

Peers' and Public Attitudes to the Contemporary House of Lords

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This briefing provides some summary figures from a survey of members of the House of Lords conducted by the Constitution Unit, combined with figures from a survey of the public conducted for the Constitution Unit by Ipsos MORI. Both surveys were carried out in 2007, with the public opinion survey in late October (details are given in the Appendix). Members of the House were asked about a wide range of issues, and only a limited number of results are reported here, particularly with respect to the powers of the House and its reform. Both peers and the public were asked questions about the legitimacy of the contemporary House of Lords, allowing us to compare their perspectives as well as considering the two sets of opinions separately.

Summary points

- Peers state that the 1999 reform (removing most hereditary peers) gave the chamber added confidence and legitimacy. They also believe that the public, government and pressure groups now have more respect for the House of Lords.
- Peers believe that the chamber's power over ordinary legislation is about right, but many think it should have more power over 'delegated' legislation and constitutional matters.
- However, peers agree that government defeats are not their most important means of policy influence, and that persuading ministers to amend their own bills is more important.
- Asked which factors are most important to determining the legitimacy of the House of Lords, peers prioritise 'trust in the appointments process', 'detailed legislative scrutiny' and 'presence of experts' over other factors (including 'presence of elected members').
- Asked the same question, the public also choose to prioritise exactly the same factors, plus the House 'making decisions in accordance with public opinion'.
- Asked to choose which are the two most important determinants of legitimacy, the public chose (in order) decisions made in accordance with public opinion, a trustworthy appointments process, and considering legislation carefully and in detail. Inclusion of elected members came fifth out of seven.
- Slightly more people think the House of Lords is doing a good job on policy than think the same about the House of Commons. Though far fewer believe 'the process for choosing members of the House of Lords is a good one'.
- Among people claiming to be knowledgeable about the Westminster Parliament, the Lords ranks even better on policy. It also ranks if anything marginally worse on process of choosing members, but addition of elected members was also ranked if anything lower in importance.

Peers' beliefs about the 1999 reform

Our survey of peers included a number of questions about the impact of the 1999 reform, which removed most hereditary members from the chamber. Some of the key results are given in Table

1. These show that the great majority of members of the House believe that it has grown in confidence since 1999, and that it is taken more seriously by the public, pressure groups and the

Although opposition members, in particular, expressed support for an increase in the chamber’s formal powers, it was also clear from the survey that there are other factors of importance to the influence of the House of Lords. In a separate question, summarised in Table 3, we asked peers which elements were most important to the chamber’s policy influence. Its most evident source of influence is defeats on government legislation, of which there have been over 400 since 1999 (see Russell and Sciara 2007). But while government defeats were considered ‘very important’ by a third of peers, more than half said the same about government bringing forward its own amendments to legislation under pressure from peers. When asked to choose which of four factors was the single most important to the House of Lords’ policy influence, government amendments under pressure were again the clear favourite. This form of influence is far less visible than government defeats, but arguably also far more important.

Table 3: Peers’ views of the importance of different factors to the Lords’ policy influence

	Very important	Important	Not very important	Not at all important	Single most important
Government defeats in the House of Lords	33%	61%	7%	0%	32%
Government bringing forward its own amendments under pressure from Peers	54%	45%	1%	0%	49%
Peers exerting pressure behind the scenes to influence policy before it is announced	25%	52%	20%	2%	17%
Presence of the Lord is discouraging government bringing forward proposals at all	7%	30%	46%	16%	2%

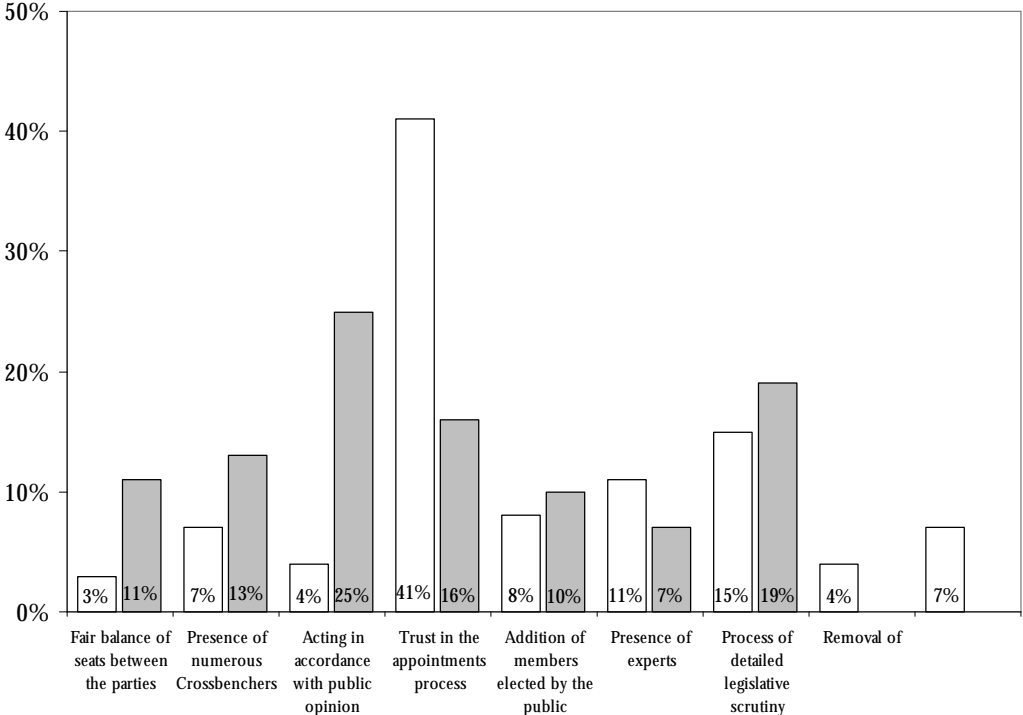
The legitimacy of the House of Lords

We included several questions about the ‘legitimacy’ of the House of Lords in our surveys both of peers and the public. The chamber’s legitimacy has been much contested since 1999 (and indeed throughout the previous century), due to its unelected status. As shown above in Table 1, in a result consistent with our 2005 survey, the great majority of peers believe that the 1999 reform increased the legitimacy of the chamber. But legitimacy is a contested concept (Kelso 2006, Russell and Sciara 2006), and there are many factors which may be thought to contribute to it. Our questions to peers and the public sought to investigate in more detail

Around three-quarters of respondents considered trust in the appointments process, and the chamber considering legislation carefully and in detail, to be 'very important'. A majority also considered that presence of experts was very important, and (somewhat in contrast to the views of peers) that it was 'very' important for the chamber to act in accordance with public opinion when taking policy decisions. A bare majority of respondents considered elected members to be very important, and just short of a majority said the same about a fair balance of seats between the parties and presence of numerous independent members. A summary comparing the views of peers and the public is given in Figure 1.

Thus far our questions have allowed respondents to select several factors that they consider important to determining legitimacy. In the public survey, in particular, five out of seven factors gained majority support. These results are consistent with those from earlier surveys, which suggest that the public favour an elected second chamber, but also favour presence of independents and experts for example.¹ But many consider these factors to be in conflict, so what do people prioritise if they are forced to choose? To find out, we followed our question about which factors were important with a question asking which of these was the single most important. The responses from peers and the public are summarised in Figure 2.

Figure 2: Peers' and public views compared on single most important factors to legitimacy



By asking the public to choose the most important of seven factors, the proportion choosing any single factor was always likely to be low. In order to provide a more robust indication of those factors considered important, the public were also offered the opportunity to pick the second most important factor in their view. The results for this and the previous question are combined

However there is concern about the way in which members of the House of Lords are chosen. One solution to this problem is clearly to introduce elections for the upper house. But our results suggest that a reform to the appointments process might actually have more widespread support.

Bibliography

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