



## In Focus

### Lord Speaker: Election 2016

The Lord Speaker is elected by Members of the House of Lords every five years.<sup>1</sup> This Lords Library briefing provides an overview of the process for electing a Lord Speaker. It includes information on standing for election, voting and the triggers for an election. The primary role of the Lord Speaker is to preside over proceedings in the Chamber, including committees of the whole House.<sup>2</sup> Details about the office of the Lord Speaker itself, as well as background to how the office came into being, are available in the Lords Library briefing [Principal Office Holders in the House of Lords](#) (19 March 2015, pp 1–10).

#### Election 2016

The last Lord Speaker election took place on 13 July 2011.<sup>3</sup> On 18 July 2011, the Clerk of the Parliaments announced that Baroness D’Souza had been elected.<sup>4</sup> Lady D’Souza took office as Lord Speaker on 1 September 2011.<sup>5</sup> A Lord Speaker may serve for a maximum of two terms.<sup>6</sup> On 11 February 2016, Lady D’Souza announced that she would not put her name forward as a candidate in the 2016 speakership election.<sup>7</sup> She will step down from office on completing her first five year term, on 1 September 2016.<sup>8</sup>

According to the Standing Orders, in the year that an election of the Lord Speaker is due to take place, the election must be held before 15 July.<sup>9</sup> This is to allow enough time for the election to be conducted and the result to be announced before the House rises for the summer recess.<sup>10</sup> Specific arrangements for the 2016 election process will be set out in a notice for Members issued by the Clerk of the Parliaments in due course.<sup>11</sup>

To date, there have been two speakership elections. The first election was held on 28 June 2006 following a resolution of the House on 12 July 2005 that it should elect its own presiding officer.<sup>12</sup> The 2006 election resulted in Baroness Hayman becoming the first Lord Speaker, as announced on 4 July 2006.<sup>13</sup> On 9 May 2011, Baroness Hayman announced her intention not to seek re-election.<sup>14</sup> The second election resulted in Baroness D’Souza being elected as Lord Speaker.<sup>15</sup>

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#### Election Process

The process of electing a Lord Speaker is set out in the Standing Orders, as amended in 2011.<sup>16</sup> Aspects of the election process not covered in the Standing Orders are governed by procedural reports, committee reports and resolutions, to which the House has agreed, and in accordance with arrangements made by the Clerk of the Parliaments.<sup>17</sup> These arrangements are set out in a notice issued prior to each election.<sup>18</sup> Previous notices have included the timetable and specific procedure that Members must adhere to.<sup>19</sup>

## Eligibility to Stand for Election or Vote

The Standing Orders set out that all Members of the House of Lords are eligible to stand for election and to vote, with the exception of a Member who: has not taken the Oath in the current Parliament; is subject to statutory disqualification; is suspended from the service of the House; or is on Leave of Absence. In addition, a Member who has been successful in two previous Lord Speaker elections cannot stand.<sup>20</sup> The 2011 notice that set out detailed arrangements for the 2011 election process, provided a date by which Members who wished to terminate their Leave of Absence in time to be able to vote should inform the Clerk of the Parliaments.<sup>21</sup>

## Standing

Candidates require a proposer and a seconder—who themselves need to be eligible for election—before they can stand.<sup>22</sup> In accordance with the House of Lords Procedure Committee's *Fourth Report of Session 2005–06*, each candidate is allowed to submit to the Clerk of the Parliaments an “election address” in support of his or her candidacy, up to a maximum of 75 words.<sup>23</sup> This address is circulated by the Clerk of the Parliaments prior to the election, along with a list of all the candidates and a statement of each candidate's parliamentary service (covering length of service, membership of select committees, and experience as an office-holder in either House) and his or her entry in the Register of Lords' Interests.<sup>24</sup> Candidates are not permitted to circulate any election material themselves, or through supporters or agents.

The notice that set out the detailed arrangements for the 2011 election process included a candidature form, and the option to withdraw candidature after an application had been submitted, up to a specified date.<sup>25</sup> It also included the Code of Conduct for election candidates, as adopted for the election of Lord Speaker in 2006 and recommended by the House of Lords Procedure Committee in its *Third Report of Session 2005–06*.<sup>26</sup>

In the 2011 election there were six candidates.<sup>27</sup> In the 2006 election, there were nine candidates.<sup>28</sup> On 28 June 2011, the Hansard Society hosted the first ever “hustings” in respect of a Lord Speaker election, which the Clerk of the Parliaments invited candidates to attend.<sup>29</sup> The event was filmed and took place in the Queen's Robing Room; five of the six candidates participated.<sup>30</sup>

## Voting

In the event that there is only one candidate for an election of the Lord Speaker, there would be a motion of appointment and no vote would take place.<sup>31</sup> Where there is more than one candidate, the Alternative Vote System (AVS) is used.<sup>32</sup> The Clerk of the Parliaments has previously described AVS to Members, as follows:

Voters place the figure 1 in the box next to the name of the candidate they most strongly support, the figure 2 against the next most favoured candidate, and so on. Voters may cast as many or as few votes as they wish. In order to be elected, the successful candidate must receive at least as many votes as all the other candidates put together. In the event of this not happening after first-preference votes have been allocated, the votes of the candidate or candidates receiving the lowest number of first-preference votes will be shared out according to the second preference marked on them. This will be repeated until one candidate has at least half of the total valid vote [...] Ballot papers would be invalidated if any number is used more than once.<sup>33</sup>

In 2011, voting took place in the Queen's Robing Room; in 2006 it took place in the Moses Room. Electoral Reform Services (ERS) supervised the poll, conducted the count, and assisted in organising and running both previous elections.<sup>34</sup> The 2006 and 2011 notices from the Clerk of the Parliaments included an application for a postal vote, where ballot papers could be sent out by ERS for return to the

Clerk of the Parliaments' Office.<sup>35</sup> Two Members acted as scrutineers at the 2011 and 2006 counts. According to the Standing Orders, if a tie were to take place between two or more candidates after all votes had been cast, the matter of who had been elected would be decided by the drawing of lots.<sup>36</sup>

## Election Results

The final result is subject to the approval of the Queen.<sup>37</sup> Following approval, the elected Lord Speaker takes office on 1 September in the year that the election took place. In 2011, the Clerk of the Parliaments—who acts as the returning officer for Lord Speaker elections—announced the election result in the Chamber on 18 July 2011 and the Lord Chamberlain signified the Queen's approval immediately thereafter.<sup>38</sup> The Lord Chamberlain then explained that there would be an opportunity for Members to pay tribute to Baroness Hayman at the start of business on return of the House after the summer recess 2011, on 5 September 2011.<sup>39</sup> Lady Hayman noted that she intended to “follow the example of others” who had received tributes in the House and would not be present for first business.<sup>40</sup> She added her congratulations to Lady D'Souza and gratitude to the House “for the honour” and responsibility of being the first Lord Speaker, which she described as an “extraordinary experience”.<sup>41</sup> Details of the votes cast were made available in the Printed Paper Office on the same day that the election result was announced.<sup>42</sup>

A total of 644 valid votes, including 125 postal votes, were cast in the election of the Lord Speaker held on 13 July 2011.<sup>43</sup> There were two spoilt or invalid ballot papers. At the time, 770 Members of the House were eligible to vote. After four transfers of votes, the candidate who came first, Baroness D'Souza, had received 296 votes and the candidate who came second had received 285.<sup>44</sup> In the election held on 28 June 2006, a total of 581 valid votes were cast, including 122 postal votes.<sup>45</sup> There was one spoilt ballot paper. At the time, a total of 702 Members of the House were eligible to vote. After seven transfers of votes, the candidate who came first, Baroness Hayman, had received 263 votes and the candidate who came second had received 236 votes.<sup>46</sup>

## Triggers for an Election

Elections take place five years after the year in which the previous election was held, on a day no later than 15 July. However, the Standing Orders set out three other instances where an election could take place. Firstly, a Lord Speaker (or an elected Speaker who has not yet taken office) may resign at any time by giving written notice to the Leader of the House.<sup>47</sup> Secondly, the House is able to pass a motion for an Address to Her Majesty to seek the removal of a Lord Speaker from office—or the removal of an elected Lord Speaker who has not yet taken their office. In such an instance, the Lord Speaker is “deemed to have resigned with effect from the date on which the motion was passed”.<sup>48</sup> The third reason would be due to death. In these three instances, an election is held within three months of the death, the giving notice of resignation or the deemed resignation. If Dissolution of Parliament is announced after a date is set for an election of a Lord Speaker, the election takes place either on the date originally set, or on a day no later than one month after the opening of the next Parliament—whichever is later. Should there be any vacancy in the office of the Lord Speaker, the Chairman of Committees may act in their place.

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<sup>1</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, Standing Order 19, p 12.

<sup>2</sup> House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords: 2015](#), p 27.

<sup>3</sup> House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 1.

<sup>4</sup> [HL Hansard, 18 July 2011, col 1063](#).

<sup>5</sup> Parliament website, '[About Baroness D'Souza](#)', accessed 19 April 2016.

<sup>6</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.

<sup>7</sup> Parliament website, '[Lord Speaker not to Seek Re-election](#)', 11 February 2016.

<sup>8</sup> Parliament website, '[About Baroness D'Souza](#)', accessed 19 April 2016.

- <sup>9</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.
- <sup>10</sup> House of Lords Procedure Committee, [Fourth Report of Session 2010–11](#), 30 March 2011, HL Paper 127 of session 2010–12, p 3.
- <sup>11</sup> House of Lords Procedure Committee, [Third Report of Session 2005–06](#), 23 March 2006, HL Paper 153 of session 2005–6, p 5.
- <sup>12</sup> [HL Hansard, 12 July 2005, cols 1000–32.](#)
- <sup>13</sup> [HL Hansard, 4 July 2006, col 121.](#)
- <sup>14</sup> Parliament website, [‘Lord Speaker Not to Stand for Re-election’](#), 9 May 2011.
- <sup>15</sup> [HL Hansard, 18 July 2011, col 1063.](#)
- <sup>16</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.
- <sup>17</sup> House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords: 2015](#), p 26.
- <sup>18</sup> House of Lords Procedure Committee, [Third Report of Session 2005–06](#), 23 March 2006, HL Paper 153 of session 2005–6, p 5.
- <sup>19</sup> For the 2011 election notice, as set out by the Clerk of the Parliaments, see House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011; for the 2006 election notice see House of Lords, [Election of the Speaker of the House of Lords](#), 10 May 2006.
- <sup>20</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.
- <sup>21</sup> [HL Hansard, 4 July 2006, col 122.](#)
- <sup>22</sup> *ibid.*
- <sup>23</sup> House of Lords Procedure Committee, [Fourth Report of Session 2005–06](#), 3 May 2006, HL Paper 172 of session 2005–6, p 3.
- <sup>24</sup> *ibid.*
- <sup>25</sup> House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, pp 9 and 1–2.
- <sup>26</sup> House of Lords Procedure Committee, [Third Report of Session 2005–06](#), 23 March 2006, HL Paper 153 of session 2005–6, p 4.
- <sup>27</sup> House of Lords, [Election of the Speaker of the House of Lords: List of Candidates](#), 27 June 2011, p 1.
- <sup>28</sup> House of Lords, [Election of the Lord Speaker: Result](#), 4 July 2006, p 2.
- <sup>29</sup> House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 2.
- <sup>30</sup> Hansard Society, [‘Lord Speaker Hustings’](#), accessed 20 April 2011. For video footage of each candidate’s speech at the hustings, see BBC Democracy Live, [‘Speaker Hustings: Lord Colwyn’](#); [‘Lord Speaker Hustings: Lord Desai’](#); [‘Speaker Hustings: Baroness D’Souza’](#); [‘Lord Speaker Hustings: Baroness Harris’](#); and [‘Lords Speaker Hustings: Lord Goodlad’](#), 7 July 2011.
- <sup>31</sup> Select Committee on the Speakership of the House, [The Speakership of the House of Lords Report with Evidence](#), 19 December 2005, HL 92 of session 2005–6, pp 11–12.
- <sup>32</sup> *ibid.*
- <sup>33</sup> House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 3.
- <sup>34</sup> House of Lords, [Election of the Speaker of the House of Lords: Result](#), 18 July 2011, p 1; and House of Lords, [Election of the Lord Speaker: Result](#), 4 July 2006, p 1.
- <sup>35</sup> House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, pp 11 and 2.
- <sup>36</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.
- <sup>37</sup> *ibid.*
- <sup>38</sup> [HL Hansard, 18 July 2011, col 1063.](#)
- <sup>39</sup> *ibid.*
- <sup>40</sup> [HL Hansard, 18 July 2011, col 1064.](#)
- <sup>41</sup> *ibid.*
- <sup>42</sup> House of Lords, [Election of the Speaker of the House of Lords: Result](#), 18 July 2011.
- <sup>43</sup> *ibid.*, p 1.
- <sup>44</sup> *ibid.* For a table of the results for all candidates, showing the transfer votes, see p 2.
- <sup>45</sup> House of Lords, [Election of the Lord Speaker: Result](#), 4 July 2006, p 1.
- <sup>46</sup> *ibid.* For a table of the results for all 2006 candidates, showing a breakdown of transfer votes, see p 2.
- <sup>47</sup> House of Lords, [The Standing Orders of the House of Lords Relating to Public Business: 2013](#), 17 January 2013, HL Paper 105 of session 2012–13, p 12, SO 19.
- <sup>48</sup> *ibid.*

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