



HOUSE OF LORDS

Library Note

House of Lords: Religious Representation

The membership of the House of Lords includes twenty six Church of England Bishops and Archbishops on an ex officio basis, their right to sit and vote in the House established by ancient usage and by statute. This Library Note provides background information on the role of Bishops in the second chamber, and in the context of the Government's proposals for reform of the House, it examines arguments made both in favour and against their continued membership. The Note then considers further issues arising from the Government's proposals, as well as arguments regarding the formal representation of other denominations or faiths in Parliament.

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Table of Contents

1. Introduction	1
2. Lords Spiritual	1
2.1 Historical Development and Current Settlement.....	1
2.2 Role and Participation in the House	3
2.3 Government Proposals: House of Lords Reform Draft Bill.....	6
2.4 Arguments For and Against the Government's Proposals	7
2.4.1 History and Constitution	7
2.4.2 Contribution and Impact	9
2.4.3 Representativeness.....	12
2.5 Effect on Status as an Established Church	15
2.6 Bishops and Church Legislation.....	16
3. Proposals in the Draft Bill	17
3.1 Number: Is Twelve Too Few or Too Many?	18
3.2 Who: Which Bishops get a seat?	20
3.3 Discipline and Tax	21
3.4 European Convention on Human Rights	24
4. Representation of Other Denominations and Faiths	24
4.1 How to Achieve Representation of Other Denominations and Faiths	26
4.2 Wakeham Commission Proposals for the Representation of Other Faiths	27
4.2.1 Who and How Many?	27
4.2.2 Method	28
4.3 Appointments Commission: A Statutory Duty.....	30
4.4 Alternatives	32
4.5 Implications for the House of Commons.....	34
5. Lords Spiritual Statistics	35
5.1 Attendance	35
5.2 Parliamentary Questions.....	36
5.3 Other Contributions.....	38
5.4 Voting Activity	40
6. Selected Reading	42

1. Introduction

Debates about reforming the House of Lords have often centred on how its members are chosen. This largely boils down to a preference of method: either (direct or indirect) election, appointment, or a mixture of both. In this context, this Library Note considers the representation of religions and faiths in the Lords. Over the last few decades the majority of proposals put forward by Governments to reform the Lords would have retained—in any reformed House that was not wholly elected—reserved places for Church of England Bishops on an ex officio basis. Governments, at least since the 1968 white paper, have also expressed the desirability that denominations and faiths other than the established Church of England should be represented in the second chamber.

These proposals for the Bishops' continued membership contrast with the results of some public opinion surveys on the issue. In March 2010, an ICM poll commissioned by the Joseph Rowntree Reform Trust revealed that 74 percent of those polled believed that it was wrong for Church of England Bishops to have reserved places in the House of Lords (Ekklesia, ['74 percent say it's 'wrong' for Bishops to have appointed places in Parliament'](#), 15 March 2010). In 2002, the Labour Government published the results of its consultation on Lords reform. Of the 185 respondents who mentioned the Bishops, combined with those who wanted an all elected House, 85 percent were against the formal representation of the Church of England (Lord Chancellor's Department, *Reform of the House of Lords: Analysis of Responses to the Government White Paper—The House of Lords: Completing the Reform*, May 2002, [page 7](#)).

This Library Note provides background about the current role of the Bishops in the House of Lords, including information on their attendance, voting and participation in debates. It sets out arguments that have been made for and against their retention in a reformed House. It then assesses some of the provisions in the Government's Lords Reform Draft Bill, which includes the proposal that twelve Bishops would remain in an 80 percent elected second chamber. The Note also considers the case for providing for the representation of other denominations or faiths; and concludes with a selection of statistics concerning the Lords Spiritual in the Lords.

2. Lords Spiritual

The Lords Spiritual are the Archbishops and Bishops of the Church of England who have seats in the House of Lords. They are appointed by the Crown. Their right to sit and vote in the House of Lords is established by ancient usage and by statute. Those Bishops who become Lords Spiritual only remain so whilst they hold the office of Bishop (so are ex officio Members of the Lords and are therefore not Peers). They are required to retire at 70. Today 24 Bishops and two Archbishops have seats in the House of Lords. Five (the Archbishops of Canterbury and York and the Bishops of London, Durham and Winchester) are automatically granted a seat and the remaining 21 take their seats on the basis of seniority. When a vacancy arises in one of the 21 places not reserved (for example through death, retirement or resignation), the next most senior Bishop replaces him.

2.1 Historical Development and Current Settlement

The participation of the Bishops in public business dates back to the early feudal period when Bishops were summoned to parliament by virtue of their feudal status as royal tenants by barony (Gavin Drewry and Jenny Brock, 'Prelates in Parliament', *Parliamentary Affairs*, 1971, vol 24(3), page 248). It has been noted that "at one time the Spiritual Peers were the most influential members of the House. They filled the more important offices of state, and in actual number they had a majority over the Temporal

Peers” (The Rt Hon The Archbishop of York, ‘The Lords Spiritual’, *Parliamentary Affairs*, 1953, vol 7(1), page 96). Following the Act of Supremacy 1534, which repudiated papal supremacy and declared Henry VIII supreme head of the Church of England, the numbers representing the Church in the Lords diminished (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, page 17, [paragraph 2](#)).

By the 18th century the size of the House was around 220 and the votes of the Bishops (now 24 in number) increased in importance. It has been noted that in 1733 Sir Robert Walpole was “twice saved from defeat by the almost solid vote of the bench of Bishops” (The Rt Hon The Archbishop of York, ‘The Lords Spiritual’, *Parliamentary Affairs*, 1953, vol 7(1), page 97). From the 18th century through to the early part of the 19th century, the appointment of Bishops was “one of the important prizes of patronage exercised by the governments”, though by the 19th century the Bishops bench “had broken away from its connection with the Whigs and usually voted with the Conservatives” (Gavin Drewry and Jenny Brock, ‘Prelates in Parliament’, *Parliamentary Affairs*, 1971, vol 24 (3), page 249). The last Bishop to hold ministerial office was in 1711, when the Bishop of Bristol was Lord Privy Seal (Norman Wilding and Philip Laundy, *Encyclopaedia of Parliament*, 1972, page 449). Peter Bromhead has said that “well before 1900 bishoprics had ceased to be part of the system of political patronage by means of which government sought to maintain their parliamentary strength”. He added that in the 19th and early 20th centuries “Bishops often spoke in a highly partisan way, and thought there was nothing strange in doing so” (Peter Bromhead, *The House of Lords and Contemporary Politics, 1911–1957*, 1958, page 55). By 1953 the then Archbishop of York was able to write of “two striking differences between the Spiritual Peers of today and their predecessors”. The first, he said, was that “fewer attend the debates” due to the Bishops’ rising pastoral duties in their dioceses and the second was that their importance in party politics was now “negligible” (The Rt Hon The Archbishop of York, ‘The Lords Spiritual’, *Parliamentary Affairs*, 1953, vol 7(1), pages 98–9). The consequence was that “the Bishops are now entirely free from party allegiance, and their appointments are not made with any political considerations” (Norman Wilding and Philip Laundy, *Encyclopaedia of Parliament*, 1972, page 449).

Since the Bishopric of Manchester Act 1847 the number of Lords Spiritual in the House of Lords has been fixed at 26. So although there are presently 43 dioceses in England (Church of England website, ‘[Structure](#)’, accessed 24 November 2011), only two Archbishops and 24 Bishops are entitled to sit in the House of Lords. Whilst the number of Lords Temporal has grown over the centuries it has been observed that the number of Lords Spiritual has remained at 26 for some time (HL *Hansard*, 19 November 1968, col [671](#)). More broadly, the formal representation of religion in the House of Lords has actually declined in number since both the Churches in Ireland (in 1869) and Wales (in 1920) were disestablished (Gavin Drewry and Jenny Brock, ‘Prelates in Parliament’, *Parliamentary Affairs*, 1971, vol 24(3), page 249).

In 1642, during the Civil War, Bishops were excluded from the House of Lords but returned under the Clergy Act 1661. In the 1830s successive Bills introduced in the House of Commons to exclude the Bishops were defeated (Gavin Drewry and Jenny Brock, ‘Prelates in Parliament’, *Parliamentary Affairs*, 1971, vol 24(3), page 249). Since the Second World War, a number of proposals have been debated in Parliament that sought to reduce, rather than remove, the Lords Spiritual. These included the Labour Government’s white paper in 1968 that sought to reduce the number to 16. Kenneth Lomas MP’s House of Lords (Reform) Bill in 1978–79 proposed a reduction to ten and in 1985–86 Richard Holt MP proposed reducing their representation to 14 in his Amendment to the Constitution Bill, although the Bill also provided for the representation of other faiths.

2.2 Role and Participation in the House

As members of the House of Lords, the Lords Spiritual are able to sit, speak and vote like the Lords Temporal. The Church of England's website explains their role in the House:

There is always a Lord Spiritual in the House of Lords when it is sitting, to read prayers at the start of the day and to participate in the business of the House. Attendance in the House to read prayers is determined by the Lords Spiritual on a weekly rota basis, but Bishops also choose to attend the House on an ad-hoc basis when matters of interest and concern to them are before it.

(Church of England website, [Bishops in the House of Lords](#), accessed 24 November 2011)

Unlike the Lords Temporal, the Lords Spiritual sit by virtue of the office they hold. Though they are not Peers themselves, like the Lords Temporal "they do not represent a parliamentary constituency, although their work is often closely informed by their diocesan role. They sit as individual Lords Spiritual, and as such they have much in common with the independent Crossbenchers and those who are not party-affiliated" (Church of England website, [Bishops in the House of Lords](#), accessed 24 November 2011). Like the Crossbenchers the Bishops have a recognised spokesman in the House (Donald Shell, *House of Lords*, 2007, page 55). This is currently the Bishop of Leicester.

At present the Bishops make up only 3 percent of the House. However, it has been observed that the Bishops remain "an important element in the House" (Donald Shell, *House of Lords*, 2007, page 54). The reading of prayers in the Lords "ensures the presence of a Bishop for at least part of each day's proceedings" (ibid). The full calendar year is covered in advance, with each of the 21 Lords Spiritual (the five with reserved seats are exempt) selecting two or three weeks to cover Lords business (including the possibility of the recall of parliament). However, it has been observed that "for many Bishops commitments elsewhere clearly take priority over their membership of the House" (ibid). To give a flavour of the work of the Bishops the Church of England has given a brief overview of their work in the parishes, dioceses and also regionally, nationally and internationally in its publication, ['Bishops' Office and Working Costs: For the year ended 31 December 2010'](#) (21 October 2011).

The difficulties Bishops encounter in attending the House are reflected in the following comments made by the Bishop of Birmingham, made during a debate in the House on the Lords' working practices:

The most common difficulty for a Lord Spiritual in attending to the business of your Lordships' House is wrestling with the competing demands of the diocesan diary. Business that goes on until late in the evening means that those of us who live outside London and the Home Counties have to knock out nearly two days of work in order to travel to and fro and participate in business in your Lordships' House.

(HL *Hansard*, 27 June 2011, col [1561](#))

The attendance of a Bishop over the course of the last five sessions has averaged at approximately 17 percent of sittings, compared to the whole House membership average of around 60 percent of sittings (see section 5). In the 2010–12 session average attendances of both Bishops (18.4 percent) and the whole House (62.75 percent) were higher (as at 26 October 2011). Analysis by the theology think tank Theos, in their 2007

report *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, broadly corresponds with these averages for attendances in the period between 1997 and 2005. Previously Francis Bown had found that between 1979 and 1987, the average attendance rate for the Lords Spiritual was 12.2 percent (Francis Bown, 'Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987', *Political Studies*, March 1994, vol 42(1), page 107).

Although comparatively less regular in attending the House, a collective effort is made to “ensure that contributions from their benches are made when these seem appropriate, especially on matters of obvious moral or ethical concern” (Donald Shell, *House of Lords*, 2007, page 54). An examination of the contributions made by each Bishop in [Hansard](#) confirms that a range of subjects is covered by the Lords Spiritual. In order to do so, as Drewry and Brock note, “[e]piscopal participation in debate is normally upon the basis of one Bishop being always at hand to act as spokesman for the spiritual aspects of a case in all but the most doctrinally or socially significant debates when several Bishops may feel constrained to attend” (Gavin Drewry and Jenny Brock, 'Prelates in Parliament', *Parliamentary Affairs*, 1971, vol 24(3), page 246). In 2007, Donald Shell noted that: “a Bishop on a prayer rota week will probably be called upon to speak during that week” (Donald Shell, *House of Lords*, 2007, page 54). However, between 1979 and 1987 the record showed that contributions came from beyond those on the rota (Francis Bown, 'Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987', *Political Studies*, March 1994, vol 42(1), page 108). More recently the Bishops have organised on a policy basis. Writing in the *Church Times*, the Bishop of Leicester said that “we are allocating particular policy areas to each Bishop. Bishops will still retain a breadth of concerns, but will now focus on two or three particular areas of legislation. It is a response both to the increased workload, and the increasing professionalisation, of the House of Lords” (*Church Times*, [Bishops are lining up to keep Coalition in check](#), 28 October 2011).

In terms of activity in the House, the Bishops on average ask eight parliamentary questions a session and take part in debates a further 71 times (see section 5.2—where the subjects of the questions asked in the last two sessions can also be found). With regard to initiating debates, Bishops do so on several occasions each session. These have also been on a range of topics (details of those debates initiated by a Bishop can be found in section 5.3). The subjects range from foreign affairs to issues regarding children, marriage and families. In terms of what individual Bishops say, Theos has observed:

On most occasions where Bishops contribute to the same debate their contributions are independent (bringing differing points to the issue under discussion). In terms of preparation, Bishops do on occasion look to the staff of Church House for support and briefing, particularly when the issue is one of concern to the Anglican Church as a whole. Generally, however, they work under their own steam or even receive support and speech-writing from the political offices of other Christian denominations and various charities or interest groups.

(Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [page 40](#))

Francis Bown, in his analysis of Bishops in the Lords between 1979 and 1987, raised the question of whether Bishops propagate a “Lambeth Line” in their speeches. His research suggested: “the important thing is that the Church speaks, not what it says” (Francis Bown, 'Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987', *Political Studies*, March 1994, vol 42(1), page 108).

In terms of legislative business, at least one Bishop will usually contribute to the second reading debate on a Bill, though if more than one speaks “they do not necessarily speak with one voice” (Donald Shell, *House of Lords*, 2007, page 54). Beyond the second reading it is not unusual for a Bishop to contribute during the remaining stages, though as the then Bishop of Rochester commented before moving an amendment to the British Nationalities Bill in 1981: “it is only very rarely that we on these Benches venture into the more detailed discussion of legislation, mainly because our duties do not allow us to be here sufficiently regularly to do so” (HL *Hansard*, 7 July 1981, col [633](#)). In the current session, examples of Bishops contributing to the scrutiny of legislation can be found in the Academies Bill, the Public Bodies Bill and the Education Bill; the latter of which the Bishop of Hereford spoke on a number of occasions at committee. Tabling amendments is rarer but not uncommon: the Bishop of Peterborough moved amendments to the Education and Inspections Bill in 2005–06 (HL *Hansard*, 18 July 2006, cols [1183–7](#)). As an established Church, Parliament legislates for the Church of England. In the House of Lords Bishops introduce the ecclesiastical measures. Away from the main chamber, Bishops also take part in the committee work of the House. For example in the current session (2010–12), the Bishop of Exeter is a member of the Administration and Works Committee and the Bishop of Norwich sits on the Communications Committee.

Some general observations can be made about the voting of the Bishops as a group since 1998–99. Over the last twelve sessions:

- The average turnout of the Bishops in all divisions amounted to less than 5 percent, which equates to about one Bishop per division.
- The Bishops collectively cast, with the exception of two sessions, more votes against the Government of the day than for it. However, if more than one Bishop voted, that vote was often split.
- In the current session, in 32 of the 137 divisions (at 27 October 2011) two or more Bishops voted. The largest number voting in a division was six.
- On only a handful of occasions in the last six sessions have more than five Bishops voted in a division in which the Government was defeated. The largest turnout in the 2005 Parliament saw eight Bishops vote twice against the Government on the Equality Bill.
- The percentage of Bishops who sat in the Lords in a given session recorded as not having voted varied from two in 2005–06 (11 percent) to over half of the Bishops (57 percent) in the 2008–09 session.

This broadly corresponds with analysis by Theos (*Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [pages 31–4](#)). Between 1979 and 1987 Francis Bown estimated that Bishops took part in 21.4 percent of divisions, and in 56 divisions more than two took part. The highest number voting in a division was 19 Bishops on the Shops Bill in 1986. Bown found though that only one division could be said to be one in which the Bishops had changed the outcome, which was on the Housing and Building Control Bill where the Lords voted 101 to 100 to insist on its amendments. Two Bishops voted against the Government (Francis Bown, ‘Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987’, *Political Studies*, March 1994, vol 42(1), page 109).

Meg Russell and Maria Sciara observed the following, in their analysis of Bishops' voting in the House of Lords between 1999 and 2005:

The Bishops are interesting because—like the Crossbenchers—they do not take a party whip, but also because their continued presence in the chamber is controversial. The Bishops' impact, however, is limited by the fact that they are a small group, and that like the Crossbenchers they vote relatively little, and do not vote as a cohesive block. On most occasions there is one Bishop 'on duty' in the House (they have a formal rota) and the average turnout from the group in government-whipped divisions is only 3.2 percent (ie, less than one person). On only 10 occasions over this period did more than five Bishops participate in whipped divisions, and indeed on only 66 occasions did more than two Bishops take part. The largest turnouts were eleven votes on the balloting of grammar schools in 2000 (when nine Bishops supported the government and two opposed), on the Civil Partnerships Bill in 2004 (eight supporting, two opposed), and on the Learning and Skills Bill in 2000 with respect to sex education guidelines to replace Section 28. In the last of these cases the compromise amendment agreed with the government was moved by a Bishop, and nine supported this with one voting against.

(Meg Russell and Maria Sciara, 'Why Does the Government get Defeated in the House of Lords? The Lords, the Party System and British Politics', *British Politics*, 2007, vol 2, pages 299–322)

Meg Russell and Maria Sciara concluded that: "unsurprisingly then, the Bishops' votes only rarely make a difference to legislative outcomes. Of our 806 divisions this occurred only three times... Clearly, however, the Bishops' influence came not just through voting but also through influencing the votes of others. This is where their presence is generally more important" (ibid).

The tables in section 5.4 provide more detail about Bishops and voting. Further information on voting in the House of Lords can be found in the House of Lords Library Note, *House of Lords: Party and Group Strengths and Voting* (21 June 2011, [LLN 2011/022](#)).

2.3 Government Proposals: House of Lords Reform Draft Bill

The Government's proposals for the reform of the House of Lords were published in May 2011. The white paper accompanying the *House of Lords Reform Draft Bill* ([Cm 8077](#)) explained that in a wholly elected House there would be no place for the continued presence of the Lords Spiritual. The Draft Bill though contains proposals for an 80 percent elected and 20 percent appointed House. The implications for the Bishops are that:

The Government proposes that in a fully reformed second chamber which had an appointed element there should continue to be a role for the established Church. However, in line with proposals for a reduction in the size of the second chamber, the Government proposes that the number of reserved places for Church of England Archbishops and Bishops should also be reduced, from 26 to a maximum of twelve.

The Government proposes that transitional arrangements should also apply to the Bishops to allow a gradual reduction to take place. The Government believes that this arrangement would allow the Bishops to continue to contribute effectively to the reformed House of Lords.

The Archbishops of Canterbury and York and the Bishops of London, Durham and Winchester hold a seat in the House of Lords as of right under the Bishops Act 1878. The Government proposes that they should be entitled to occupy reserved places in the reformed second chamber throughout the transitional period and in the fully reformed chamber for as long as they hold that named office. If one of these Archbishops or Bishops were to leave that office, then he would be replaced in the reformed House of Lords by the new holder of that office.

The other seven places would be reserved for Bishops of dioceses in England. These Bishops would be selected to sit in the reformed House of Lords by the Church of England.

(House of Lords Reform Draft Bill, May 2011, Cm 8077, [paragraphs 92–5](#))

Paragraphs 96–103 of the white paper outline further details about the transitional arrangements for the Bishops in the move to such a reformed House.

The principles behind the proposals represent a degree of continuity with the last white paper produced by the Labour Government in 2008. It said:

The Government proposes that there should be no reserved seats for Church of England Bishops in a wholly elected second chamber. It also proposes that if there is an appointed element in a reformed second chamber, there should be a proportionate number of seats reserved for Church of England Bishops. These seats would not count towards the proportion to be filled following nomination or application to the Appointments Commission. The Church of England would be invited to consider how it would in future select Bishops for membership of the second chamber.

(An Elected Second Chamber: Further reform of the House of Lords, July 2008, Cm 7438, [paragraph 6.8](#))

It also broadly followed the recommendations of the Wakeham Commission in its report, *A House for the Future* (January 2000, [Cm 4534](#)).

2.4 Arguments For and Against the Government's Proposals

The following section presents some of the arguments that have been made for and against the continued formal representation of the Lords Spiritual in a reformed second chamber.

2.4.1 History and Constitution

As outlined in section 2, the Lords Spiritual have a long association with the House of Lords. Some commentators have argued that keeping the Bishops would preserve this connection with the past in a reformed House. As the Wakeham Commission put it: “the Church of England Bishops’ position as Lords of Parliament reflects the British history and culture of seeking to heal religious conflict and promoting ever greater religious tolerance and inclusiveness” (Royal Commission on the Reform of the House of Lords, *A House for the Future*, 2000, Cm 4534, [paragraph 15.9](#)). It has been observed that a product of this long history is that the Church of England is very much woven into the fabric of the state and the nation’s constitutional framework. The Church of England website states: “The continuing place of Anglican Bishops in the Lords reflects our enduring constitutional arrangement, with an established Church of England and its

Supreme Governor as Monarch and Head of State” (Church of England website, [‘Bishops in the House of Lords’](#)). The Archbishop of York referred to this in a Lords debate in 2007:

The Lords Spiritual remind Parliament of the Queen’s coronation oath and of that occasion when the divine law was acknowledged as the source of all law. We see ourselves not as representatives, but as connectors with the people and parishes of England. Ours is a sacred trust—to remind your Lordships’ House of the common law of this nation, in which true religion, virtue, morals and law are always intermingled; they have never been separated.

(HL *Hansard*, 13 March 2007, col [580](#))

The historical connection was also drawn upon by the Bishop of Chester in a Lords debate on the 1968 white paper:

I do not believe that we do the nation a service by disregarding the past, by rejecting institutions because the reasons for which they came into being have ceased to have any relevance. To sterilise the present from its contact with what has gone before by removing those institutions which remind us of our history and tradition may in subtle but powerful ways upset the balance of our political machinery. So long as we can adjust and adapt the old to meet the demands of the new we render a double service.

(HL *Hansard*, 19 November 1968, cols [670–1](#))

This historical and constitutional argument was acknowledged by the previous Government in its 2008 white paper: “The relationship between the Church and State is a core part of our constitutional framework that has evolved over centuries. The presence of Bishops in the House of Lords signals successive Governments’ commitment to this fundamental constitutional principle and to an expression of the relationship between the Crown, Parliament and the Church that underpins the fabric of our nation” (*An Elected Second Chamber: Further Reform of the House of Lords*, July 2008, [Cm 7438](#), paragraph 6.45). This argument appears to have been accepted by the current Government. Responding to a question in the House of Commons from Caroline Lucas (Green Party) about the Government’s plans to retain the Bishops, Nick Clegg, the Deputy Prime Minister, said: “... the fact is that we have an established Church, which has always been reflected in its representation in the House of Lords” (HC *Hansard*, 17 May 2011, col [171](#)). This position was reinforced in an answer to a written question in the Lords. Lord Strathclyde said: “The Church of England is the established Church in England and the relationship between Church and state is an important part of the constitutional framework that has evolved over centuries” (HL *Hansard*, 21 October 2011, col [WA109](#)).

However, these arguments have been questioned. In 2002, the House of Commons Public Administration Select Committee argued that as consensus had emerged around the desirability of a largely elected second chamber the retention of the Bishops on the current basis would become an “anachronism”. Their report, *Second Chamber: Continuing the Reform*, said:

We entirely accept the case that a healthy variety of opinions, which could include a range of religious, moral and ethical viewpoints, should be represented in the second chamber... The continuing process of reform, with a largely elected second chamber and the active statutory appointments commission we propose,

would rapidly make the tradition of ex officio religious membership an anachronism.

(House of Commons Public Administration Select Committee, *Second Chamber: Continuing the Reform*, 2007, HC 494–I, [paragraph 157](#))

Andrew Copson, Chief Executive of the British Humanist Association (BHA), has argued that the Government has failed to give a clear constitutional justification as to why the Bishops should stay. He said: “It is also implied that there is some constitutional reason for having reserved seats for the Church of England in parliament, and that simply is not the case. The Government must be aware of that, since it gives no constitutional reason not to have automatic places for Bishops should the chamber be elected” (British Humanist Association, [‘The Bishops see their role as speaking for those of all faiths’—the Government explains why it wants to keep the Church of England in the House of Lords](#)’, 24 October 2011).

Other commentators have looked at experience overseas. Janet Lewis-Jones has observed that countries with similar long histories of formal religious representation have long since ended it. She notes that this “is in large part due to the modernisation and redrafting of constitutions in many countries during [the 20th century], following major upheaval which has provided a clear break with the past. These include the new constitution of Ireland in 1937, the post-war constitutions in France, Germany and Italy, and the new constitution drafted in Spain after the death of Franco in 1975” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 55](#)). Alan Renwick has noted that “the UK is unique among democracies in granting a guaranteed place to a faith group in its legislature”. He found that the “only other chamber in a democratic country that comes anywhere close is the Belize Senate, one of whose twelve members is appointed by the President with the advice of the Belize Council of Churches and Evangelical Association of Churches” (Alan Renwick, *PSA Briefings: House of Lords Reform*, 2011, [page 44](#)). Ekklesia, a think tank that examines religion in public life, has said: “However it is presented, the unacceptable fact is that the UK is the only Western democracy to give religious representatives the automatic right to sit in the legislature. Modern Britain is a society with a great diversity of religious and non-religious beliefs and continuing to privilege one denomination in this way is preposterous” (Ekklesia, [‘Report on Bishops in Lords fails to address justice and equality’](#), 12 February 2007).

2.4.2 Contribution and Impact

As noted in section 2.2, the Bishops speak on a wide variety of issues in the House of Lords through their contributions to question time, debates and legislation. The Bishop of Leicester, in a debate in 2011 held by the Labour Humanist group, sought to address the perception that the Bishops speak from a narrow perspective:

I make no claim for the moral superiority of the Bishops. I speak for those whose presence in the House is an expression of their service to their communities rather than any privileged influence and whose track record is of a concern for the common good... The Church’s responsibility is to offer a series of searching questions about what Government can make possible for people and about what barriers to creative communal life it needs to take away. A healthy relationship between the Church and Government is one which Government accepts that it needs to be challenged constantly in order to enable a morally serious project for our common life to be taken forward, and one in which the Church examines itself relentlessly as to whether it is being faithful to a vision of human flourishing. I believe the Bishops in the Lords have served both these purposes with distinction

and that their contribution to the Upper House of Parliament is not just desirable but vital.

(Church of England website, [‘Evict the Bishops Debate’](#))

In the same speech he referred to some of the Lords debates the Bishops had contributed to: “nuclear disarmament, climate change, child poverty, international development aid, assisted suicide, housing and regeneration, cluster munitions, asylum seekers, immigration, Iraq, Afghanistan, human rights, multiculturalism... among others” (ibid).

In their analysis of the contribution of the Lords Spiritual, Theos observed that the Bishops made “considerable use of arguments based on facts, statistics, and academic and professional advice” which indicated “a strong emphasis on influencing debates through the presentation of a well-informed and credible assessment of the issues under discussion” (Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [page 41](#)). One of the authors of the report, Paul Bickley, writing on the Theos blog, maintained that Bishops use their position to protect minorities and used very little religious reasoning in their speeches:

For all their alleged social conservatism (actually overestimated), you are most likely to hear Lords Spiritual speaking on issues like homelessness, development, third world debt, prison overcrowding, social care or tourism. Not only would their overall contribution generally be considered benign by most standards, but their speeches and votes also tend to reflect the interests of the poor and the marginalised, rather than the rich, the elite or the influential. For the assurance of those who take the view that contributions to public debate ought to be made from publicly shared premises (an argument which is more often than not strategically employed to exclude religious people per se from expressing any contrary view, regardless of how they make their case), prelates’ use of so called religious reasoning is not just limited, but almost non-existent.

(Paul Bickley, [‘Should there be Bishops in the House of Lords?’](#), *Theos Blog*, 10 February 2007)

The Church has also argued that the Bishops’ responsibilities beyond Parliament strengthens the contribution that they can make to the House:

Bishops are very much members of the House with a workload and range of duties that preclude the level of attendance expected of career politicians or members whose work is primarily within parliament. This is a strength to the House, both in terms of the House’s diversity and of the lively experience on the basis of which Bishops are able to contribute to debates. Indeed it is precisely because Bishops have responsibilities outside the House that they are fitted to serve its core tasks so well.

(Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002)

The Wakeham Commission noted: “the way in which the Church of England’s representation in the House of Lords has been manifested over at least the past 100 years has served to acknowledge the importance of philosophical, moral and spiritual considerations—not just religious ones—in the conduct of public affairs” ([paragraph 15.9](#)). In answer to a parliamentary question the Government said they recognised the value of the Bishops’ contribution. Lord Strathclyde said: “The

Government consider that, in a mainly elected House of Lords, it was right to maintain their presence, which provides an important dimension to the legislative process” (HL *Hansard*, 21 October 2011, col [WA109](#)).

In addition, it has been argued that the work of the Bishops in the House needs to be understood in the context of their numbers and the other work they undertake outside the House. Theos have argued that “in view of the real obstacles that the Bishops face in playing a full part in the House of Lords, their record is admirable” (Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [page 45](#)). Gavin Drewry and Jenny Brock have said that the Bishops’ impact on the House “is out of all proportion to their numbers” (Gavin Drewry and Jenny Brock, ‘Prelates in Parliament’, *Parliamentary Affairs*, 1971, vol 24(3), page 246).

However, those opposed to reserved seats for the Bishops challenge the contribution of the Lords Spiritual. The British Humanist Association (BHA) has said that the “claim that Bishops are uniquely qualified to provide ethical and spiritual insights is factually incorrect and offensive”. They assert that: “People from many walks of life and from any religions and none are at least equally qualified if not more so—for example, moral philosophers and experts in medical ethics” (BHA, *Religious Representatives in the House of Lords*, June 2011, [paragraph 4a](#)). Janet Lewis-Jones has observed that any such wisdom need not necessarily be limited to official representatives of a faith: “Lay members of both chambers of Parliament, some of whom have strong religious affiliations, are well able to—and do—articulate ethical, moral, religious and spiritual concerns in debate” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 13](#)).

Opponents of the Bishops’ formal representation also seek to challenge the idea that the Bishops’ diocesan experiences provide distinctive expertise. Andrew Copson stated on the London School of Economics blog that:

... in the last few months advocates of Bishops have also built their case on the position of the Church of England as our largest NGO—a civil society group with a branch in every community. Both these sources of uniqueness are open to refutation. Are Bishops really uniquely qualified on matters ethical—more than philosophy professors or rabbis or doctors or thoughtful professionals of many backgrounds? Are their ethical views representative? Their views on the ethics of assisted dying for the terminally ill or equal rights for gay people or state-funded religious schools are far outside the mainstream. And if it is the case that we should treat the Church as an NGO (doubtful given its entanglement with the state), why then should we consider it unique compared with trade unions or the National Trust or the Women’s Institute? Neither of these claims to uniqueness stack up in reality.

(Andrew Copson, [‘Bishops are symbols of religious privilege and discrimination. There is no place for them in a reformed House of Lords’](#), *British Politics and Policy Blog*, 18 July 2011)

Iain McLean has disputed the contention “the Lords Spiritual [are] a force for tolerance and diversity”. The idea—supported by the Wakeham Commission report—was not credible:

You don’t need to look too closely to see that the Bishops’ newly discovered tolerance doesn’t go back far. Take the 1912–14 Welsh disestablishment and Irish home rule bills. These were demanded by almost all the elected MPs from each country, and yet these most tolerant and diverse of Lords voted against

them, almost to a man. The Church of England leadership also opposed the abolition of capital punishment until 1961. Over the centuries, there have been many religious voices calling for tolerance, notably the Quakers. But the Bishops did not think to adopt this role until they fell out with Margaret Thatcher in the 1980s, and needed to find support in more liberal circles.

Today, this supposedly tolerant attitude looks even less credible, as their Lordships' discussions over 2010's equality bill shows. On 25th January, eight Bishops turned out to defeat the government on the issue of how broadly religious bodies are allowed to discriminate in employment against gay or female candidates. The government wanted the right to discriminate to be kept narrowly, for the purposes of religion itself. The Bishops wished to keep the exemption undefined. One of the votes to defeat the government was carried by a majority of only five; therefore, for once, the Bishops were decisive. Without them the government would have won; with the election imminent, it has now given up—putting parliament and European anti-discrimination law on a collision course.

(Iain McLean, ['Bash the Bishops'](#), *Prospect*, March 2010)

It has been suggested by supporters of the continued formal representation of the Lords Spiritual that the Bishops could contribute more. Responding to the obstacles that limit Bishops' participation in the Lords, Theos have suggested that "if the Bishops are to serve both Church and Parliament effectively, and if the House of Lords represents a genuine opportunity for the Church of England to bring authoritative, non-coercive counsel, more needs to be done to remove these obstacles so that there is no longer a ceiling on the extent to which the Bishops can contribute" (Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, [page 46](#)).

2.4.3 Representativeness

Speaking last year, the Bishop of Leicester argued that religion had proven to be durable in the modern world and that that fact should be acknowledged in a reformed House:

Contrary to expectations, increasing material prosperity, scientific advance and global mobility have not led to the death of religion or even to its relative eclipse. That may be a matter of celebration or dismay to some of your Lordships, but it remains true that the persistence of religion has to be accounted for and, since it will not go away, its ongoing place in society must be taken into account. It would be at the very least a shame if major constitutional reform, potentially the most significant for nearly 200 years and designed to last for perhaps several hundreds more, were grounded on a 20th-century theory of secularisation that has been fairly comprehensively discredited and no longer describes the world as it has turned out to be.

(HL *Hansard*, 29 June 2010, col [1690](#))

Supporters of the Lords Spiritual therefore point to their representativeness. Most directly, the Lords Spiritual can be seen to represent the Church of England and therefore members of the Church. Statistics on the Church of England website suggest that "1.7 million people take part in a Church of England service each month, a level that has been maintained since the turn of the millennium. Approximately one million participate each Sunday". It adds that the Church of England has the largest following of any denomination or faith in Britain today. More than 4 in 10 in England regard

themselves as belonging to the Church of England, while 6 in 10 consider themselves Christian (Church of England website, [Facts and Stats](#), accessed 24 November 2011).

In broader terms, Janet Lewis-Jones has suggested that “it is arguable that, with their diocesan bases, the Bishops are the nearest the House of Lords has to members with a constituency” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 9](#)). This argument is echoed by Francis Bown, who wrote: “the Lords Spiritual are, after all, the only Members of the House who can have any claim to an element of regional representation” (Francis Bown, ‘Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987’, *Political Studies*, March 1994, vol 42(1), page 116). This, Theos found, informed their contributions to the debates in the House: “the Bishops’ considerable use of experience-based arguments indicates how significant the link between the episcopal contributor and the diocese is in generating contributions which are authoritative in tone and distinctive in perspective” (Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [page 41](#)). This aspect of a Bishop’s role was referred to by the Church in its response to the 2001 white paper:

The Church of England as, in England, the national Church ‘by law established’ has a commitment to minister to the whole community extending far beyond the core of regular churchgoers. That commitment places Bishops in a special position in their regions as independent and authoritative voices able to draw together and articulate a range of concerns and interests that may run the risk of being overlooked otherwise. Thus, the regional role can also be invaluable for the contribution they make to the work of parliament. Indeed, when coupled with the spiritual and ethical insights that are brought to bear, episcopal contributions in parliament offer, at their best, a perspective that is both unique and richly-illuminating. Recent examples might include a wide range of contributions on relations between religious and ethnic communities, schools and education policy, cloning and stem cell research, immigration and asylum, and marriage and family issues.

(Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002)

The Church of England also maintains as it is a national church that the Bishops “provide an important independent voice and spiritual insight to the work of the Upper House and, while they make no claims to direct representation, they seek to be a voice for all people of faith, not just Christians” (Church of England website, [‘Bishops in the House of Lords’](#), accessed 24 November 2011). Writing in the *King’s College Law Journal*, Charlotte Smith has observed that: “while other organisations have reacted to change by tightening their membership requirements and emphasising their distinctiveness, the Church of England has largely maintained its efforts to serve all those who wish for its offices, whether or not they claim membership. As such it has remained, even if only loosely, a national church and part of the fabric of this nation” (Charlotte Smith, ‘Episcopal Seats and Proposals for Reform of the House of Lords’, *King’s College Law Journal*, 2002, vol 1, page 116).

This interpretation of its role as a ‘representer of faiths’ was noted by the Wakeham Commission, which said that the Church “has been acknowledged by leaders of other Christian denominations and faith communities as providing a voice in Parliament for religion in general, not simply for the Church of England. A majority of us accept the force and the continuing validity of these points” ([paragraph 15.9](#)). This argument appears to have been accepted by the Government. Lord Strathclyde said in a written answer: “The Bishops see their role as speaking for those of all faiths. Religious belief

has an important role in many people's lives and it is desirable that this should be reflected in the House of Lords' considerations" (HL *Hansard*, 21 October 2011, col [WA109](#)).

However, the representativeness of the Bishops has been challenged. The British Humanist Association has argued: "The Anglican Church claims only 1,650,000 members in the UK and its Sunday services are attended by only about 1.9 percent of the adult population. Only twelve percent of the adult population are members of any church. Many polls have provided evidence of high levels of unbelief in the UK" (BHA, *Religious Representatives in the House of Lords*, June 2011, [paragraph 4a](#)).

It has further been pointed out that the Bishops that take a seat in the Lords are not necessarily fully representative of their own Church, for "the Church of England does not choose or vote for its Bishops: they are appointed by the Crown on the advice of ministers. It does not choose or vote on which 26 of the 43 diocesan Bishops should go to the House of Lords: they sit by seniority" (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 15](#)). In geographical terms, the Bishops "represent England only; and only 26 of the diocesan areas" (ibid, [paragraph 15](#)). This leaves Scotland, Wales and Northern Ireland permanently unrepresented, and at any given time, by the coincidence of the seniority rule, could mean whole areas of England are unrepresented. On gender and race, the Bishops are all male and almost all white. In representing opinion, the BHA contends that "Bishops may not necessarily even represent the views of Anglicans". They say:

The views of the Bishops may in fact be controversial and rejected by a clear majority of people in the UK with equally sincerely held convictions—even by a majority of those who define themselves as protestants. A pertinent example is the recent vote on the Assisted Dying for the Terminally Ill Bill, where polls show that 81 percent of protestants 'think that a person who is suffering unbearably from a terminal illness should be allowed by law to receive medical help to die, if that is what they want' but the Bishops opposed the Bill.

(BHA, *Religious Representatives in the House of Lords*, June 2011, [paragraph 4a](#))

This is accompanied by the fact that Bishops do not follow a 'Lambeth line'. In other words: "each Bishop in the House of Lords speaks and votes as he thinks fit" (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 16](#)).

With regard to representation of 'faiths', the Wakeham Commission—whilst acknowledging the Church's claim—still found that the Bishops "are not representative of the broad spectrum of religious opinion in the United Kingdom" ([paragraph 15.9](#)). Andrew Copson has argued that because of this, formally representing one religion in a reformed second chamber is unfair:

If Parliament is supposed to represent the people, why should only one denomination of only one religion have a guaranteed twelve seats when other denominations of that religion, other religions and other non-religious philosophies and approaches to life have no such representation? It would only be fair to represent all religions and philosophies. Immediately this is seen to be

impossible, not least because we would need an unfeasibly large second chamber to represent all shades of religious and non-religious opinion.

(Andrew Copson, [‘Bishops are symbols of religious privilege and discrimination. There is no place for them in a reformed House of Lords’](#), *British Politics and Policy Blog*, 18 July 2011)

Ekklesia have raised concerns that the Bishops’ continued formal representation in the House of Lords could become damaging to people of faith more generally:

In a plural society there are plenty of opportunities for people of faith to speak out and participate in public life on equal terms with others. Reserved places and special privileges for the religious, and in this case the male leaders of one denomination from one part of the nation, are not just unnecessary—they also directly undermine the integrity of those who cling to them. It is worth recalling that the founder of Christianity explicitly told his followers to live by good example, to show special concern for those on the margins, and to reject ideas of claiming places at ‘the top table’ or ‘lording it’ over others. So the choice that now faces the Lords Spiritual is a basic Christian one; it does not simply mean being swayed by public opinion.

(Ekklesia, [‘A Christian case for Bishops to back Lords reform’](#))

2.5 Effect on Status as an Established Church

Some commentators have suggested that as the established Church, there remains uncertainty about the wider constitutional consequences of removing the Bishops. In a debate on Lords reform, the Bishop of Leicester noted: “the established place of the Church of England is deeply woven into the constitution and unpicking it at any one point will have numerous consequences in other areas of our national life” (HL *Hansard*, 29 June 2010, col [1690](#)). In its report, the Wakeham Commission expressed a similar concern:

While there is no direct or logical connection between the establishment of the Church of England and the presence of Church of England Bishops in the second chamber, their removal would be likely to raise the whole question of the relationship between Church, State and Monarchy, with unpredictable consequences.

([paragraph 15.8](#))

Janet Lewis-Jones has said “the presence of the Bishops in the House of Lords is neither a necessary nor a sufficient condition for its status as an established church” but acknowledged “Church and State are entwined in complex ways in the fabric of the nation and can be said to bestow some legitimacy on each other” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 10](#)).

However, the House of Commons Public Administration Select Committee’s report, *The Second Chamber: Continuing the Reform* (2002), argued:

If we are serious about equipping Britain with a modern Parliament and constitution, it is time to modernise this aspect of our constitution too, and to bring to an end formal representation of the church in Parliament. This need not lead to disestablishment: there is, as the Royal Commission acknowledges, no

necessary connection between the establishment of the Church of England and places for its Bishops in the second chamber.

(House of Commons Public Administration Select Committee, *Second Chamber: Continuing the Reform*, 2002, HC 494–I, [paragraph 158](#))

It has been noted that the Church of Scotland is also established but has never had formal representation in the House of Lords (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 1](#)).

The previous Labour Government also held that there was no inevitability of disestablishment. For example, the Labour Government's 2007 white paper said: "There have in the past been arguments about the disestablishment of the Church of England. There is little steam behind such arguments today, and, in any event, any profound change in the status of the Church must be in the first instance for the Church itself" (*House of Lords: Reform*, February 2007, Cm 7027, [paragraph 6.22](#)). At question time in the Lords in 2008, the following exchange took place:

The Lord Bishop of Exeter: My Lords, in welcoming the continuing presence of Lords Spiritual in this House, would the Minister affirm that, whatever the final outcome regarding the place of Lords Spiritual in the House, there is an assurance that there would be no fundamental change in the relationship between church and state?

Lord Hunt of Kings Heath: My Lords, I can gladly so affirm.

(*HL Hansard*, 14 July 2008, cols [999–1000](#))

For the current Government, Mark Harper, the Minister of State, recently told the Joint Committee on the Draft House of Lords Reform Bill:

The first point is that the Government do not intend in any way to open the question of whether the church is established—I think we have enough on our hands to deal with in reforming the House of Lords. If you had a fully elected House and basically said that the only way people can be in it is to be elected, I do not think there is therefore a case for the Lords spiritual. In a sense, that would be self-evident and therefore does not open up any questions about establishment or otherwise, but having a partly elected House and not having any Lords spiritual opens that question up far more.

(Joint Committee on the Draft House of Lords Reform Bill, *Mark Harper: Uncorrected Transcript Of Oral Evidence*, 10 October 2011, [page 44, Q36](#))

2.6 Bishops and Church Legislation

Finally, there is the relationship between the representation of Bishops in the House of Lords and the necessity of parliamentary approval for a number of measures that affects the Church. As Janet Lewis-Jones has pointed out, the Bishops' role in this process might be affected by their removal:

The Church of England is a law-making body. It submits Measures to Parliament which can be rejected, but not amended, and which if accepted have the force of an Act of Parliament. No government Minister has direct responsibility to Parliament for the substance of Church legislation. The Bishops in the House of Lords are (apart from the Second Church Estates Commissioner in the House of

Commons) the only ex officio voices which the Church, as a law-maker, has in Parliament.

(Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 8](#))

It has been observed that the Bishops “possess the knowledge” which enables them to commend church measures to the House and “to reply to opposition and criticism” (The Rt Hon The Archbishop of York, ‘The Lords Spiritual’, *Parliamentary Affairs*, 1953, vol 7(1), page 100). Until 2001 Church of England clergy were excluded from seats in the House of Commons, which, it was argued, meant it was “all the more necessary that the Bishops... should have seats in the Lords” (ibid). However, the House of Commons (Removal of Clergy Disqualification) Act repealed this ineligibility.

Janet Lewis-Jones has suggested that, were the Bishops removed, “it might be necessary to revisit the Enabling Act, the statutory settlement under which Church legislation is currently handled” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 8](#)). However she went on to note that:

Parliament used to deal with Church legislation on the same basis as all other Bills until its role was substantially reduced by the Church of England Assembly (Powers) Act 1919. In theory Parliament could by means of primary legislation—whether or not the Bishops continued to sit—either increase the extent to which it can now intervene in Church legislation; or cease to be involved altogether. Either course would, however, be controversial and the latter might be regarded as disestablishing the Church.

(ibid, [paragraph 12](#))

3. Proposals in the Draft Bill

The Draft Bill sets out the Government’s plans for the retention of twelve Bishops in an 80 percent elected/20 percent appointed House. The white paper that accompanies the Draft Bill states:

Bishops would continue to sit in the reformed House of Lords on a different basis from other members. Currently, Bishops sit in the House of Lords by virtue of their being serving office holders within the Church of England. They attend on a rota basis as their episcopal duties allow. They are also subject to the Church’s terms and conditions on remuneration and discipline. Therefore in the transitional period, and in a fully reformed chamber, the Government proposes that:

- Bishops would not be entitled to a salary or pension in the reformed House of Lords;
- Bishops would be exempt from the tax deeming provision;
- Bishops would be entitled to claim allowances under the scheme administered by the IPSA for members of the reformed House of Lords;
- They would be subject to the disqualification provision;

- They would not be subject to the serious offence provision and those on expulsion and suspension as it is anticipated that such members would be subject to the disciplinary procedures established by the Church of England.

(*House of Lords Reform Draft Bill*, May 2011, Cm 8077, [paragraph 103](#))

The sections that follow examine some of these provisions in more detail.

3.1 Number: Is Twelve Too Few or Too Many?

In an 80 percent elected/20 percent appointed House the Draft Bill provides that twelve Bishops would remain at the end of the reform process. The thinking behind this number was set out by Mark Harper, Minister of State at the Cabinet Office, in his evidence to the Joint Committee. He explained:

The role of the Bishops would continue as now, so it would therefore be qualitatively different from that of the other Members of the upper House, in the sense that Bishops obviously continue to have their diocesan responsibilities. I know that at the moment, in terms of practical appearance, they tend to be able to serve for only part of the year and we would expect that to continue. That is partly why we do not feel it is the case that the reduction to only twelve is an increase in the proportion, which some people have characterised it as, given that they would not be appearing full-time as other Members do because of those diocesan responsibilities.

(Joint Committee on the Draft House of Lords Reform Bill, *Mark Harper: Uncorrected Transcript Of Oral Evidence*, 10 October 2011, [page 43, Q35](#))

The number represents a reduction compared to the recommendations of the Wakeham Commission—16— which was accepted by the then Government. In their 2001 white paper, the Labour Government acknowledged that the “reduction in the number of Church of England Bishops from 26 to 16 will require careful handling”. However, the white paper noted that in the previous three years prior to its publication, the 16 most regular attendees contributed around 80 percent of total attendances by the Bishops (*House of Lords Reform: Completing the Reform—Supporting Documents*, December 2001, [paragraph 10](#)). The same number of Bishops was also part of the Labour Government’s plans for reform in 1968. Explaining the number, Lord Gardiner, the then Lord Chancellor, told the House:

I think it must be realised that the right reverend Prelates have their Sees to look after, and their diaries get filled up very quickly. If it was to be so limited that only three or four had to cover every Sitting day, they would not be able to run their Sees; and 16 is about the minimum number to ensure that your Lordships always have a right reverend Prelate to say prayers and that occasions do not arise when there is public criticism in your Lordships’ House because there are no Spiritual Peers to speak on the matter in question

(*HL Hansard*, 19 November 1968, cols [648–9](#))

However, the Church of England has maintained that 16 would not be enough. In 2008 the Bishop of Exeter told the House: “We have long held the view that the minimum number required for an effective service to be offered to this House would be 20” (*HL Hansard*, 14 July 2008, col [999](#)). In response to the 2001 white paper the Church

observed, “a reduction from twenty six to sixteen Bishops would weaken rather than strengthen the service we can provide”:

It would reduce the degree of parliamentary expertise we could make available to the House, by drastically cutting the period during which Bishops would serve in the second chamber.

It would also reduce the breadth of experience Bishops are able to bring to the House, because not all diocesan Bishops could expect to serve for a period in the second chamber.

(Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002)

The Labour Government’s 2008 white paper acknowledged the difficulties a reduction would bring: “Reducing the number would make it harder for the Bishops collectively to carry out their functions in the second chamber and to continue to make their current level of contribution” (*An Elected Second Chamber: Further Reform of the House of Lords*, July 2008, Cm 7438, [paragraph 6.49](#)). However, the Archbishops of Canterbury and York have said that: “given the proposed reduction in the size of the House we accept that these difficulties will have to be faced” (General Synod, *House of Lords Reform: A Submission from the Archbishops of Canterbury and York to the Parliamentary Joint Committee on the Government’s Draft Bill and White Paper*, November 2011, GS Misc 1004, page 11, [paragraph 7](#)).

Of the twelve that would remain, the Draft Bill stipulates that five Bishops (the ‘named’ Lords Spiritual in the Draft Bill) will hold a permanent seat (the same Archbishops and Bishops—Canterbury, York, Winchester, London and Durham—who have a permanent seat in the Lords at present). As noted above, these five are exempt from the prayer rota leaving the remaining seven on the rota (the ‘ordinary’ Lords Spiritual in the Draft Bill). In addition, as the table below indicates, these five Bishops currently make fewer appearances than the other 21 as a whole and also tend to vote less.

Session (*as 27/10/11)	Five ‘Named’	All Bishops
2010–12* Average voting at divisions	1.85%	4.23%
2010–12* Average attendance	7.07%	18.42%
2009–10 Average voting at divisions	8.09%	1.42%
2009–10 Average attendance	7.35%	15.80%
2008–09 Average voting at divisions	1.39%	2.37%
2008–09 Average attendance	6.20%	17.90%

It is important to note, however, as the table in section 5.3 shows, that one of these five will often lead debates and contribute having the status of a senior Bishop. This was exemplified in a speech made by the Archbishop of Canterbury during the debate on the riots in August 2011. Nevertheless this provision in the Draft Bill may impact on the collective contribution that the Bishops are able to make. The Archbishops of Canterbury and York, in their submission to the Joint Committee on the Draft House of Lords Reform Bill in 2011, questioned whether maintaining these five ‘named’ places “would still be right” for a Bishops’ Bench of twelve. It said that although the Church had yet to come to a settled view, “we note that there are three Lords Spiritual (the Archbishops and the Bishop of London) who are members of the Privy Council and one alternative to the provisions in the Draft Bill would be for these three sees to be Named, leaving nine places to be filled from the other 39 English diocesan sees” (General Synod, *House of*

Lords Reform: A Submission from the Archbishops of Canterbury and York to the Parliamentary Joint Committee on the Government's Draft Bill and White Paper, November 2011, GS Misc 1004, page 11, [paragraphs 12–14](#)).

Contrary to the argument that twelve Bishops would not be able to maintain the current level of contribution from the Lords Spiritual bench, Theos have suggested that a further reduction in the number could work:

Could the House of Lords be better served by five or six “working” Bishops? The price would be the stretching of the link between the local community and the prelate, and the sacrificing of the breadth of the Bishops’ contribution. From the perspective of the Church of England, there have been enough examples of Bishops who make a strong impact on public and political issues, but who do not regularly attend the House of Lords, for it not to be a necessary part of the public function of the Bishops. The House would nonetheless benefit from a daily, consistent contribution from the Bench of Bishops within the context of a broader religious representation. The wider responsibilities of a Bishop remain the most significant block to consistent and greater involvement in the House of Lords. In either scenario those Bishops who do serve on the Bench of Bishops could, through the appointment of additional suffragan Bishops, be released from a greater number of their diocesan responsibilities so that they are able to play a more consistent and considerable part in the life of the second chamber.

(Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007, [page 50](#))

Some have argued that twelve is still too many. For example, the British Humanist Association has noted that in a reformed House twelve Bishops would represent a “proportional increase from three percent in the current House to four percent in a reformed one (BHA, [‘Briefing from the British Humanist Association \(BHA\): Government proposals on the place of Bishops in a reformed House of Lords’](#), June 2011).

3.2 Who: Which Bishops get a seat?

The proposed reduction in the number of Bishops opens up questions about whether the current selection mechanism for sending Bishops to the Lords should be retained. At present Bishops sit in order of seniority. In 2000 the Wakeham Commission, in proposing a reduction to 16 Bishops, recommended that: “The Church of England should review the options for providing formal Church of England representation in the reformed second chamber. Their detailed recommendations should be made to the Government in time for incorporation into whatever legislation is required to implement our own recommendations” ([paragraph 15.28](#)). The 2007 white paper stated that: “Whilst recognising the quality of work Lords Spiritual bring to the House, there remains a strong case for a more flexible approach which would allow the Church to determine, from among the Bishops, those who they consider would be able to make the best contribution, rather than appointment on seniority” (*House of Lords: Reform*, February 2007, Cm 7027, [paragraph 6.23](#)).

It has been suggested that selection on the basis of contribution may suit the Bishops. Francis Bown has said that: “the demands made on time and energy by a diocese are considerable, even with the help of suffragan Bishops in most dioceses... the degree of activity in the Lords of each Bishop will depend upon his own decision. Some clearly love the place and are quite happy to arrange their diaries and commitments so as to permit frequent attendance. Others dislike it so much that they will do all they can to avoid it” (Francis Bown, *‘Influencing the House of Lords: the Role of the Lords Spiritual 1979–*

1987', *Political Studies*, March 1994, vol 42(1), page 107). In tabling questions and debates, some Bishops do so more than others (see sections 5.2 and 5.3). For example, the Bishop of Liverpool has asked nine questions of the 28 from the Bishops Bench at question time in the last three sessions. This may be because of rota, personal interest in subjects or effectiveness in addressing the House. In regards to the latter, a former Archbishop noted that Bishops are "accustomed to addressing a different kind of audience in which silent agreement is more usual than opposition". He added "a sermon disguised as a speech quickly fills the tea room" (The Rt Hon The Archbishop of York, 'The Lords Spiritual', *Parliamentary Affairs*, 1953, vol 7(1), page 98).

There are also geographical considerations. It has been observed that "If the second chamber is to be representative of the United Kingdom as a whole, it may be necessary to consider the geographical balance within the body of religious representatives" (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 48](#)). The position of Scotland, Wales and Northern Ireland has been mentioned above. However, the reduction in numbers could impact on the regional representation of England, with the five dioceses of the named Bishops meaning a possible built-in over representation of London and the South East. Furthermore, as David Rogers, a former adviser to John Major, has observed, the retention of the seniority system "might well mean that some regions are not represented. Durham, with around 280 clergy, always has a voice; Manchester, with over 330, is on the 'hit or miss' list" (David Rogers, *Politics, Prayer and Parliament*, 2000, page 58).

Responding to the Draft Bill's proposals for selection, the Archbishops of Canterbury and York said the selection mechanism would require "further reflection ... given that the inevitable move away from the present, automatic, seniority based system raises a number of important issues." Their submission to the Joint Committee on the Draft House of Lords Reform Bill said they agreed "it is sensible for legislation... not to seek to prescribe the mechanism adopted by the Church for making appointments from among its diocesan Bishops", noting it would allow the Church to select Bishops for a seat in the Lords on the basis of a range of factors (General Synod, *House of Lords Reform: A Submission from the Archbishops of Canterbury and York to the Parliamentary Joint Committee on the Government's Draft Bill and White Paper*, November 2011, GS Misc 1004, page 12, [paragraphs 21–24](#)).

3.3 Discipline and Tax

The Draft Bill exempts the Lords Spiritual from being subject to the disciplinary powers of the House because: "it is anticipated that such members would be subject to the disciplinary procedures established by the Church of England" (*House of Lords Reform Draft Bill*, May 2011, Cm 8077, [paragraph 103](#)). The present position in the House of Lords is outlined in the *Companion to the Standing Orders and Proceedings of the House of Lords* (2010), which states:

The House possesses an inherent power to discipline its members; the means by which it chooses to exercise this power falls within the regulation by the House of its own procedures. The duty imposed upon members, by virtue of the writs of summons, to attend Parliament, is subject to various implied conditions, which are reflected in the many rules governing the conduct of members which have been adopted over time by the House. The House has no power, by resolution, to require that the writ of summons be withheld from a member otherwise entitled to receive it; as a result, it is not within the power of the House by resolution to expel

a member permanently. The House does possess the power to suspend its members for a defined period not longer than the remainder of the current Parliament.

[\(paragraph 5.35\)](#)

The Draft Bill's provisions in this respect are not new. The Constitutional Reform and Governance (CR&G) Bill, introduced by the last Labour Government in 2009, contained proposals exempting the Bishops from new disciplinary powers handed to the House of Lords. The CR&G Bill's Explanatory Notes stated:

Subsection (2) provides that the Bill does not apply to the Lords Spiritual. The Archbishops of Canterbury and York, the Bishops of London, Durham and Winchester and the 21 next most senior diocesan Bishops in the Church of England are ex officio members of the House of Lords. They are not peers. They lose their seats as Lords Spiritual when they leave episcopal office. There are internal discipline mechanisms within the Church of England which apply in similar circumstances to the mechanisms provided for in the Bill concerning Lords Temporal. A Lord Spiritual adjudged to be unfit to hold episcopal office and deprived of that office will automatically lose his seat in the House of Lords.

(HL Bill 40 EN, 4 March 2010, [paragraph 375](#))

During debate in the House of Commons on the CR&G Bill, David Howarth (Liberal Democrat) queried why the Bill contained an exemption from the disciplinary powers of the Lords for the Bishops. Michael Wills, the then Minister of State at the Ministry of Justice, explained:

The hon Gentleman asks why the Bishops should be treated differently. The reason is simple: they are in a completely different position to every other member of the other place. Unlike every other member of the House of Lords, Church of England Archbishops and Bishops may already be permanently removed from the chamber under a statutory framework for dealing with misconduct. They are in a different position from the members of all the other professions that the hon Gentleman mentioned. They are also the only Members who may resign from the House.

The Clergy Discipline Measure 2003 provides that a Bishop who commits misconduct may have his conduct investigated and referred for a hearing and determination at the court of the Vicar General. The court may direct the removal of the Bishop from the House of Lords. If a Bishop has been convicted of a criminal offence and receives a sentence of imprisonment, he may be removed from his office at the discretion of the Archbishop, without that procedure being engaged. A Bishop may also resign by giving up his diocese, which would again lead to the automatic loss of his seat in the House of Lords. So we do not need to provide for Bishops in the way proposed, and nor would it be appropriate to do so.

The Bishops are members of the House of Lords by virtue of their position within the Church of England, because of the unique place the Church has in our constitution. I know that the hon. Gentleman and his party do not want it to have that place, but it does have it. As members of the Church of England, Bishops

are, first and foremost, subject to the disciplinary sanctions provided by the Church. It is possible for the Church to remove such members under its misconduct provisions quickly and easily.

(HC *Hansard*, 26 January 2010, cols [776–7](#))

These proposals were eventually removed from the Bill in wash-up before the general election.

The Draft Bill's provisions though have been criticised by the British Humanist Association. Their briefing states that the Draft Bill “exempt[s] those Bishops from provisions which would apply to other members, including those on expulsion and suspension, creating a new, independent and largely unaccountable bloc for the Church of England in our Parliament” (BHA, *Religious Representatives in the House of Lords*, June 2011, [page 3](#)). It added: “These provisions ensure that on the most serious matters, Bishops in the House of Lords will be accountable to the Church of England and not to Parliament” (BHA, ‘[Briefing from the British Humanist Association \(BHA\): Government proposals on the place of Bishops in a reformed House of Lords](#)’, June 2011). However, in 2009 the Bishop of Leicester, during a debate on the Lords’ Code of Conduct, asserted that: “This Bench is committed not only to observing the highest standards of probity when exercising its function within the House but also to be seen to be doing so” (HL *Hansard*, 30 November 2009, col [607](#)).

The Draft Bill also contains an exemption for the Lords Spiritual with regard to taxation. Clause 60 of the Draft Bill proposes that Members “will be deemed ROD [resident, ordinarily resident and domiciled] from the start of the tax year in which they become a member, until the end of the tax year in which they cease membership. The provision operates for the purposes of income tax, capital gains tax and inheritance tax, without regard to the individual’s actual status” (*House of Lords Reform Draft Bill*, May 2011, Cm 8077, [paragraphs 396–400](#)). The Explanatory Notes to the Draft Bill explain that the exemption follows the “different treatment [that] was made in the CR&G Act 2010 on taxation, which is being continued in this Bill. The Constitutional Reform and Governance Bill also included provisions on expulsion, suspension, and disqualification for insolvency and imprisonment, all of which are similar to the provisions of this Bill and all of which treated Lords Spiritual differently from Lords Temporal” (*HL Bill 40 EN*, 4 March 2010, [paragraph 491](#)).

The tax exemption found in the CR&G Bill was also subject to challenge at the time by David Howarth during a debate in the Commons:

David Howarth: I do not want to harp on about Bishops to any great extent, as I did so last time we discussed the Bill. However, surely it is possible for a Bishop to claim to be non-domiciled on the grounds of having foreign income and then take advantage of that position by being taxed on a remittance basis. I cannot understand why this provision should not apply to Bishops.

Mr. Wills: Clearly, it is theoretically possible that there could be an enormously wealthy Bishop who was escaping large amounts of taxation in this way, but I am not aware of any in that position. It is important to look at the facts to see why we have taken this view; obviously, all these matters are proportionate. Bishops in the House of Lords do not accept a peerage—they assume the position as a result of their profession as a Bishop in the Church of England. If there were to be such a Bishop who was non-domiciled and not ordinarily resident and who had these advantageous tax arrangements, then under these new clauses, they would, if they were not exempt, have to cease their profession, because the only

way that they could cease to be a Member of the House of Lords would be to stop being a Bishop.

(HC *Hansard*, 1 February 2010, col [118](#))

The position of the Church on these exemptions is expressed in the submission by the Archbishops of Canterbury and York to the Joint Committee on the Draft House of Lords Reform Bill. The submission stated that: “we question whether the exemptions proposed for the Government for the Lords Spiritual... are necessary” (General Synod, *House of Lords Reform: A Submission from the Archbishops of Canterbury and York to the Parliamentary Joint Committee on the Government’s Draft Bill and White Paper*, November 2011, GS Misc 1004, page 13, [paragraph 31](#)). It added:

We did not seek them and unless there are legal or constitutional reasons of which we are not aware, we believe that the Lords Spiritual should be in the same position as other members of the House on these matters.

(*ibid*)

3.4 European Convention on Human Rights

The Draft Bill’s Explanatory Notes acknowledge possible objections to the retention of the Bishops in relation to the European Convention on Human Rights. They explain that “there are a number of provisions in the Bill which apply differently to Lords Spiritual from other members”. For example the Lords Spiritual “will receive no salary in respect of their membership of the House of Lords and the provisions on taxation, suspension and expulsion and the majority of the disqualifying grounds will not apply to them”. It adds: “It may therefore be questioned whether any of these provisions infringe Article 14, taken with other articles, because they discriminate on the grounds of religion” (*House of Lords Reform Draft Bill*, May 2011, Cm 8077, [paragraph 488](#)). The Government’s analysis, however, is that the concerns are unfounded:

... Lords Spiritual are in a different position from other members of the House of Lords and as such the two may not be in an objectively comparable position under Article 14. And the Government takes the view that the basis for the different treatment is the nature of the membership, not the fact that the members are Bishops of the Church of England as opposed to representatives of other Christian denominations, other faiths or of no faith. If there were other members who were *ex officio* or part-time, it would not be unexpected if they were to be treated differently from full-time elected and appointed members, although there might be no status under Article 14 which could apply.

(*ibid*, [paragraph 492](#))

4. Representation of Other Denominations and Faiths

Successive Government papers on Lords reform have referred to the attractiveness of having a broader range of faiths represented, alongside the continued presence of Church of England Bishops.

According to the 2001 Census, in Great Britain 76.8 percent of people stated they were of a religion. Of these, 72 percent said they were Christian, 2.8 percent Muslim, 1 percent Hindu, 0.6 percent Sikh and 0.47 percent Jewish (Office for National Statistics, *Focus on Religion*, October 2004, [page 2](#)). The latest data for 2011 from the Office for

National Statistics (which is experimental and should be seen as indicative) suggests a decrease in Christianity but a rise in other faiths:

Religion in the UK (April 2010 to March 2011)

Percentage	England	Wales	Scotland	Great Britain
Christian	68.5	66.1	69.6	68.5
Buddhist	0.4	0.3	0.3	0.4
Hindu	1.5	0.5	0.3	1.3
Jewish	0.5	0.1	0.1	0.4
Muslim	4.9	1.2	1.3	4.4
Sikh	0.8	0.1	0.1	0.7
Any other religion	1.1	1.2	1.1	1.1
No religion at all	22.4	30.6	27.2	23.2

Notes:

1. Respondents were asked the question 'What is your religion, even if you are not currently practising?' which measures religious affiliation—that is identification with a religion irrespective of actual practice or belief.
2. The total number of eligible responders to the question was 413,832.
3. There are differences in the question for religious affiliation in Northern Ireland, therefore estimates are only for Great Britain rather than UK.
4. Changes have been made to religion questions in January 2011 in line with Census 2011 data collection.
5. Percentages may not add to 100 percent due to rounding.

(ONS, 'Integrated Household Survey April 2010 to March 2011: Experimental Statistics', 28 September 2011, [page 6](#))

A survey conducted in 2010 indicated that people feel that religion has a place in public life. The results showed that slightly more people said it is important for institutional religion to play such a role (43 percent) than said it is not important (41 percent) (Ekklesia, ['74 percent say it's 'wrong' for Bishops to have appointed places in Parliament](#)', 15 March 2010). In July 2007, a survey of 1,001 people found "65 percent of respondents think that if Church of England bishops are allowed to sit in the House of Lords then other religious leaders should enjoy the same right" (Angus Reid Public Opinion, ['Church of England Privileges Unfair, Say Britons'](#), 23rd July 2007).

The Wakeham Commission asserted that whilst the Church of England felt it spoke on behalf of all faiths, it could only represent itself. It concluded that "it would be desirable to broaden the basis of explicit religious representation in the second chamber" and the time had come "to broaden and deepen the nature of that representation to embrace other Christian denominations in all parts of the United Kingdom, and other faith communities" ([paragraph 15.9](#)). It recommended that the "reformed second chamber should continue to include people capable of articulating a range of philosophical, moral and spiritual viewpoints, both religious and secular" ([recommendation 107](#)). The Church of England has said it would support proposals to widen the representation of other faiths:

We have long argued in favour of a wider reflection of the nation's spiritual life in the second chamber. As noted earlier, at a time of growing interest in relations between faiths, their approach to moral and ethical issues, and their place in the

contemporary world, the second chamber has considerable potential as a forum, arguably a unique forum, for serious and well-informed debate on these matters.

(Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002)

However, others disagree. The British Humanist Association (BHA) dispute that faith is as widespread as the Census indicates:

The English and Welsh Census uses the highly leading question “What is your religion?”. By assuming that all participants held a religious belief, the question captured some kind of loose cultural affiliation, and as a result in 2001 over 70 percent of the population responded ‘Christian’; a far higher percentage than nearly every other significant survey or poll on religious belief in the past decade.

(BHA website, [‘Religion and belief: some surveys and statistics’](#), 2011)

In a poll conducted by ICM for the BHA, respondents were asked the Census question ‘What is your religion?’ In response 61 percent of people in England and Wales ticked a religious box (53.48 percent Christian and 7.22 percent other) while 39 percent ticked ‘No religion’. Respondents were then asked ‘Are you religious?’ The results were that “only 29 percent of the same people said ‘Yes’ while 65 percent said ‘No’, meaning over half of those whom the Census would count as having a religion said they were not religious” ([ibid](#)).

The BHA further contends that religion and faith should not be treated differently. Polly Toynbee, president of the BHA, has argued that: “the idea that faith offers some missing moral dimension to politics is offensive”. Consistent with the BHA’s position on the representation of the Church of England, Toynbee said that standing for election was the right method of getting a view represented: “As individuals there are good, wise and clever people of all faiths and none. Let the religious stand for office alongside everyone else, with no reserved benches that honour their office and their dogma instead of their individual qualities” (Polly Toynbee, [‘Goodbye to the Bishops’](#), *Guardian*, 14 March 2010). The BHA says that:

The only equitable framework in which we may conduct our community life to ensure that diversity does not lead to conflict is a secular one, where the state is neutral in matters of religion and belief. It is not acceptable to move from the establishment of one denomination to an effective co-establishment of all religions, for many pragmatic reasons but also on principle because it excludes the large and growing non-religious population.

(BHA, *Religious Representatives in the House of Lords*, June 2011, [page 9](#))

4.1 How to Achieve Representation of Other Denominations and Faiths

If it is accepted that different faiths should be recognised through representation in the second chamber, it is necessary to consider how this would be achieved. The Wakeham Commission found that in order to do that a number of ‘obstacles’ would need to be overcome first. These were:

- Not all denominations and faiths have a hierarchical structure, like that of the Church of England, which would lend itself to the identification of particular post holders who could be invited to serve in the second chamber on an ex officio basis.

- Many of the other Christian denominations and faiths active in the United Kingdom have relatively loose structures with individual congregations or gatherings having a significant degree of independence.
- In the United Kingdom there is a multiplicity of faiths, denominations and sects, making it difficult to identify those which could be considered truly 'representative'.
- There is a risk that, in seeking to give adequate representation to each broad shade of religious opinion, the number of people who were members of the second chamber by virtue of their membership of a religious body would become disproportionate.
- Members of some religious bodies would have practical and theological concerns about any suggestion that they should be 'represented' in the second chamber.

[\(paragraph 15.11\)](#)

Some further considerations have been suggested by Janet Lewis-Jones:

- **Race**
Some faiths are closely bound up with their followers' racial identity. Their representatives might be said also by definition to provide representation for some racial groups.
- **Gender**
Some faiths (eg the Church of England) do not permit women to hold high office, so some thought will have to be given to the gender balance among religious representatives, and its effect on the gender balance in the second chamber as a whole. It would have to be established whether it was acceptable to seek religious representatives other than from among the holders of high office within each faith.
- **Control**
The government will need to decide if there are any constitutional implications if Parliamentary representation is offered to a faith or religion which is subject to direction from, or answerable to, an authority outside the United Kingdom.

(Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraphs 40–2](#))

4.2 Wakeham Commission Proposals for the Representation of Other Faiths

4.2.1 Who and How Many?

In outlining some of the obstacles to overcome, the Wakeham Commission nevertheless made a set of recommendations "to broaden the basis of explicit religious representation in the second chamber" ([paragraph 15.10](#)). For Christian denominations, the Commission recommended that the "total number of places in the reformed second chamber for members formally representing the various Christian denominations throughout the United Kingdom should be 26". Of these, 21 places would go to members representing the Christian denominations in England—16 to the Church of England and

the other five would go to members “representing the Christian denominations in Scotland, Wales and Northern Ireland” ([recommendations 110–11](#)). For non-Christian faiths, the Commission recommended that “at any one time there are [to be] at least five members of the second chamber specifically selected to be broadly representative of the different non-Christian faith communities ([recommendation 109](#)). On the levels of representation, the Commission recommended that “demographic changes and changes in the level of adherence to particular sets of religious beliefs should be reflected in adjustments to the pattern of religious representation which we have proposed” ([recommendation 114](#)).

Some issues arise from these recommendations. For example, as Janet Lewis-Jones has pointed out: “the number of adherents of any faith can be difficult to establish; and it varies over time influenced by, for example, patterns of migration” (Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraph 47](#)). Similarly problematic is that the “Roman Catholic Church does not at present permit its priests to be members of secular legislative bodies, which would form a real barrier to seeking parity of representation between the Christian churches” (ibid, [paragraph 30](#)). In terms of the calculations made to make these recommendations, Iain McLean challenged the Commission’s proposals on the grounds that it under-represented other faiths:

If the Church of England is assigned 16 representatives (whether by ex officio Bishops or otherwise), then a total of 77 senators will be needed to represent all faith communities. Many of them will have to be female, whatever the wishes of the faith community in question, to satisfy the gender requirement. At worst, this could leave the Appointments Commission with only 53 crossbench places to fill with representatives of anything other than faith communities.

(Iain McLean, [Cm 5291: The House of Lords: Completing the Reform—Response by Iain McLean, Professor of Politics, Oxford University](#), 2002, paragraph B5)

4.2.2 Method

To address some of the difficulties inherent in providing a method that would enable the representation of other Christian denominations, the Wakeham Commission recommended placing a duty on an Appointments Commission:

The Appointments Commission should have the ultimate responsibility for appointing individuals to the five places available for members of Christian denominations in England other than the Church of England. But in doing so, it should consult extensively with the relevant ecumenical instrument, Churches Together in England.

The Appointments Commission should have the ultimate responsibility for appointing individuals to the five places available for members of Christian denominations in Scotland, Wales and Northern Ireland, but it should consult extensively with the relevant ecumenical instruments.

([recommendations 112–13](#))

The Wakeham Commission wanted to make clear that this was to enable “the various denominations and faiths to reach their own decision on whether to recommend clerical or lay members for appointment. This should, for example, give the Church of Scotland and the Roman Catholic Bishops’ Conferences scope to reflect on the extent and nature of their participation in the reformed second chamber. They would be able to alter their

positions over time, if appropriate, in the light of experience of the role and work of the reformed second chamber and of the machinery for identifying and appointing members of religious bodies” ([paragraph 15.24](#)).

For non-Christian faiths, the Wakeham Commission found it “clearly not possible to find a way in which all other faith communities could be formally represented on any kind of ex officio basis”. It said that “even if a case could be made that the United Synagogue could in some sense act for Judaism (though this would be contested), there is nothing comparable for Islam or Hinduism” ([paragraph 15.15](#)). It recommended that:

The Appointments Commission should ensure that at any one time there are at least five members of the second chamber specifically selected to be broadly representative of the different non-Christian faith communities.

([recommendation 109](#))

It said that the Appointments Commission “should make clear to the various faith communities that it is open to receive nominations from them. It should consult the main inter-faith organisations but would ultimately have to make its own decisions on the basis of individual nominees’ personal standing” ([paragraph 15.17](#)).

In response to these recommendations, the then Labour Government said it was unable to accept them as the “practical obstacles are simply too great” (*The House of Lords—Completing the Reform*, 2000, Cm 5291, [paragraph 84](#)). The white paper’s supporting documents claimed the following issues were decisive:

Most other denominations and faiths do not have a hierarchical structure like the Church of England. The leaders of the Church of England are formally selected and appointed on behalf of the church as a whole. They serve for extended periods of time, which are sufficiently long for them to make a real contribution to the work of the House. Most other denominations appoint their leaders for much shorter periods of time, sometimes on an annual basis. Still other denominations and faiths are much looser groupings where it is difficult to identify acknowledged leaders who would be representative of the whole body at all.

Some bodies, notably some of the non-conformist churches, would have theological objections to the sort of connection between church and state that would be implied by ex officio membership of the second chamber. As quoted in the Royal Commission report, this view is held even by the Church of Scotland, which is the national church in Scotland. Other denominations feel it equally, or more, strongly.

There are many more religions and denominations than implied by the numbers proposed. For example, each of Wales, Scotland and Northern Ireland has at least three strong Christian traditions, yet it was proposed they should have access to only five seats between them. Five seats in England might appear to give a better opportunity of representing all the main denominations, but one seat each would be in another way unfair to the Roman Catholic Church, whose adherents number over seven times that of any other individual denomination and over 1½ times the rest put together. It would be similarly difficult to accommodate the UK’s non-Christian faiths within an additional allocation of five seats without great apparent unfairness between them.

Religions and denominations, unless their membership is so small that they would be better described as a sect, are not homogenous. There will always be

shades of belief and attitudes. It is often difficult to identify a single individual who would be regarded as properly representative of his faith or denomination. For example, the Chief Rabbi of the United Hebrew Congregations may be regarded by non-Jews as ‘the’ spokesman for the Jewish people, but he will not necessarily be so regarded as such by other branches of the Jewish community.

The Government has therefore concluded that any type of formal extension of religious representation in the House of Lords beyond the Church of England is not, in practice, workable.

(Lord Chancellor’s Department, *House of Lords Reform: Completing the Reform—Supporting Documents*, December 2001, [paragraphs 8–9](#))

On being asked about the current Government’s view on representation of faiths, Mark Harper, Minister of State at the Cabinet Office, told the Joint Committee on the Draft House of Lords Reform Bill: “the royal commission—the Wakeham Commission—had set out a lot of the practical problems with coming up with representatives of different faith organisations” (Joint Committee on the Draft House of Lords Reform Bill, *Mark Harper: Uncorrected Transcript Of Oral Evidence*, 17 October 2011, [page 43, Q76](#)).

4.3 Appointments Commission: A Statutory Duty

Were the House of Lords to be reformed on the basis of the proportions set out in the Draft Bill, the role of the statutory Appointments Commission would be central in the 20 percent to be appointed. The criteria on which the appointments might be based would have ramifications for the representation of religions and faiths. In regard to any future criteria Mark Harper, in evidence to the Joint Committee on the Draft House of Lords Reform Bill, set out the Government’s position. He said the Government did not seek to stipulate any statutory criteria:

It may well be helpful to give the Appointments Commission a range of statutory duties, although it was not something that we set out in the Draft Bill. All that we have set out so far is that it would have to publish its criteria and how it would go about making the appointments, but it would set out what those were.

(Joint Committee on the Draft House of Lords Reform Bill, *Mark Harper: Uncorrected Transcript Of Oral Evidence*, 17 October 2011, [page 43, Q76](#))

There have been previous attempts to create an appointments body with the responsibility to appoint people of faith to the second chamber. In 1999 the Earl of Caithness tabled an amendment to the House of Lords Bill that proposed the creation of an Appointments Commission with a duty to ensure people of religions other than the Church of England were recommended for Life Peerages (HL *Hansard*, 13 May 1999, col [1309](#)). In its report the Wakeham Commission argued—for non-Christian faiths—the “only way... of providing a voice for other faith communities would be to place a duty on the Appointments Commission to appoint individuals who would be perceived as broadly representative of the different faith communities” ([paragraph 15.15](#)). The Church of England has also said that it favours an Appointments Commission with a duty “to ensure an adequate reflection of religious belief in a reformed House” (Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002).

It is difficult to provide a comprehensive picture of the representation of religions in the current House of Lords. Any such picture can be no more than partial. However, the House of Lords has long had members from a range of religions. For example, the third

Lord Stanley of Alderley was purported to be the first Muslim Peer. On his death in 1903, the *Times* noted “he was probably the only instance on record of a British peer who embraced the mahomedan faith and followed it devoutly” (*Times*, 11 December 1903, page 6). Lord Jakobovits was the first Chief Rabbi to become a peer when he took his seat in 1988, Lord Eames was formerly Archbishop of Armagh and Lord Soper was a former Convenor of the Methodist Conference (Royal Commission on the Reform of the House of Lords, *A House for the Future*, January 2000, Cm 4534, [paragraph 15.3](#)). The Dukes of Norfolk have historically been Roman Catholics (Original Catholic Encyclopaedia, [‘Catholic Dukes of Norfolk since the Reformation’](#)).

More recently, Lord Norton of Louth has observed: “the House has members drawn from a wide range of religions—not just the mainstream Christian churches but also members who are Jewish, Muslim, Hindu, Buddhist and, in one case, Parsi Zoroastrian—as well as members of none: there is a Humanist Group in the House” (Professor The Lord Norton of Louth [‘Lecture: House of Lords Reform?’](#), University of Glasgow, 25 January 2011). The House of Lords Appointments Commission (HOLAC) has played a part in this representation. Since being set up in 2000, HOLAC has been making recommendations to the Prime Minister for the appointment of “non-party political Life Peers”. Its first batch of appointments was made in 2001 and now a total of 61 individuals have been appointed to the Crossbenches (HOLAC, [‘Appointments so far’](#)). Among those appointed are Lord Singh of Wimbledon, a Sikh, Lord Rana, a Hindu, Baroness Afshar, a Muslim and Lord Sacks, the Chief Rabbi. It is clear though that these appointments were made on the basis of merit: HOLAC’s criteria stipulate that appointments are made “on merit and not on the basis of age, disability, gender, marital status, sexual orientation, background, religion, race, colour or ethnic origin” (HOLAC, [‘How to apply’](#), accessed 24 November 2011).

Were the appointments criteria to be changed it is arguable that more faiths could be represented in the second chamber and in greater number. When pressed on whether such a change could be made, in an evidence session to the Joint Committee on the Draft House of Lords Reform Bill, Mr Harper said that the Government did not intend to make any changes to the current criteria of HOLAC: “if we were having a mainly elected House it would be perfectly open to the Appointments Commission to take into account the faith diversity of the country, in the same way as it is able to now, when thinking about whom it appointed” (Joint Committee on the Draft House of Lords Reform Bill, *Mark Harper: Uncorrected Transcript Of Oral Evidence*, 10 October 2011, [pages 47–8](#)). This represents continuity with the Labour Government’s approach. In 2002, Tony Blair, the then Prime Minister, answered a written question in regard to selecting Sikhs to sit in the House of Lords:

The criteria for assessing nominations for the House of Lords are set by the House of Lords Appointment Commission... While the Appointment Commission has not been asked to consider increasing the representation of any faith group, clearly individuals from the different faith groups who meet the criteria will be considered in the usual way.

(*HC Hansard*, 7 November 2002, col [455W](#))

This thinking was set out in fuller detail by the Labour Government in response to the Wakeham Commission proposals, *House of Lords Reform: Completing the Reform—Supporting Documents* (December 2001). It said “the Appointments Commission should consider other Christian denominations as well as other faiths as a constituency when making nominations to the cross-benches”. It added that this would “not be a statutory

duty” but it would be “clear guidance”. Appointments though would still be made on merit:

The Royal Commission recommended that the Appointments Commission should make it clear to the various faith communities that it wished to receive nominations from them. It should also consult the main inter-faith organisations, but would ultimately have to make its own decisions on the basis of the individual merit and standing of those being nominated. The Royal Commission suggested that it would also be acceptable for the Appointments Commission to take account of existing representation among those who had not been appointed specifically as religious representatives.

The Government endorses that approach. So, the Government will expect the Appointments Commission to hold discussions with the relevant ecumenical bodies when it is considering appointing those who might speak on behalf of the non-Church of England denominations. The final decision on appointment will rest with the Appointments Commission.

For the non-Church of England Christian denominations, the Government proposes that the Appointments Commission should adopt the same approach as it does to the non-Christian faith representatives. The obvious body for it to consult in this case would be Churches Together in Britain and Ireland (CTBI). CTBI will not have a power of either direct nomination or veto. Nor should the Appointments Commission compromise its normal rules on confidentiality in the discussion of individual names. But the Appointments Commission should discuss with the CTBI, for example, where it thinks there are particular gaps in representation, given among other things the existing, often lay, representation in the chamber. It might also be appropriate for the Appointments Commission to discuss in general terms what qualities, other than denominational adherence, the CTBI would like religious representatives to bring to the Lords.

(ibid, [paragraphs 11–14](#))

Responding to this, the Church of England said that “while appreciating the complex challenges of achieving this broader presence on a systematic basis”, it did not consider the white paper’s “‘ad hoc’ and essentially discretionary approach” to be “sufficient”. The Church believed “that, separate from the presence of Church of England Bishops, a minimum numerical threshold should be set, by law, for religious representation in the second chamber” (Church of England press release, [‘Church calls on Government to revise House of Lords proposals’](#), 31 January 2002).

4.4 Alternatives

If it is accepted that reserved seats for the Church of England alone is unfair but faith should have a voice in a nation’s legislature (as suggested in a ComRes poll), then a case could be constructed for the appointment of lay representatives of all faiths—including the Church of England—via the Appointments Commission. On the basis of consistency and fairness, Iain McLean has argued that the second chamber “should recognise all religions (above some size threshold) or that it should recognise none”. He calculated that under the Wakeham calculations there would need to be 77 seats altogether to represent faiths:

Iain McLean's Representation Scheme

	Number (000) #	Percentage of Total	Entitlement to Seats
Christian			
Anglican	1654	20.89	16
Catholic	1768	22.33	17
Free Churches	1278	16.14	12
Presbyterian	989	12.49	10
Orthodox	235	2.97	2
Non-Trinitarian	533	6.73	5
Buddhist	50	0.63	0
Hindu	165	2.08	2
Jewish	95	1.20	1
Muslim	665	8.40	6
Sikh	400	5.05	4
Others	85	1.07	1
Total	7917		77

Office of National Statistics, *UK 2002*, Table 15.1

(Iain McLean, [Cm 5291: The House of Lords: Completing the Reform—Response by Iain McLean, Professor of Politics, Oxford University](#), 2002)

Taking into account the difficulties in appointing official representatives of some faiths, and the consensus that has developed around appointing individuals of religious background on merit, it is possible that all faiths (above a threshold) could have the opportunity to be represented in this same way. For the Church of England, Bishops able to make a contribution could be nominated and then appointed by the Appointments Commission. Alternatively a provision could be made for retired Bishops to be nominated. This was the scenario envisaged by the House of Commons Public Administration Committee in 2002:

It is of course the case that distinguished senior figures in the Church of England (and other religious bodies) will be considered for membership of the second chamber through the appointments process (and they should be free to stand for election). This appears to us to represent the fairest approach.

(House of Commons Public Administration Select Committee, *The Second Chamber: Continuing the Reform*, February 2002, HC 494-I, [paragraph 157](#))

Evidently the important aspect of this would be the definition of religion/faith and the level of threshold. Iain McLean's methodology would exclude all but the larger faiths. For example, there would be no place for Welsh Calvinists.

Going further than this, Mark Durkan (SDLP) has suggested the creation of a "pastoral bench", who would have speaking rights but no vote:

If representation is to continue, there is no reason why there should not be some sort of pastoral Bench in the second chamber, for, yes, Church of England Bishops, but for other faith interests as well, perhaps without the right to vote, but with the right to address issues so that they can offer their sincere reflections without being trapped into various procedural devices and partisan ruses. Many

of those pastoral interests might prefer to speak without the bother of the vote or being caught having to decide between amendments here and particular votes there. If we have 80 percent election, part of the 20 percent could be elected or approved indirectly through some of the devolved chambers, and perhaps that could include some of the faith interests and some pastoral representation as well.

(HC *Hansard*, 27 June 2011, col [690](#))

The idea of voting and non-voting members was central to the 1968 Labour white paper's 'two-writ' scheme, in which only the five of the 16 Bishops to remain (those with permanent seats) would have the right to vote. It was reported in 2009, although never officially proposed, that Gordon Brown's Government would bring forward proposals for all the Bishops to remain in a reformed House but without the right to vote (*Daily Mail*, ['Bishops 'will lose right to vote' in Labour's reform of Lords'](#), 12 July 2009).

4.5 Implications for the House of Commons

One final consideration concerns the effect on current House of Commons disqualification rules should either the Bishops be removed completely or religious representation through appointment be formalised. As Janet Lewis-Jones has explained:

One argument might be that if religions in the United Kingdom are to be formally represented in the House of Lords, they should not be able also to seek power in the House of Commons and the prohibition should apply equally to all denominations and religions. The difficulty with that is that not all religions have an easily definable priestly class; and in any case the lay adherents of any faith can be quite as devout as its priests.

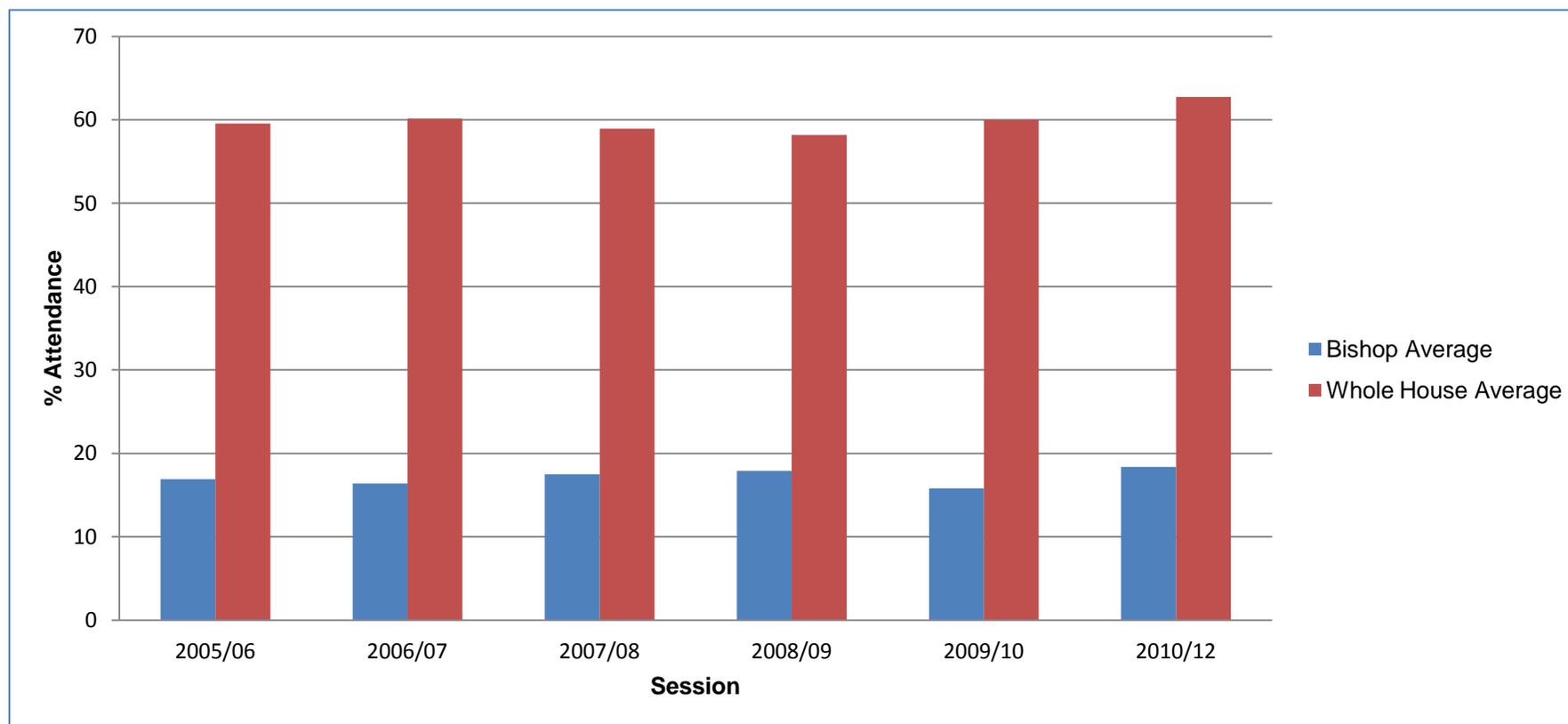
The contrary argument would be that all formal religious disqualifications from standing for the House of Commons should be removed on the grounds that they were designed to meet the historical circumstances of the time and no longer serve any political purpose. That would mean that if the Bishops lost their seats in the House of Lords, or if their numbers were reduced, they could stand for election to the House of Commons. (And, if there is an elected element in the Lords, they could stand for election also to the second chamber).

(Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999, [paragraphs 58–9](#))

5. Lords Spiritual Statistics

5.1 Attendance

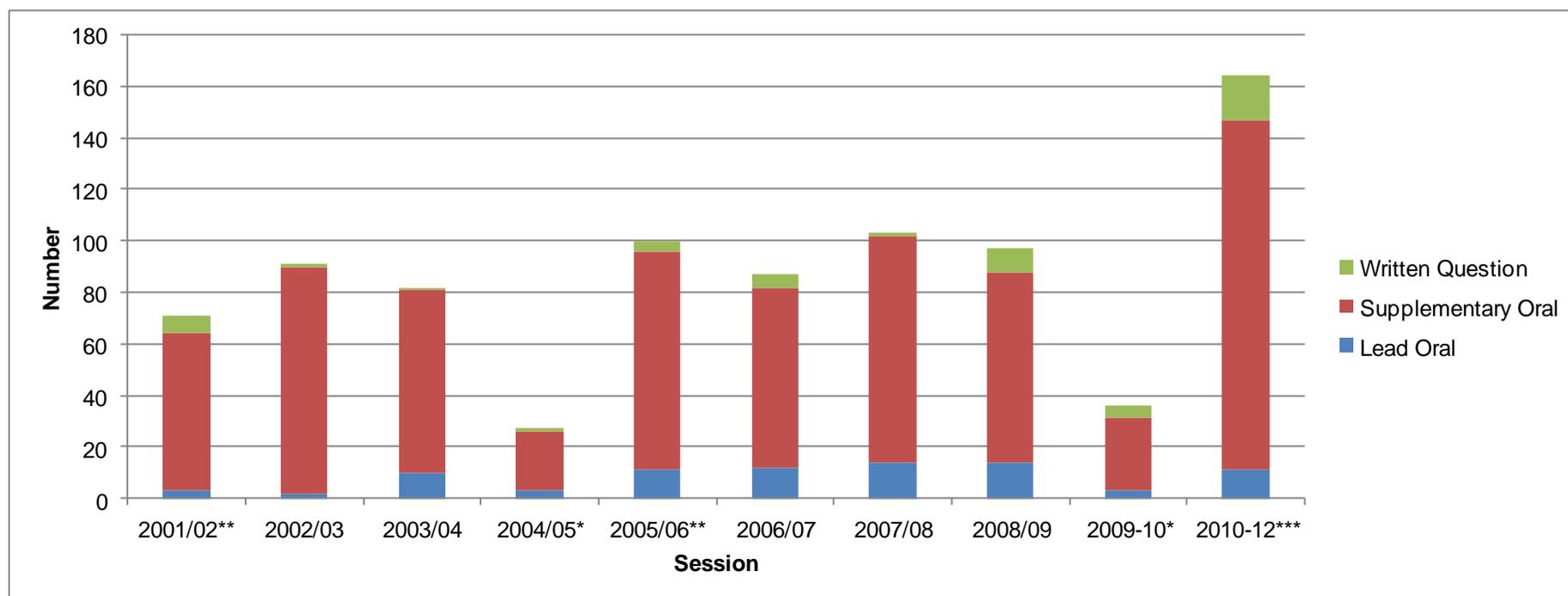
This chart shows the average attendance of the Lords Spiritual, expressed as a percentage. As a means of comparison the average attendance of the whole House (including the Bishops) is included. The chart should be read in conjunction with section 2.2, which addresses the difficulties the Bishops encounter in combining their diocesan responsibilities with their parliamentary work.



(Source: House of Lords Library)

5.2 Parliamentary Questions

The chart below shows the activity of the Lords Spiritual in asking questions of the Government of the day. In the House of Lords, business in the main chamber starts (Monday to Thursday) with four questions to the Government lasting 30 minutes in total. Members are able to table questions (see the *Companion to the Standing Orders, 2010*, [paragraphs 6.11–6.33](#)) to which a representative of the Government replies. The Chairman of Committees answers questions regarding the administration of the House. Once answered, any Member may ask a supplementary question. Members may also ask written questions (see [paragraphs 6.38–6.39](#) of the *Companion*). The table that follows presents the topics of oral questions asked by Lords Spiritual over the last three sessions.



*session before a General Election **session after a General Election ***session after General Election (as at 26 October 2011)

(Source: House of Lords Library)

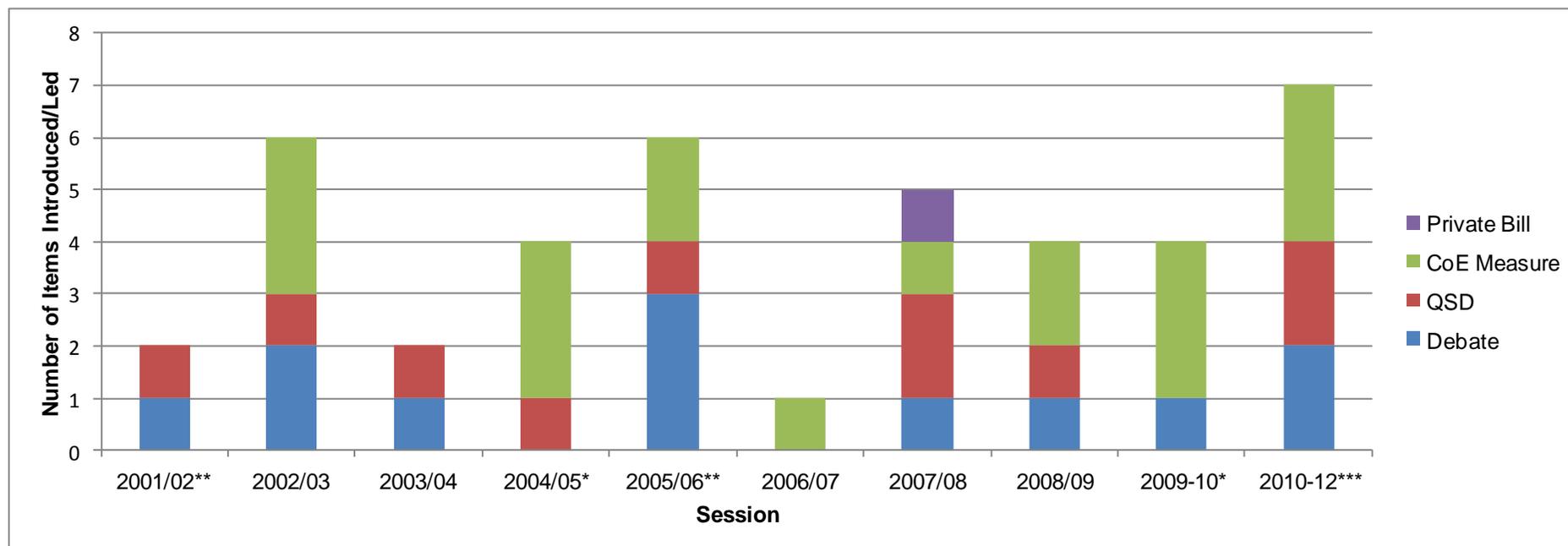
Topics of Lead Oral Questions (2008–09 session to 26/10/2011)

Date	Topic	Archbishop/Bishop
21/06/11	North Liverpool Community Justice Centre	Liverpool
13/06/11	Groceries Code Adjudicator Bill	Wakefield
17/05/11	Asylum Seekers: DR of Congo	Winchester
05/04/11	Burundi	Wakefield
15/02/11	Prisoner Transfer Agreements	Liverpool
10/02/11	Commercialisation of Children	Ripon and Leeds
08/02/11	Crime: Media reporting	Chester
07/02/11	Dairy Industry	Wakefield
03/02/11	DR of Congo	Winchester
08/12/10	Youth Justice Board	Liverpool
20/10/10	Climate Change: Cancun	Liverpool
15/03/10	Home Credit Market	Ripon and Leeds
24/02/10	Agriculture: Dairy	Wakefield
12/01/10	Prisons	Liverpool
04/11/09	Sheep Tagging	York
13/10/09	Energy: Sustainability	Liverpool
21/07/09	National Crime Justice Board	Liverpool
15/07/09	Gift Aid	Southwell and Nottingham
18/06/09	Asylum Seekers: DR of Congo	Winchester
10/06/09	Sudan	Salisbury
09/06/09	Prisons	Liverpool
29/04/09	Low Carbon Economy	Liverpool
22/04/09	Graves	Southwell and Nottingham
21/04/09	Railways: High Speed Line	Carlisle
25/03/09	Building Societies	Chester
17/03/09	Water Supply: Charges	Ripon and Leeds
10/02/09	DR of Congo	Winchester
13/01/09	Short Selling	York

(Source: HL *Hansard*)

5.3 Other Contributions

In much the same way as questions, Members are able to table motions on subjects they wish to debate. These can take the form of a lengthier debate (2+ hours) or a question for short debate (QSD), which last up to 1 hour 30 minutes (see [paragraphs 6.46–6.84](#) of the *Companion*). The chart below shows the Lords' Spiritual activity in initiating such debates. The table that follows gives the topics of these since 2001. Bishops can also sponsor Private Bills—the Bishop of Norwich introduced the Broads Authority Bill in the 2007–08 session. They also introduce Measures in the Lords, the legislation that affects the Church (see [paragraphs 8.221–8.226](#) of the *Companion*). These are also shown in the chart below.



*session before a General Election **session after a General Election ***session after General Election (as at 26 October 2011)

(Source: House of Lords Library)

Subjects of Debates/QSDs initiated by Lords Spiritual since 2001–2002

Date	Type	Subject	Archbishop/Bishop
10/02/11	Debate	Marriage	Wakefield
16/06/10	Debate	Social Policy	Leicester
18/03/10	Debate	Culture	Liverpool
12/02/09	Debate	Good Childhood Inquiry Report	Leicester
09/10/08	QSD	Welfare: Churches and Faith Communities	Chelmsford
25/04/08	Debate	Families: Economic Inequality	Canterbury
18/03/08	QSD	Parents: Quality Time	Southwell and Nottingham
19/05/06	Debate	Role of Churches in Civic Life	Canterbury
27/03/06	QSD	DR of Congo	Winchester
23/03/06	Debate	Christianity and Islam	Rochester
23/06/05	Debate	Renewable Energy	Liverpool
20/12/04	QSD	Attitudes to Religion in UK and Abroad	Rochester
13/10/04	QSD	Internet: Violent Pornography	Oxford
26/03/04	Debate	Social Purpose of Sentencing	Canterbury
09/04/03	Debate	Religious Element in Global Terrorism	Oxford
03/04/03	QSD	DR of Congo	Winchester
05/12/02	Debate	Stem Cell Research Committee Report	Oxford
24/10/01	Debate	Concept of Service	Oxford
16/07/01	QSD	Social and Political Situation in Pakistan	Rochester
03/05/01	QSD	Family Act 1996	Oxford
21/03/01	Debate	Devolution: English Regions	Durham

(Source: HL *Hansard*)

5.4 Voting Activity

The table below sets out the voting averages of the Lords Spiritual. This should be read in conjunction with section 2.2. Further information on voting in the House of Lords can be found in the House of Lords Library Note, *House of Lords: Party and Group Strengths and Voting* (21 June 2011, [LLN 2011/022](#)).

Session	Average Vote Turnout#	Votes Against Government ##	Votes For Government ##	0 Votes#
1998–99	N/A	53.65%	46.34%	N/A
1999–00	2.68%	30.00%	70.00%	20.00%
2000–01*	3.66%	13.33%	86.66%	48.00%
2001–02**	3.29%	67.28%	32.71%	25.00%
2002–03	4.03%	66.01%	33.98%	21.42%
2003–04	2.99%	57.69%	42.30%	18.50%
2004–05*	4.32%	71.42%	28.57%	38.46%
2005–06**	2.46%	55.44%	44.55%	11.11%
2006–07	3.10%	89.47%	10.52%	34.60%
2007–08	4.35%	63.07%	36.92%	31.00%
2008–09	2.37%	60.00%	40.00%	56.60%
2009–10*	5.08%	64.70%	35.20%	30.70%
2010–12***	4.23%	67.40%	32.60%	20.68%

All Divisions

Whipped Divisions

*session before a General Election

**session after a General Election

***session after General Election (as at 26 October 2011)

(Source: House of Lords Library)

The tables below present the five divisions where the largest numbers of Bishops voted in the 2010–12 session (as at 27 October 2011) and the 2009–10 session. The tables also provide the margin of the result and whether the Government was defeated. In total there have been 32 whipped divisions in the 2010–12 session in which two or more Bishops voted. On eleven occasions their vote was split. In the 2009–10 session, two or more Bishops cast a vote in nine of the 42 whipped divisions that took place. On two of those occasions the vote was split.

2010–12 session

Date	Bill/Subject	Bishops Voting Against Govt	Bishops Voting With Govt	Margin of Victory/Defeat	Government Defeat
12/10/11	Health and Social Care Bill (Division 1)	1	5	134	NO
12/10/11	Health and Social Care Bill (Division 2)	6	0	68	NO
14/12/10	Public Bodies Bill	5	0	112	YES
09/02/11	Parliamentary Voting and Constituencies Bill	3	2	18	YES
11/05/11	Police Reform and Social Responsibility Bill	4	0	12	YES

2009–10 session

Date	Bill/Subject	Bishops Voting Against Govt	Number Voting For Govt	Margin of Defeat	Government Defeat
25/01/10	Equality Bill (Division 1)	8	0	38	YES
25/01/10	Equality Bill (Division 2)	8	0	21	YES
25/01/10	Equality Bill (Division 3)	8	0	5	YES
17/03/10	Personal Care at Home Bill	1	2	67	YES
17/03/10	Personal Care at Home Bill	1	2	51	YES

(Source: House of Lords Library)

6. Selected Reading

Official Documents

Cabinet Office, *House of Lords Reform Draft Bill*, 17 May 2011, [Cm 8077](#)

Ministry of Justice, *An Elected Second Chamber: Further reform of the House of Lords*, July 2008, [Cm 7438](#)

Leader of the House of Commons, *House of Lords Reform*, February 2007, [Cm 7027](#)

Lord Chancellor's Department, [*Reform of the House of Lords: Analysis of Responses to the Government White Paper—The House of Lords—Completing the Reform*](#), May 2002

Lord Chancellor's Department, *The House of Lords—Completing the Reform*, 2001, [Cm 5291](#)

Royal Commission on the Reform of the House of Lords, *A House for the Future*, January 2000, [Cm 4534](#)

Parliamentary Resources

House of Lords Library Note, *House of Lords Reform: Chronology 1900–2010*, 21 July 2011, [LLN 2011/025](#)

House of Lords Library Note, *House of Lords: Party and Group Strengths and Voting*, 21 June 2011, [LLN 2011/022](#)

House of Lords Library Note, *House of Lords Reform Draft Bill*, 20 May 2011, [LLN 2011/018](#)

House of Lords Library, *Possible implications of House of Lords reform*, 25 June 2010, [LLN 2010/014](#)

House of Lords Library Note, *Proposals for Reform of the Composition and Powers of the House of Lords, 1968–1998*, July 1998, LLN 98/004

House of Commons Standard Note, *Religious representation in the House of Lords*, 26 October 2009, [SN/PC/05172](#)

Academic Literature and Other Reports

General Synod, *House of Lords Reform: A Submission from the Archbishops of Canterbury and York to the Parliamentary Joint Committee on the Government's Draft Bill and White Paper*, November 2011, GS Misc 1004

Janet Lewis-Jones, *Reforming the Lords: The Role of the Bishops*, UCL Constitution Unit, June 1999

Gavin Drewry and Jenny Brock, 'Prelates in Parliament', *Parliamentary Affairs*, 1971, vol 24 (3), pages 222–50

Donald Shell, *House of Lords*, 2007

Francis Bown, 'Influencing the House of Lords: the Role of the Lords Spiritual 1979–1987', *Political Studies*, March 1994, vol 42(1), pages 105–19

Theos, *Coming off the Bench: The Past, Present and Future of Religious Representation in the House of Lords*, 2007

British Humanist Association, [Religious Representatives in the House of Lords](#), June 2011

