

# The Joint Committee report on reform of the House of Lords is mostly headed for the dustbin of history – because this mess of arcane proposals cannot be sold to voters

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*The Joint Committee on reform of the House of Lords has toiled away, but not to much avail, except in recognizing that a referendum is probably inevitable. **Patrick Dunleavy** thinks this is exactly why the government will end up not doing most of the unpopular and irrational things that the Committee suggests. Two ideas will never work – first, a vast new chamber of 450 senators, infeasible on cost and duplication grounds; and second, a single term for 'elected' peers of 15 years, which most voters will rightly see as a complete con.*



The convoluted path of the latest attempt to reform the House of Lords has passed an important milestone with the publication of [a wordy report](#) from a Joint Committee of peers and MPs into the government's proposed changes. This is a stage that had to be got out of the way for form's sake, but which no one (except the Committee members themselves) supposed would be influential. By all accounts the Committee process was as woeful as these things usually are at Westminster, with political stitch-ups the order of the day, and most Labour peers (except the Committee chair, Lord Richard) playing a particularly convoluted and Machiavellian role in muddying up the process, apparently just to protect their own status.

Most of the Committee's report is not going to be implemented for various straightforward reasons – the proposals that have resulted are a paradigm case of a camel designed by a committee. The one thing that the peers and MPs have got right is the recognition that as a major piece of constitutional reform legislation, the reform of the Lords must go to a referendum. David Cameron knows this is the case, but is kidding along for the moment until Nick Clegg can bear to do a reality check and realize that you can't push this change through just on the basis of legislative manoeuvring and coalition politics.

Yet having enunciated this valuable truth, the Committee itself continued with its chosen path of bizarre deliberations and formulating arcane proposals that stand no chance of ever being approved by a popular vote – and for that reason are doomed from the outset. Take the idea that a reformed Lords should have a massive 450 members – which the Committee justified in terms of the allegedly huge burden of work to be tackled by a second chamber. The coalition government initially proposed 300 members, and the responsible minister [Mark Harper](#) made plain on Radio 4's *World at One* today that they realize that the 450 number is cloud cuckoo land in terms of added costs and political unpopularity. In fact, if the 80:20 split between elected and appointed members could only be got rid of, in favour of a wholly elected upper chamber, then you could get by with not more than 200 senators – one third the size of the cut-down House of Commons. If the split is retained, the smallest feasible chamber would be about 250 members.

The other change needed to get the reformed Lords or British Senate past voters is that there must be genuine elections, and re-elections that create accountability of the members to citizens. The Joint Committee followed the government in proposing a single 15 year term for senators, with no re-election. This is a broad highway of complete unaccountability that will lead straight to massive corruption and huge future problems with 'rogue' legislators. It creates so much 'independence' for senators that they cannot be held accountable by anyone. British voters will never endorse terms of

office stretching to a decade and a half either. A whole generation span is just a ridiculously long length of time to give someone a 'mandate' to rule over us.

The government can best sort out the chaotic mess of ideas that the Committee has left it with by recognizing that only a very clean and very easily explained set-up is going to be acceptable to voters. Nick Clegg must learn the lesson he ignored in the [AV referendum](#) – that you cannot bounce British voters into ill thought-out constitutional change. A straightforward reform with a clear rationale is needed, and Ed Miliband is now in a commanding position to help Clegg to see the light and get to a more defensible position.

Even [more clearly than before](#), the key elements for Lords reform should clearly be:

- a new, wholly elected chamber or Senate that is as small and as cheap as it feasibly can be – say 200 senators;
- whose members are elected in halves for a term of no more than 10 years (or two periods between general elections);
- with senators also able to be re-elected once;
- with voters using an open list PR system in government standard regions that guarantees fair representation. (Here the Committee's proposal of the Australian Senate form of STV is fair enough, although other solutions are also feasible); and
- with a set of transition arrangements that come into place quickly and simply. The first half of the new senators should be elected at the next general election in 2014 or 2015, and the remainder at the general election after that

The government and campaigners for reform would also be well advised to plan on fighting and winning an early referendum against no doubt virulent Tory and press opposition. A vote that could be held cheaply in early June 2013 at the same time as Euro elections. My top tip for pro-reform groups is to stop talking now about 'reform of the House of Lords' and start talking instead about 'bringing in a British Senate'. This is a historic opportunity for reformers, one that will not come again if the Liberal Democrats mess this up (as they so calamitously did last time for the Alternative Vote).

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*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics.*

## **About the author**

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