

HOUSE OF LORDS

Select Committee on the Constitution

5th Report of Session 2024–25

House of Lords (Hereditary Peers) Bill

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Select Committee on the Constitution

The Constitution Committee is appointed by the House of Lords in each session “to examine the constitutional implications of public bills coming before the House and to keep under review the operation of the constitution and the constitutional aspects of devolution”.

Membership

The Members of the Constitution Committee are:

<u>Lord Anderson of Ipswich</u>	<u>Baroness Finn</u>
<u>Baroness Andrews</u>	<u>Lord Foulkes of Cumnock</u>
<u>Lord Beith</u>	<u>Baroness Goldie</u>
<u>Lord Burnett of Maldon</u>	<u>Lord Keen of Elie</u>
<u>Baroness Drake (Chair)</u>	<u>Lord Strathclyde</u>
<u>Lord Falconer of Thoroton</u>	<u>Lord Thomas of Gresford</u>

Declaration of interests

See Appendix 1.

A full list of Members’ interests can be found in the Register of Lords’ Interests:

<https://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests>

Publications

All publications of the Committee are available at:

<https://committees.parliament.uk/committee/172/constitution-committee/publications/>

Parliament Live

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Further information

Further information about the House of Lords and its Committees, including guidance to witnesses, details of current inquiries and forthcoming meetings is available at:

<https://www.parliament.uk/business/lords>

Committee staff

The current staff of the committee are Kate Wallis (Clerk), Alice Edmonston (Policy Analyst) and Samuel Smith (Committee Operations Officer).

Professor Stephen Tierney and Professor Roger Masterman are the legal advisers to the Committee.

Contact details

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Twitter

You can follow the Committee on Twitter: [@HLConstitution](https://twitter.com/HLConstitution).

House of Lords (Hereditary Peers) Bill

Introduction

1. The House of Lords (Hereditary Peers) Bill was introduced in the House of Lords on 13 November 2024, having completed its passage through the House of Commons. The Bill received its second reading in the Lords on 11 December, and committee stage is yet to be scheduled.
2. The Government, in its 2024 General Election manifesto, undertook to remove the right of the excepted hereditary peers to sit and vote in the House of Lords. This commitment was included in the King's Speech at the beginning of the session. The Bill gives effect to this commitment and also abolishes the House of Lords' jurisdiction in relation to claims to hereditary peerages.
3. The Government's manifesto included further commitments to reform of the House of Lords on which the Lord Privy Seal has confirmed that "the Government will consult further".¹

Clause 1

4. Clause 1 of the Bill repeals section 2 of the House of Lords Act 1999. Section 1 of the 1999 Act excluded hereditary peers from the House of Lords. Section 2 of that Act contained an exception for a limited number of hereditary peers, including the Earl Marshal and Lord Great Chamberlain. With the repeal of section 2, the excepted hereditary peers will no longer be members of the House of Lords as a result of this Bill.
5. **Changing the composition of a House of Parliament through amending its membership is an action which directly affects the constitutional arrangements of the United Kingdom. The Constitution Committee, having considered this Bill, is of the view that it is not unconstitutional. The consideration of the implications raised by this Bill is a political matter for the House.**

1 HL Deb, 12 November 2024, [col 1704](#) [Lords Chamber]

APPENDIX 1: LIST OF MEMBERS AND DECLARATIONS OF INTEREST

Members

Lord Anderson of Ipswich
Baroness Andrews
Lord Beith
Lord Burnett of Maldon
Baroness Drake (Chair)
Lord Falconer of Thoroton
Baroness Finn
Lord Foulkes of Cumnock
Baroness Goldie
Lord Keen of Elie
Lord Strathclyde
Lord Thomas of Gresford

Declarations of interest

Lord Anderson of Ipswich
No relevant interests
Baroness Andrews
No relevant interests
Lord Beith
No relevant interests
Lord Burnett of Maldon
No relevant interests
Baroness Drake (Chair)
No relevant interests
Lord Falconer of Thoroton
No relevant interests
Baroness Finn
Shadow Minister for the Cabinet Office
Lord Foulkes of Cumnock
No relevant interests
Baroness Goldie
No relevant interests
Lord Keen of Elie
Shadow Minister of Justice and Shadow Advocate General for Scotland
Lord Strathclyde
No relevant interests
Lord Thomas of Gresford
No relevant interests

A full list of members' interests can be found in the Register of Lords' Interests: <https://members.parliament.uk/members/lords/interests/register-of-lords-interests>

Professor Stephen Tierney, University of Edinburgh, and Professor Roger Masterman, University of Durham, acted as legal advisers to the Committee. They declared no relevant interests.