



In Focus

The Salisbury-Addison Convention

The Salisbury-Addison Convention is commonly understood to mean that the House of Lords should give a second reading to Government bills which seek to implement manifesto commitments, and that the House should not table wrecking amendments which might otherwise alter the bill's intent. The Convention is named after an understanding between Viscount Addison, the Leader of the House of Lords, and Viscount Cranborne (the fifth Marquess of Salisbury from 1947), Leader of the Opposition in the Lords, during the Labour Government of 1945–51.¹

The operation and understanding of the convention has changed and evolved over time, however. In May 2006, the Joint Committee on Conventions was established to consider “the practicality of codifying the key conventions on the relationship between the two Houses of Parliament which affect the consideration of legislation”.² As part of this inquiry, the Joint Committee examined the Salisbury-Addison Convention and presented its own understanding of its operation. This In Focus briefly outlines the history of the Convention and that Committee's conclusions.

The History and Development of the Convention

The origins of the convention are explored in *How Parliament Works*:

The convention had its origin in the doctrine of the mandate developed by the third Marquess of Salisbury in the nineteenth century. He argued that the will of the people and the views of the House of Commons did not necessarily coincide and that the Lords had a duty to reject—and hence refer back to the electorate at a general election—contentious bills, particularly those with constitutional implications. As did the doctrine of the mandate before it, the Salisbury convention is perhaps more a code of behaviour for the Conservative Party when in opposition in the Lords than a convention of the House. The Liberal Democrats—whose precursors, the Liberal Party, were not privy to the 1945 agreement—have not considered themselves to be bound by it.³

The implementation of the House of Lords Act 1999, and the removal of the majority of hereditary peers, represented a major change in the composition of the House. The Conservative Party lost its majority over Labour and the Liberal Democrats, changing the political representation of the House significantly from when the Convention was first developed. In its report of 3 November 2006, the Joint Committee wrote that:

We are persuaded by the strength of the argument that the Salisbury-Addison Convention has changed since 1945, and particularly since 1999. Indeed, this was tacitly admitted by the [then] Government which said, in written evidence, “For a convention to work properly, however, there must be a shared understanding of what it means. A contested convention is not a

convention at all.” The continued validity of the original Salisbury-Addison Convention is clearly contested by the Liberal Democrats.⁴

In the Joint Committee’s view the Salisbury-Addison Convention now applies to manifesto bills introduced to either House and is now recognised “by the whole House, unlike the original Salisbury-Addison Convention which existed only between two parties”.⁵ The Committee also noted evidence of “the emergence in recent years of a practice that the House of Lords will usually give a second reading to any government bill, whether based on the manifesto or not”.⁶ As a result, the Joint Committee said that in its view the Salisbury-Addison Convention could henceforth be expressed in the following terms, namely that in the House of Lords:

A manifesto Bill is accorded a second reading; a manifesto Bill is not subject to ‘wrecking amendments’ which change the Government’s manifesto intention as proposed in the Bill; [and] a manifesto Bill is passed and sent (or returned) to the House of Commons, so that they have the opportunity, in reasonable time, to consider the Bill or any amendments the Lords may wish to propose.⁷

The Joint Committee also stated that:

[...] all recommendations for the formulation or codification of conventions are subject to the current understanding that conventions as such are flexible and unenforceable, particularly in the self-regulating environment of the House of Lords. Nothing in these recommendations would alter the present right of the House of Lords, in exceptional circumstances, to vote against the second reading or passing of any Bill, or to vote down any Statutory Instrument where the parent Act so provides.⁸

On 16 January 2007, the House of Lords agreed the motion that “this House takes note with approval of the report of the Joint Committee on Conventions of the UK Parliament”.⁹

In the past, questions have been asked as to whether the Salisbury-Addison Convention would apply to constitutional bills, and more recently some commentators have suggested that the House of Lords might see itself as a “guardian of constitutional values” in this context.¹⁰ However, it should be noted that the Joint Committee offered:

[...] no definition of situations in which an attempt to reject a bill at second reading might be appropriate, save that they would include free votes. But to reject bills at second reading on a regular basis would be inconsistent with the Lords’ role as the revising chamber.¹¹

¹ House of Lords Library, [The Salisbury Doctrine](#), 30 June 2006, LLN 2006/006.

² Joint Committee on Conventions, [Conventions of the UK Parliament](#), HL Paper 265 of session 2005–06, p 3.

³ Robert Rogers and Rhodri Walters, *How Parliament Works*, 2015, Seventh Edition, p 211.

⁴ Joint Committee on Conventions, [Conventions of the UK Parliament](#), HL Paper 265 of session 2005–06, pp 31–2.

⁵ *ibid*, p 32.

⁶ *ibid*, p 77.

⁷ Joint Committee on Conventions, [Conventions of the UK Parliament](#), HL Paper 265 of session 2005–06, p 76. (HM Government’s [Cabinet Manual](#), October 2011, p 104, uses this definition.)

⁸ *ibid*, p 74.

⁹ HL *Hansard*, 16 January 2007, [cols 573–638](#).

¹⁰ Mark Elliott, Public Law for Everyone, ‘[Replacing the Human Rights Act: The House of Lords, the Parliament Acts and the Salisbury Convention](#)’, 11 May 2015.

¹¹ Joint Committee on Conventions, [Conventions of the UK Parliament](#), HL Paper 265 of session 2005–06, p 32.