

Government Defeat in Lords on Mental Capacity (Amendment) Bill

Tuesday 26/02/2019

On 26/02/2019 the government had a defeat in the House of Lords on an amendment to the Mental Capacity (Amendment) Bill: To disagree with Commons amendment outlining the conditions under which a person is not considered to be deprived of liberty, and instead to propose a definition of deprivation of liberty in relation to confinement without valid consent.

This was defeat number 45 in the parliamentary session.

Breakdown of Votes	For Govt	Against Govt	Total	No vote
Conservative	181	0	181	67
Labour	0	123	123	64
Liberal Democrat	0	71	71	25
Crossbench	34	27	61	125
Bishops	0	1	1	28
Other	8	10	18	27
Total	223	232	455	336

Conservative Votes with the Government

Lord Agnew of Oulton	Baroness Altmann	Baroness Anelay of St Johns
Lord Arbuthnot of Edrom	Lord Ashton of Hyde	Lord Astor of Hever
Earl Attlee	Lord Baker of Dorking	Baroness Barran
Baroness Berridge	Baroness Bertin	Lord Bethell
Baroness Blackwood of North Oxford	Lord Blencathra	Baroness Bloomfield of Hinton Waldris
Lord Borwick	Lord Bourne of Aberystwyth	Lord Bowness
Lord Brabazon of Tara	Baroness Brady	Viscount Bridgeman
Lord Bridges of Headley	Lord Brougham and Vaux	Baroness Browning
Baroness Buscombe	Baroness Byford	Lord Caine
Earl Caithness	Lord Callanan	Lord Carrington of Fulham
Earl Cathcart	Lord Cavendish of Furness	Lord Chadlington
Baroness Chisholm of Owlpen	Lord Colgrain	Lord Colwyn
Lord Cope of Berkeley	Lord Cormack	Earl Courtown
Baroness Coultie	Lord Crathorne	Baroness Cumberlege
Lord De Mauley	Lord Dixon-Smith	Lord Dobbs
Lord Duncan of Springbank	Earl Dundee	Baroness Eaton
Viscount Eccles	Lord Elton	Baroness Evans of Bowes Park
Lord Fairfax of Cameron	Baroness Fairhead	Lord Farmer
Lord Faulks	Lord Fink	Baroness Finn
Baroness Fookes	Lord Forsyth of Drumlean	Lord Framlingham
Lord Fraser of Corriegarh	Lord Freeman	Lord Gardiner of Kimble
Baroness Gardner of Parkes	Lord Geddes	Lord Gilbert of Panteg
Lord Gold	Baroness Goldie	Lord Goodlad
Viscount Goschen	Lord Grade of Yarmouth	Lord Green of Hurstpierpoint

Lord Griffiths of Fforestfach	Lord Hague of Richmond	Lord Hamilton of Epsom
Baroness Hanham	Lord Haselhurst	Lord Hayward
Baroness Helic	Lord Henley	Lord Hill of Oareford
Lord Hodgson of Astley Abbotts	Baroness Hodgson of Abinger	Lord Holmes of Richmond
Baroness Hooper	Lord Horam	Lord Howard of Rising
Earl Howe	Lord Howell of Guildford	Lord Hunt of Wirral
Lord James of Blackheath	Baroness Jenkin of Kennington	Lord Jopling
Lord Keen of Elie	Lord King of Bridgwater	Lord Kirkhope of Harrogate
Lord Lamont of Lerwick	Lord Lang of Monkton	Lord Leigh of Hurley
Lord Lexden	Earl Lindsay	Lord Lingfield
Earl Liverpool	Lord Livingston of Parkhead	Marquess of Lothian
Lord Lupton	Lord MacGregor of Pulham Market	Lord Mackay of Clashfern
Lord Magan of Castletown	Lord Mancroft	Baroness Manzoor
Lord Marland	Lord Maude of Horsham	Lord McColl of Dulwich
Baroness MacGregor-Smith	Lord McInnes of Kilwinning	Baroness McIntosh of Pickering
Duke of Montrose	Baroness Morris of Bolton	Lord Moynihan
Lord Naseby	Baroness Neville-Jones	Baroness Newlove
Lord Northbrook	Lord Norton of Louth	Lord O'Shaughnessy
Baroness O'Cathain	Lord Palumbo	Lord Patten
Lord Patten of Barnes	Lord Pickles	Baroness Pidding
Lord Polak	Lord Popat	Lord Porter of Spalding
Lord Randall of Uxbridge	Baroness Rawlings	Lord Reay
Baroness Redfern	Lord Ribeiro	Viscount Ridley
Lord Risby	Lord Robathan	Baroness Rock
Lord Rotherwick	Baroness Sater	Baroness Seccombe
Earl Selborne	Baroness Shackleton of Belgravia	Lord Sheikh
Baroness Shephard of Northwold	Lord Sherbourne of Didsbury	Lord Shinkwin
Earl Shrewsbury	Lord Smith of Hindhead	Baroness Stedman-Scott
Lord Strathclyde	Baroness Sugg	Lord Suri
Lord Swinfen	Lord Taylor of Holbeach	Lord Trefgarne
Viscount Trenchard	Lord Trimble	Lord True
Lord Tugendhat	Viscount Ullswater	Baroness Vere of Norbiton
Baroness Verma	Lord Wakeham	Baroness Warsi
Lord Wasserman	Lord Wei	Duke of Wellington
Baroness Wheatcroft	Lord Whitby	Baroness Wilcox
Baroness Williams of Trafford	Baroness Wyld	Lord Young of Cookham
Viscount Younger of Leckie		

Conservative Votes against the Government

Labour Votes with the Government

Labour Votes against the Government

Baroness Adams of Craigielea	Lord Adonis	Lord Allen of Kensington
Baroness Armstrong of Hill Top	Baroness Bakewell	Lord Bassam of Brighton
Lord Beecham	Lord Berkeley	Lord Blunkett
Lord Boateng	Lord Bradley	Lord Bragg
Lord Brennan	Lord Brooke of Alverthorpe	Lord Brookman
Lord Browne of Ladyton	Baroness Bryan of Partick	Lord Campbell-Savours
Baroness Chakrabarti	Viscount Chandos	Lord Christopher
Lord Clarke of Hampstead	Lord Collins of Highbury	Baroness Corston
Baroness Crawley	Lord Cunningham of Felling	Lord Darling of Roulanish
Lord Davies of Oldham	Lord Desai	Baroness Donaghy
Lord Donoughue	Baroness Drake	Lord Drayson
Lord Dubs	Lord Faulkner of Worcester	Lord Foulkes of Cumnock
Baroness Gale	Lord Giddens	Baroness Golding

Lord Gordon of Strathblane	Baroness Goudie	Lord Grantchester
Lord Grocott	Lord Hain	Viscount Hanworth
Lord Harris of Haringey	Lord Haskel	Lord Haworth
Baroness Hayter of Kentish Town	Baroness Healy of Primrose Hill	Baroness Henig
Baroness Hilton of Eggardon	Lord Hollick	Lord Howarth of Newport
Lord Hoyle	Lord Hughes of Woodside	Lord Hunt of Chesterton
Lord Hunt of Kings Heath	Lord Irvine of Lairg	Baroness Jones of Whitchurch
Lord Jones	Lord Judd	Lord Kennedy of Southwark
Baroness Kennedy of Cradley	Lord Kinnock	Baroness Kinnock of Holyhead
Lord Layard	Lord Lea of Crondall	Lord Lennie
Lord Levy	Baroness Liddell of Coatdyke	Lord Liddle
Baroness Lister of Burtersett	Lord Livermore	Lord MacKenzie of Culkein
Baroness Massey of Darwen	Lord Maxton	Lord McAvoy
Lord McConnell of Glenscorrodale	Baroness McDonagh	Baroness McIntosh of Hudnall
Lord McKenzie of Luton	Lord Monks	Lord Morgan
Baroness Morris of Yardley	Lord Morris of Handsworth	Lord Murphy of Torfaen
Lord O'Neill of Clackmannan	Baroness Osamor	Lord Pendry
Baroness Pitkeathley	Baroness Prosser	Baroness Quin
Lord Radice	Baroness Ramsay of Cartvale	Lord Reid of Cardowan
Lord Robertson of Port Ellen	Lord Rooker	Lord Rosser
Baroness Royall of Blaisdon	Lord Sawyer	Baroness Sherlock
Viscount Simon	Lord Snape	Lord Soley
Lord Stevenson of Balmacara	Baroness Taylor of Bolton	Baroness Thornton
Lord Tomlinson	Lord Touhig	Lord Tunnicliffe
Lord Turnberg	Baroness Warwick of Undercliffe	Lord Watson of Invergowrie
Lord Watts	Baroness Wheeler	Baroness Whitaker
Lord Whitty	Lord Williams of Elvel	Lord Winston
Lord Woolmer of Leeds	Baroness Young of Old Scone	Lord Young of Norwood Green

Liberal Democrat Votes with the Government

Liberal Democrat Votes against the Government

Lord Addington	Lord Alderdice	Baroness Barker
Lord Beith	Baroness Benjamin	Baroness Bonham-Carter of Yarnbury
Baroness Bowles of Berkhamsted	Baroness Brinton	Baroness Burt of Solihull
Lord Campbell of Pittenweem	Lord Clement-Jones	Lord Cotter
Lord Dholakia	Baroness Doocey	Baroness Featherstone
Lord Foster of Bath	Lord Fox	Baroness Garden of Frogmal
Lord German	Earl Glasgow	Lord Goddard of Stockport
Baroness Grender	Baroness Hamwee	Baroness Harris of Richmond
Baroness Humphreys	Lord Hussain	Baroness Hussein-Ece
Baroness Janke	Baroness Jolly	Lord Jones of Cheltenham
Lord Kirkwood of Kirkhope	Baroness Kramer	Baroness Ludford
Lord McNally	Lord Newby	Baroness Northover
Lord Oates	Lord Paddick	Lord Palmer of Childs Hill
Baroness Parminter	Baroness Pinnock	Baroness Randerson
Lord Razzall	Lord Redesdale	Lord Rennard
Lord Roberts of Llandudno	Lord Rodgers of Quarry Bank	Baroness Scott of Needham Market
Lord Sharkey	Baroness Sheehan	Lord Shipley
Lord Shutt of Greetland	Baroness Smith of Newnham	Lord Stephen
Lord Stoneham of Droxford	Lord Storey	Lord Strasburger
Baroness Suttie	Lord Taverne	Lord Taylor of Goss Moor
Lord Teverson	Lord Thomas of Gresford	Baroness Thomas of Winchester
Viscount Thurso	Lord Tope	Lord Tyler
Baroness Tyler of Enfield	Lord Wallace of Saltaire	Lord Wallace of Tankerness
Baroness Walmsley	Lord Wrigglesworth	

Crossbench Votes with the Government

Lord Aberdare	Baroness Afshar	Lord Armstrong of Ilminster
Lord Best	Lord Broers	Lord Brown of Eaton-under-Heywood
Baroness Butler-Sloss	Lord Carrington	Viscount Colville of Culross
Viscount Craigavon	Lord Curry of Kirkharle	Baroness D'Souza
Lord Eames	Earl Erroll	Lord Hogan-Howe
Lord Hope of Craighead	Baroness Howe of Idlicote	Lord Janvrin
Lord Judge	Lord Kakkar	Lord Laming
Lord Loomba	Lord Luce	Lord Macpherson of Earl's Court
Baroness O'Loan	Baroness O'Neill of Bengarve	Lord Palmer
Lord Patel	Lord Rowe-Beddoe	Duke of Somerset
Lord Stirrup	Lord Vaux of Harrowden	Lord Wilson of Tillyorn
Lord Woolf		

Crossbench Votes against the Government

Lord Alton of Liverpool	Baroness Boothroyd	Baroness Boycott
Lord Cameron of Dillington	Earl Clancarty	Baroness Coussins
Lord Dannatt	Baroness Deech	Lord Dykes
Baroness Emerton	Viscount Falkland	Lord Fellowes
Baroness Finlay of Llandaff	Baroness Greengross	Lord Harries of Pentregarth
Earl Hay of Kinnoull	Baroness Hayman	Lord Hennessy of Nympsfield
Lord Kerr of Kinlochard	Baroness Kidron	Lord Low of Dalston
Baroness Meacher	Lord Russell of Liverpool	Lord Singh of Wimbledon
Lord Stevens of Kirkwhelpington	Lord Trevethin and Oaksey	Baroness Watkins of Tavistock

Bishop Votes with the Government**Bishop Votes against the Government**

Bishop of St Albans

Other Votes with the Government

Lord Browne of Belmont	Lord Empey	Lord Gadhia
Lord Hay of Ballyore	Lord Maginnis of Drumglass	Lord McCrea Magherafelt and Cookstown
Lord Morrow	Baroness Stowell of Beeston	

Other Votes against the Government

Lord Bhatia	Baroness Blackstone	Baroness Jones of Moulsecoomb
Lord Lipsey	Lord Mackenzie of Framwellgate	Lord Paul
Baroness Tonge	Lord Truscott	Baroness Uddin
Lord Wigley		Ref: 2180