbench	L	1996
28.06.06	Lord Rawlinson of Ewell	Peter	Conservative	L	1978
30.08.06	Lord Monro of Langholm	Hector	Conservative	L	1997
30.08.06	Lord Cooke of Thorndon	Robin	Crossbench	L	1996
19.10.06	Lord Harris of High Cross	Ralph	Crossbench	L	1979
22.11.06	Lord Peyton of Yeovil	John	Conservative	L	1983
12.12.06	Lord Mowbray and Stourton	Charles	Conservative	HP	1965
18.12.06	Lord Carter	Denis	Labour	L	1987
27.12.06	Lord Hussey of North Bradley	Marmaduke	Crossbench	L	1996

† Key: B = Bishop, HP = Hereditary Peer elected by party, L = Life Peer under the Life Peerages Act 1958, LOA = Lord of Appeal.

* Retired.

Appendix C: Government defeats in the House of Lords in 2006

Date of Division	Bill	Subject	Govt majority
10.01.06	Road Safety Bill [HL]	To remove provision criminalising 'careless driving'	-6
16.01.06	Identity Cards Bill	To ensure that the same characteristics of security and reliability for the ascertainment and verification of registrable facts should apply to the recording and storage of the registrable facts	-62
16.01.06	Identity Cards Bill	To require that one of the criteria defining the "public interest" (justifying the national identity register) is to prevent illegal and fraudulent acts	-53
16.01.06	Identity Cards Bill	To require that the bill cannot come into effect until a report has been conducted into the costs and benefits of the scheme	-81
17.01.06	Terrorism Bill	To omit a clause criminalising the "glorification" of terrorism	-126
17.01.06	Terrorism Bill	To amend government proposals criminalising the distribution of terrorist publications so that the individual commits an offence if he/she "directly or indirectly" encourages acts of terrorism	-100
23.01.06	Identity Cards Bill	To require that an individual "may" not "must" apply to enter onto the National Register and obtain an ID card when applying/renewing a passport	-44
23.01.06	Identity Cards Bill	To omit the "Power of Secretary of State to require Registration" clause from the Bill so that in order to make the scheme compulsory, primary legislation would need to be introduced	-58
30.01.06	Identity Cards Bill	To require that the Information Commissioner reports directly to Parliament rather than the Secretary of State	-6
30/01.06	Identity Cards Bill	To require that the Information Commissioner is appointed by the crown "on the recommendation of the Secretary of State" as opposed to the Secretary of State alone	-17
01.02.06	Terrorism Bill	To require judicial oversight in issuing notices ordering internet service providers to remove offending material ("unlawfully terrorism-related") within 2 days	-1
15.02.06	NHS Redress Bill [HL]	To confine redress investigations to "investigation of the facts of cases and not to consider the issues of liability in tort"	-1
28.02.06	Terrorism Bill	To remove all references to "glorification" from the Bill	-4
06.03.06	Identity Cards Bill	To insist to require that an individual "may" not "must" apply to enter onto the National Register and obtain an ID card when applying/renewing a passport	-61
07.03.06	Compensation Bill [HL]	To insert a clause stipulating that "an apology, an offer of treatment or other redress" will not intrinsically amount to an admission of negligence or breach of statutory duty	-13
08.03.06	Civil Aviation Bill	To ensure that large aerodrome operators shall (not "may") have a duty to monitor noise and to fix charges in respect of aircraft which exceed noise limits	-13
08.03.06	Civil Aviation Bill	To ensure that night aircraft noise is controlled by a	-40

Date of Division	Bill	Subject	Govt majority
		combination of a movements limit and a nivoise quota system (not just the latter)	
15.03.06	Identity Cards Bill	To insist for the second time to require that an individual “may” not “must” apply to enter onto the National Register and obtain an ID card when applying/renewing a passport	-35
20.03.06	Identity Cards Bill	To insist for the third time to require that an individual “may” not “must” apply to enter onto the National Register and obtain an ID card when applying/renewing a passport but only until 2011	-36
28.03.06	Identity Cards Bill	To require that until 2010 anyone applying for a passport can opt to have their name entered in the register and obtain an ID card unless they state that they do not wish to apply	-28
19.04.06	Government of Wales Bill	To remove subsections preventing constituency members from standing in regional lists and vice-versa.	-19
24.04.06	National Lottery Bill	To remove the power of the Secretary of State to “prescribe” how the whole of the 50% of lottery distribution (going to the Big Lottery Fund) should be spent	-2
09.05.06	Company Law Reform Bill [HL]	To require all companies trading on a regulated market to give members the right to receive information such as annual/interim accounts, notice of meetings and the ability to exercise a vote on the shares they own	-7
10.05.06	Company Law Reform Bill [HL]	To require that an independent examiner, rather than an accountant, fulfil the audit requirements	-22
10.05.06	Company Law Reform Bill [HL]	To require that an independent commissioner decides if it is in the public interest that certain information may be disclosed	-6
17.05.06	Violent Crime Reduction Bill	To require that a local authority may not make an order designating a locality as an alcohol disorder zone if an action plan is being put into effect	-4
23.05.06	Company Law Reform Bill [HL]	To omit a clause allowing the public disclosure of information on the exercise of voting rights within a company	-6
23.05.06	Company Law Reform Bill [HL]	To require that the Freedom of Information Act applies to the Independent Supervisor, who supervises the performance of each Auditor General in his/her capacity as a statutory auditor	-22
07.06.06	Electoral Administration Bill	To insert a clause requiring a signature and date of birth (personal identifiers) to be included in all voters’ registration and not only in that of postal voters	-23
20.06.06	Electoral Administration Bill	To insist on previous amendment to insert a clause requiring a signature and date of birth (personal identifiers) to be included in all voters’ registration, but substituting “chief electoral officer” for “electoral registration officer”	-9
20.06.06	Police and Justice Bill	To insert a clause ensuring that the Secretary of State cannot merge police forces without the consent of the relevant police authorities	-68

Date of Division	Bill	Subject	Govt majority
27.06.06	Government of Wales Bill	To require that the 4 Assembly members to sit on the Assembly Commission do not belong to the same political party	-61
27.06.06	Government of Wales Bill	To rename the Audit Committee, the “Accounts Committee”	-28
27.06.06	Government of Wales Bill	To require that standing orders apportioning members to committees and sub-committees, must have regard to “the balance of political parties represented in the Assembly”	-50
28.06.06	Civil Aviation Bill	To insist on previous amendment to ensure that large aerodrome operators shall (not “may”) have a duty to monitor noise and to fix charges in respect of aircraft which exceed noise limits	-28
28.06.06	Civil Aviation Bill	To insist on previous amendment to ensure that night aircraft noise is controlled by a combination of a movements limit and a noise quota system (not just the latter)	-57
11.07.06	Police and Justice Bill	To insert that the ‘forum rules’ (from the 1957 European Convention on Terrorism) are incorporated: judges shall not order the extradition of a person if an act was partly committed in the UK unless in the interests of justice	-83
11.07.06	Police and Justice Bill	To remove the US from being granted a lower threshold of evidence in order to extradite until the Treaty has been ratified	-102
13.07.06	Government of Wales Bill	To remove a subsection allowing the Secretary of State to veto the Assembly’s request for a referendum	-37
13.07.06	Northern Ireland (Miscellaneous Provisions) Bill	To remove a clause that would allow the acceptance of political donations from anybody holding Irish citizenship (outside of Northern Ireland)	-37
13.07.06	Government of Wales Bill	To require that Orders in Council can only have retrospective effect where it is “not to the detriment of those who have either benefited from or acted in reliance upon the state of the law before the retrospective Order is made”	-4
13.07.06	Northern Ireland (Miscellaneous Provisions) Bill	To insert a clause introducing new scrutiny measures for Orders in Council: a draft must be laid before each House of Parliament for approval and may suggest and make amendments	-35
09.10.06	Police and Justice Bill	To remove clauses giving Secretary of State the power to direct if a police force is failing (given the absence of any objective judgement of failure)	-19
10.10.06	Police and Justice Bill	To delete a clause that reforms conditional cautions to allow punishments, including fines, to be part of the conditions	-61
10.10.06	Police and Justice Bill	To oppose the merging of the five criminal justice inspectorates (police, prisons, probation, court services and Crown Prosecution Services) into one new Justice, Community Safety and Custody Inspectorate	-113
25.10.06	NHS Redress Bill [HL]	To require that investigations under the redress scheme must be conducted “in accordance with natural justice	-16

Date of Division	Bill	Subject	Govt majority
		[so] the person overseeing the investigation is independent of the body ... under investigation” and to insist that it be “confined to the facts”	
01.11.06	Road Safety Bill [HL]	To insist to remove provision criminalising ‘careless driving’	-15
01.11.06	Road Safety Bill [HL]	To insist to insert a clause requiring the government to ensure that new heavy goods vehicles should be fitted with retro-reflective tape but that the government should make regulations by 31st December 2007	-16
01.11.06	Road Safety Bill [HL]	To insist to insert a clause at the beginning of the bill enabling local authorities to ringfence the spending of money (received from speeding fines) on local road safety measures	-28
01.11.06	Police and Justice Bill	To insist to insert that the ‘forum rules’ (from the 1957 European Convention on Terrorism) are incorporated: judges shall not order the extradition of a person if an act was partly committed in the UK unless in the interests of justice	-33
01.11.06	Police and Justice Bill	To insist to remove the US from being granted a lower threshold of evidence in order to extradite until the Treaty has been ratified	-37
02.11.06	Companies Bill [HL]	To insist that the Freedom of Information Act should apply to the new oversight bodies created under the bill	-12