



HOUSE OF LORDS

Library Note

Principal Office Holders in the House of Lords

This Library Note provides a short overview of the role and functions of some of the key office holders in the House of Lords: the Lord Speaker, Deputy Speakers and Deputy Chairmen, Chairman and Principal Deputy Chairman of Committees, Leader and Deputy Leader of the House of Lords, Leader of the Opposition, Convenor of the Crossbench Peers, Chief Whip, Opposition Chief Whip, Lord Great Chamberlain and Earl Marshal. It also details the proposals made over recent years for reforms to some of these roles.

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I. Introduction

This Library Note provides an introduction to the principal offices of the House of Lords. It includes a brief background of these posts, an overview of their role and functions and any recent proposals for reform. The positions covered are as follows:

- Lord Speaker
- Deputy Speakers and Deputy Chairmen of Committees
- Chairman of Committees
- Principal Deputy Chairman of Committees
- Leader of the House of Lords
- Deputy Leader of the House of Lords
- Leader of the Opposition
- Convenor of the Crossbench Peers
- Chief Whip
- Opposition Chief Whip
- Lord Great Chamberlain
- Earl Marshal

Appendix I provides a list of the holders of selected offices.

2. Lord Speaker

Current post holder: [Baroness D'Souza](#), who joined the House on 1 July 2004, has been Lord Speaker since July 2011.¹

2.1 Background

The presence of an individual who presided over proceedings within the House of Lords has existed since the sixteenth century. During this period, the Lord Chancellor became “specifically associated with the House of Lords” and “presided over their meetings and acted as an intermediary between the House and the King”.² The Chancellor’s pre-eminence in the Lords and their traditional seat on the ‘Woolsack’ was enshrined in statute in 1539.³

The role of the Lord Chancellor as ‘Speaker of the House’ was highlighted in House of Lords standing order 18, which dates from June 1660, and required the Lord Chancellor “to ordinarily attend the Lords House of Parliament as Speaker of the House”.⁴ However, the role of Speaker of the House of Lords and the Lord Chancellor have not always been coterminous; after the Glorious Revolution in 1688 the position of the Lord Chancellor lapsed for a short period, and

¹ For more information see House of Lords, [Election of the Speaker of the House of Lords: Result](#), 18 July 2011.

² N Underhill, *The Lord Chancellor*, 1978, p102.

³ D Woodhouse, *The Office of the Lord Chancellor*, 2001, p 5. The Woolsack is the seat of the Lord Speaker, and formally the Lord Chancellor, in the House of Lords. It is a large square cushion of wool covered in red cloth, has no arms or back, and is stuffed with wool brought from around the Commonwealth. For more information see the ‘[Glossary](#)’ section of the parliament.uk website, accessed 5 March 2015.

⁴ Current standing orders of the House of Lords can be found in [The Standing Orders of the House of Lords Relating to Public Business](#), 2013, HL Paper 105 of session 2012–13, although only versions prior to 2005 will include references to the Lord Chancellor.

the role of Speaker in the House of Lords passed to a senior judge.⁵ The title ‘Lord Speaker’, as distinct from Lord Chancellor, is also referred to in other standing orders of the House of Lords, and the Select Committee on the Speakership of the House identified three standing orders that referred to the ‘Lord Speaker’ when it published its report in November 2003.⁶

2.2 Recent Changes

While the role of Speaker of the House of Lords has existed for several centuries, the position of Lord Speaker in its current form is a more recent innovation. In June 2003, the Government announced its intention to abolish the role of Lord Chancellor and to establish a new Supreme Court and Judicial Appointments Commission, making the Lord Chief Justice the head of the judiciary. The Government press release announcing these changes stated that:

The Leader of the House of Lords will consult with the other parties, and the House as a whole, on changes to standing orders enabling a new Speaker—who is not a Minister—to be in place after the recess, subject to the wishes of the House.⁷

Select Committee on the Speakership of the House of Lords: Session 2002–03

On 3 July 2003, the Lord President and Leader of the House of Lords (Lord Williams of Mostyn) moved that a select committee of eleven Members of the House of Lords be appointed:

To consider the future arrangements for the Speakership of the House in the light of the Government’s announcement that it is intended to reform the office of Lord Chancellor, and to make recommendations; and that the Committee shall report by the end of the session.⁸

The Select Committee on the Speakership of the House was chaired by Lord Lloyd of Berwick, and reported in November 2003.⁹ The report discussed how some of the functions of the Lord Speaker in the House of Lords could be separated from the post of Lord Chancellor and made recommendations regarding the functions and title of the new post. These included that:

- The Speaker should be elected for a period of five years, with a possibility of renewal, and known by the title of Lord Speaker.
- The Member elected as Speaker should give up party politics for life.
- The Speaker should be the guardian of a self-regulating ethos of the House of Lords and uphold the rules of House of Lords as set out in the *Companion to the Standing Orders*.

⁵ D Woodhouse, *The Office of the Lord Chancellor*, 2001, p 5. The office of Lord Chancellor was resurrected in 1693.

⁶ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 27 November 2003, HL Paper 199 of session 2002–03, para 55, p 14. Standing orders 21, 37(1) and 57 date from 1670, 1973 and 1889 respectively.

⁷ Downing Street press release, ‘[Modernising Government—Lord Falconer Appointed Secretary of State for Constitutional Affairs](#)’, 12 June 2003.

⁸ HL *Hansard*, 3 July 2003, [cols 983–1002](#).

⁹ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 27 November 2003, HL Paper 199 of session 2002–03. The members of the Committee were Lord Alexander of Weedon, Lord Amphill, Lord Carter, Lord Desai, Lord Freeman, Baroness Gould of Potternewton, Lord Lloyd of Berwick (chair), Lord Marsh, Baroness Miller of Chilthorne Domer, Lord Tordoff and Lord Trefgarne.

- The new Speaker should have a greater role in representing the House of Lords abroad and in receiving and entertaining overseas dignitaries, and maintain a similar ceremonial function to the Lord Chancellor.
- The Lord Speaker should take on responsibilities from the Lord Chancellor, Leader of the House and Chairman of Committees.¹⁰

The Committee's report was debated in the House on 12 January 2004.¹¹

Constitutional Reform Act

In February 2004, the Constitutional Reform Bill was introduced in the House of Lords. Amongst other constitutional changes, the Bill made provision for the abolition of the office of Lord Chancellor. According to Rogers and Walters, “most unusually”, the Bill was committed to a select committee in the Lords and carried over into the following session for completion of the Lords stages and consideration by the House of Commons.¹² In addition, following significant opposition to its abolition at committee stage in the House of Lords, the Government agreed to retain the office of the Lord Chancellor, although with reduced functions and with the role no longer requiring an occupant to be a lawyer or a Member of the House of Lords. The Constitutional Reform Act received royal assent in 2005.

Schedule 6 to the Constitutional Reform Act 2005 provided that references in primary legislation to the Lord Chancellor in his capacity as Speaker of the House of Lords were replaced with references to the “Speaker of the House of Lords”. This change sought to ensure that the provisions amended were capable of applying to any Speaker of the House of Lords, although the title of the individual fulfilling that function need not be “Speaker”. The purpose of the provision was to enable the House of Lords to decide upon future arrangements for its Speakership without the need to amend existing references in primary legislation.

Select Committee on the Speakership of the House of Lords: Session 2005–06

In the Queen's Speech for the 2005–06 session, the Government announced that it would “bring forward proposals to continue the reform of the House of Lords”.¹³ In the subsequent debate on the humble address, Baroness Amos updated Members on the issue of the Speakership:

This session the House also has unfinished business concerning the Speakership of this House [...] It remains the Government's view that the Speaker of this House should not be appointed by the Prime Minister. We believe that the House will be stronger if it seizes the opportunity to take the Speakership into its own hands. This House needs a presiding officer of its own, and I will resume discussions with the usual channels to explore the scope for consensus. I will then bring the issue before the House.¹⁴

¹⁰ *ibid.*

¹¹ HL *Hansard*, 12 January 2004, [cols 377–456](#).

¹² R Rogers and R Walters, *How Parliament Works*, 2006, p 438.

¹³ HL *Hansard*, 17 May 2005, [cols 5–8](#).

¹⁴ *ibid.*, [col 23](#).

On 12 July 2005 the House resolved that:

This House should elect its own presiding officer; that a select committee on the Speakership of the House should be appointed to consider further how to implement this resolution with full regard to the House's tradition of self-regulation.¹⁵

The Committee was again chaired by Lord Lloyd of Berwick and possessed a similar membership to the earlier Select Committee on the Speakership of the House.¹⁶ Its report, [The Speakership of the House of Lords](#), was published on 19 December 2005, and the recommendations included:¹⁷

- The election of a Speaker, for a period of five years, with a possibility of renewal, known by the title of Lord Speaker.
- The Lord Speaker to preside over proceedings in the House of Lords, spending usually not less than three hours sitting per day. The Speaker to be authorised to take the chair when the House is in Committee, a function previously carried out by the Chairman of Committees.
- The Lord Speaker to have a purely formal role in question time, with the Leader of the House retaining the duty of advising the House when to move on to the next question or assisting when two (or more) Members rise at the same time.
- The Lord Speaker should have a greater role in advising the House of procedure (aside from at question time), although any advice or assistance given by the Speaker would be subject to the view of the House as a whole.
- The Government Chief Whip should continue to advise the House on speaking times in debates and enforcing such time limits to be handled by the front benches rather than the Speaker. Other interventions, such as calling attention to the failure of an individual Member to comply with the rules should continue to come from the front benches.
- The Lord Speaker should become the Chairman on the House Committee, a member of the Procedure Committee and to take over the Chairman of Committees' formal responsibility for security of the Lords' part of the Parliamentary estate.
- The Lord Speaker should have a greater role representing the House of Lords at home and overseas, and in entertaining visiting speakers and parliamentarians abroad.
- The Speaker should have a role in determining whether the *sub judice* rule should be overridden¹⁸ (previously the role of the Leader of the House) and in authorising the recall of the House during a recess (previously the role of the Lord Chancellor). The Speaker should also take decision on whether private notice questions should or should not be taken (previously the role of the Leader of the House).
- Certain statutory roles of the Lord Chancellor, which had already been transferred by schedule 6 of the Constitutional Reform Act 2005.¹⁹

¹⁵ HL *Hansard*, 12 July 2005, [cols 1000–32](#).

¹⁶ Members of the Select Committee were Lord Amptill, Lord Carter, Bishop of Chelmsford, Lord Desai, Lord Freeman, Baroness Gould of Potternewton, Lord Higgins, Lord Lloyd of Berwick (Chairman), Lord Marsh, Baroness Miller of Chilthorne Domer, Lord Tordoff and Lord Trefgarne.

¹⁷ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 19 December 2005, HL Paper 92 of session 2005–06.

¹⁸ This rule provides that, in general, Members should not bring up matters in debates, questions and motions which are awaiting adjudication in a court of law. For more information on the *sub judice* rule see House of Commons Library, [The Sub Judice Rule](#), 31 July 2007, SN/PC/1141.

¹⁹ Constitutional Reform Act 2005, s 18 and schedule 6.

The main differences between this report and the initial recommendations of the Select Committee on the Speakership of 2003 were a move away from the Lord Speaker as being seen as a “guardian of the *Companion to the Standing Orders*”,²⁰ and the decision not to give the Lord Speaker the duties of the Leader of the House at question time.²¹

The report was debated in the House on 31 January 2006, with amendments discussed including the possibility of altering the title of Lord Speaker to ‘Lord Presiding Officer’ and combining the roles of the Chairman of Committees and the Lord Speaker.²² An amendment to transfer the Leader’s role at question time to the Lord Speaker was defeated at division,²³ and the House approved the recommendations of the report, agreeing that an election for Lord Speaker be held no later than 30 June 2006.²⁴

Elections

Arrangements for the election of the Lord Speaker are outlined in the [Companion to the Standing Orders](#):

The House resolved on 12 July 2005 to “elect its own presiding officer”. The first election was held on 28 June 2006, and a further election on 13 July 2011.

The process of election is governed by standing order 19. A new election is to be held in the fifth calendar year after the previous election, on a day no later than 15 July in that year, or within three months of the Lord Speaker dying, giving written notice of her resignation to the Leader of the House, or being deemed to have resigned (see below), if sooner.

The result of the election is subject to the approval of the Queen. If the House passes a motion for an Address to Her Majesty seeking the Lord Speaker’s removal from office, the Lord Speaker shall be deemed to have resigned with effect from the date on which the motion is passed.

All Members of the House who have taken the oath and are not disqualified, suspended, retired, or on Leave of Absence are entitled to stand and vote. However, a Member who has been successful in two previous elections is not entitled to stand.

The election itself is conducted in accordance with arrangements made by the Clerk of the Parliaments. The Alternative Vote system is used, according to which candidates are numbered in order of preference, and the first-preference votes for the least successful candidates are successively reallocated until one candidate has at least half the total number of valid votes.²⁵

There have been two elections for Lord Speaker. Baroness Hayman was elected as the first Lord Speaker on 4 July 2006, but announced her intention not to seek re-election on 9 May

²⁰ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 27 November 2003, HL Paper 199 of session 2002–03, p 8.

²¹ HL *Hansard*, 31 January 2006, [cols 134–6](#).

²² *ibid*, [cols 134–82](#).

²³ *ibid*, [col 180](#).

²⁴ *ibid*, [cols 180–2](#).

²⁵ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, paras 1.43–7.

2011. On 13 July 2011, Baroness D’Souza was elected as the new Lord Speaker, taking up the post from September 2011.

2.3 Role and Functions

Self-Regulation

The Lord Speaker has a very different role to the Speaker in the House of Commons. While in the House of Commons the Speaker can call the House to order or rule on points of order, call on Members to speak and select amendments during the passage of a bill, the role of the Lord Speaker was from an early stage informed by a desire to maintain a self-regulating House. The concept of self-regulation in the House of Lords has been examined by working groups in 1971, 1988 and 1999, with all highlighting the opposition of the overwhelming majority to a more powerful Commons-type Speaker.²⁶ The *Companion to the Standing Orders* states:

The House is self-regulating: the Lord Speaker has no power to rule on matters of order. In practice this means that the preservation of order and the maintenance of the rules of debate are the responsibility of the House itself, that is, of all the Members who are present, and any Member may draw attention to breaches of order or failures to observe customs.

The word ‘undesirable’ may be used in the House of Lords as an equivalent of the expression ‘out of order’. If any Member is in doubt about a point of procedure, the Clerk of the Parliaments and other Clerks are available to give advice, and Members of the House are recommended to consult them.²⁷

In proposing the functions of a Lord Speaker in 2003, the Select Committee on the Speakership of the House noted that the Speaker:

Should be seen not as an alternative to self-regulation, but as an essential part of it. Thus the question is not a choice between regulation and self-regulation. Nobody from whom we have heard supports regulation. The question is how we make self-regulation effective.²⁸

Role of the Lord Speaker

The role of the Lord Speaker, like that of the Lord Chancellor before, is outlined in standing orders.²⁹ The *Companion to the Standing Orders* provides the following description of the functions of the position:

The primary role of the Lord Speaker is to preside over proceedings in the Chamber, including Committees of the whole House. She takes the oath first at the opening of a new Parliament; her role in the ceremonies accompanying oath-taking, the State

²⁶ Further details of each of these three working groups can be found in Select Committee on the Speakership of the House, *The Speakership of the House of Lords*, 27 November 2003, HL Paper 199 of session 2002–03, pp 6–7.

²⁷ House of Lords, *Companion to the Standing Orders and Guide to the Proceedings of the House of Lords*, 2013, paras 4.01–2.

²⁸ Select Committee on the Speakership of the House, *The Speakership of the House of Lords*, 27 November 2003, HL Paper 199 of session 2002–03, p 8.

²⁹ House of Lords, *The Standing Orders of the House of Lords Relating to Public Business*, 2013, HL Paper 105 of session 2012–13, in particular standing orders 18 and 19.

Opening of Parliament, and royal commissions, are described in the appendices. The Lord Speaker seeks the leave of the House for any necessary absence of a full sitting day or more.

The Lord Speaker has no power to act in the House without the consent of the House. She observes the same formalities as any other Member of the House, addressing the House as a whole, and not an individual Member, and not intervening when a Member is on his feet. The Speaker's function is to assist, and not to rule. The House does not recognise points of order.

Any advice or assistance given by the Lord Speaker is subject to the view of the House as a whole. The Lord Speaker has specific responsibilities with regard to Private Notice Questions and the application of the *sub judice* rule.

[...] Outside the Chamber, the Lord Speaker chairs the House Committee, which oversees the administration of the House [...] She is a member of the Procedure Committee; has formal responsibility for the security of the Lords part of the parliamentary estate; is one of the three “keyholders” of Westminster Hall; and has a wide role representing the House at home and overseas.

The Lord Speaker may, after consultation with the Government, recall the House whenever it stands adjourned.

The Lord Speaker is a salaried office-holder, and is required to lay aside outside financial interests falling into specific categories, including remunerated directorships and other employment. The Lord Speaker is also expected to lay aside any party or group affiliation on appointment, and to refrain from political activity, including voting in the House.³⁰

In addition, the Lord Speaker informs the House of the death of a member of the House, before the first oral question or, on a Friday, at the start of the sitting.³¹ Since the passage of the House of Lords Reform Act 2014, the Lord Speaker has the additional function, under section 5 of the Act, of issuing a certificate confirming the non-attendance, expulsion or retirement of a Member of the House of Lords. The Lord Speaker also informs the House when a peer ceases to be a member of the House under the House of Lords Reform Act 2014.³²

The Lord Speaker is elected for a five-year term. No Lord Speaker may serve for more than two terms.³³ The Lord Speaker is not a member of the Cabinet and has no government department, nor does the Lord Speaker have a judicial role in the House of Lords.

The Lord Speaker is expected to spend more time presiding over the proceedings of the House than the Lord Chancellor did. In 2005, the Select Committee on the Speakership of the House of Lords observed that the then incumbent Lord Chancellor, Lord Falconer of Thoroton, “like

³⁰ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, paras 1.48–53.

³¹ *ibid*, para 1.42.

³² House of Lords Procedure Committee, [House of Lords Reform Act 2014: Further Consequential Changes—Questions for Short Debate Queen’s and Prince of Wales’ Consents](#), 15 October 2014, HL Paper of session 2014–15, para 5.

³³ House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 6.

most of his recent predecessors, undertakes that role [on the Woolsack] for half an hour or so on most days, and otherwise rarely”.³⁴ In contrast, the Lord Speaker is expected to spend not less than three hours per day presiding, unless other commitments make that impossible.³⁵ As with the Lord Chancellor, the Lord Speaker must seek leave of the House for any necessary absence of a full sitting day or more.³⁶ In addition, the Lord Speaker is authorised to take the Chair when the House is in Committee (something which the Lord Chancellor was not authorised to do, and which was previously done by the Chairman of Committees).

The Lord Speaker’s role during question time is limited, with the Leader of the House retaining the duty of advising the House when to move on to the next question or assisting the House in deciding upon who should speak when two (or more) Members rise at the same time. Outside of question time, the Lord Speaker has a greater role in providing procedural advice from the Woolsack than the Lord Chancellor previously had,³⁷ although, as outlined by the *Companion*, “any advice or assistance given by the Lord Speaker is subject to the view of the House as a whole”.³⁸

The Speaker has a role in determining whether the *sub judice* rule should be overridden (previously the role of the Leader of the House) and in authorising the recall of the House during a recess (previously the role of the Lord Chancellor). The Speaker also makes a decision on whether private notice questions should or should not be taken (previously the role of the Leader of the House).

A substantial part of the Lord Speaker’s work has been in the development of the role outside the Chamber. As well as involvement in the House Committee and the Procedure Committee, and as one of the ‘key holders’ of Westminster Hall, a large proportion of the Lord Speaker’s function is in promoting the work of the House of Lords. The “crucial educational function”³⁹ of the Lord Speaker in increasing the public’s awareness of the work of the House of Lords was recognised as being a key element of the Lord Speaker’s role at an early stage of its creation. One example of this work can be seen in the ‘Peers in Schools’ programme, launched by Baroness Hayman when she was Lord Speaker. As part of this programme, schools and sixth-form colleges can apply for a visit by a Member of the House of Lords to hear direct explanations about the work of the House. Since the ‘Peers in Schools’ programme was launched in September 2007, Members have spoken to around 75,000 pupils.⁴⁰

In addition, the Lord Speaker is responsible for representing the Lords overseas, both in developing parliamentary relations with Commonwealth countries and emerging parliamentary democracies, and attending international meetings with Speakers of other parliaments.

³⁴ Select Committee on the Speakership of the House of Lords, [Speakership of the House of Lords](#), 19 December 2005, HL Paper 92 of session 2005–06, p 7.

³⁵ *ibid.*

³⁶ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 1.48.

³⁷ Prior to 2006, a Peer sitting on the Woolsack could not assist the House by reminding Members of the relevant parts of the *Companion*. The report, [Speakership of the House of Lords](#) (19 December 2005, HL Paper 92 of session 2005–06, p 8), commented “it is odd that the Lord on the Woolsack should be the only Member of the House who is prohibited from assisting in such circumstances”.

³⁸ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 1.50.

³⁹ HL *Hansard*, 12 January 2004, [col 392](#).

⁴⁰ Parliament website, ‘[Peers in Schools Programme](#)’, accessed 5 March 2015.

The Lord Speaker also has a number ceremonial duties, participating in the State Opening of Parliament and the Lord Speaker's procession at the start of each sitting. In addition, the Lord Speaker takes part in state and parliamentary events in Westminster Hall; for example, on 27 February 2014 the Lord Speaker, Baroness D'Souza, gave a valedictory address to the German Chancellor Angela Merkel following her speech to Members of both Houses of Parliament in the Royal Gallery.⁴¹

The Lord Speaker wears a gown when in the Chamber, like that worn by the Clerks at the Table and Queen's Counsels.⁴² Under the gown, and for other official duties outside the Chamber when a gown would not be suitable, the Lord Speaker wears court dress. For State occasions and similar ceremonies outside the Chamber, when parliamentary robes might be unsuitable, the Lord Speaker wears a black and gold robe (without a train).

Appendix 2 includes a list of statutory responsibilities conferred on the Lord Speaker by the Constitutional Reform Act 2005, which were previously undertaken by the Lord Chancellor.⁴³

Salary and Pensions

In its 2005 report, the Select Committee on the Speakership of the House of Lords recommended that the Senior Salaries Review Body should be invited to propose salary and pension arrangements for the Lord Speaker.⁴⁴ In 2006, the House Committee reported on the Senior Salary Review Body's recommendations:

The SSRB has proposed the following provisional arrangements which it may revise during its next full review of parliamentary pay and allowances (due in 2007) or after any further reform of the House of Lords:

- An annual salary of £101,668. This would give the Lord Speaker the same salary as a Cabinet Minister in the House of Lords. This salary would be subject to annual uprating on 1 April in line with the average movement of the mid-points of the Senior Civil Service pay bands.
- A pension in accordance with the normal pension scheme provisions for Ministers, MPs and the Chairman and Principal Deputy Chairman of Committees.

The House Committee has accepted the recommendations of the SSRB. In addition, the Committee considers that the Lord Speaker should be entitled to claim the same expenses as paid Office-holders in the House of Lords.⁴⁵

The report was debated and agreed on 2 May 2006.⁴⁶ As at 31 March 2014, the annual salary of the Lord Speaker was £101,038, which is taken from House of Lords budget.⁴⁷

⁴¹ Parliament website, '[Lord Speaker Addresses German Chancellor](#)', 27 February 2014.

⁴² House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 7.

⁴³ The Constitutional Reform Act 2005, s 18 and schedule 6.

⁴⁴ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 19 December 2005, HL Paper 92 of session 2005–06, para 54.

⁴⁵ House Committee, [1st Report of 2005–06](#), 29 March 2006, HL Paper 152 of session 2005–06, paras 1–2.

⁴⁶ HL *Hansard*, 2 May 2006, [cols 397–417](#). The Lord Chancellor (Transfer of Functions and Supplementary Provisions) (No 3) Order 2006, SI 2006/680, which implemented these changes, was approved by the House of Lords following a short debate and without division: HL *Hansard*, 12 June 2006, [cols 12–14](#).

⁴⁷ House of Lords, [Resource Accounts 2013–14](#), July 2014, HL Paper 24 of session 2014–15, p 7.

2.4 Recent Proposals for Reform

Since the creation of the post of Lord Speaker there have been several proposals for reform, which are detailed comprehensively in the House of Lords Library Note, [Reform of Working Practices, 2000–12](#) (11 October 2012, LLN 2012/033).

Reflecting on her time as Lord Speaker from 2006 to 2011, Baroness Hayman commented:

When the position of the Lord Speaker was created in 2006, it was clear that the House was cautious about the Speaker's role in the Chamber, but enthusiastic about the representative and ambassadorial aspects of the job.⁴⁸

The same caution described in the quote is arguably reflected in discussions about reform, seen, for example, when examining the role of the Lord Speaker at question time. In its 2003 report, [Speakership of the House of Lords](#), the Select Committee on the Speakership of the House recommended a transfer of the duties of the Leader of the House at question time to the Lord Speaker.⁴⁹ This recommendation was not present in its 2005 report, although the issue was divided upon when the report's recommendations were debated.⁵⁰ The role of the Lord Speaker at question time, and during oral statements, was returned to again in the [Report of the Leader's Group on Working Practices](#) (also known as the 'Goodlad Report')⁵¹ and was discussed in the Procedure Committee Report, [Proposals Arising from the Report of the Leader's Group on Working Practices](#),⁵² which recommended:

That the role currently performed by the Leader of the House or Government front bench during oral questions and oral statements be transferred for a trial period to the Lord Speaker, or, in her absence, the Chairman of Committees or another Deputy Speaker.

That the role thus transferred includes the responsibility to arbitrate between groups within the House, but not any responsibility to arbitrate between individual Members by name.

That the trial begin at the start of the 2012–13 session of Parliament, and continue until the start of the summer recess 2012.

That following the completion of the trial, the procedure at question time and during oral statements should revert to its current form, pending a review by the Procedure Committee.⁵³

The House voted against this proposal by 233 votes to 169, and it was therefore not implemented.⁵⁴

⁴⁸ BBC Democracy Live, '[Baroness Hayman Reflects on Five Years as Lord Speaker](#)', 14 July 2011.

⁴⁹ At question time it is the Leader, rather than the Lord Speaker, who advises the House when to move on to the next question or assists when two (or more) Members rise at the same time.

⁵⁰ HL *Hansard*, 31 January 2006, [col 181](#).

⁵¹ House of Lords Leader's Group on Working Practices, [Report of the Leader's Group on Working Practices](#), 26 April 2011, HL Paper 136 of session 2010–12, para 38.

⁵² Procedure Committee, [Proposals Arising from the Report of the Leader's Group on Working Practices](#), 1 November 2011, HL Paper 213 of session 2010–12.

⁵³ *ibid*, para 7.

⁵⁴ HL *Hansard*, 8 November 2011, [col 147](#).

In March 2014, the Labour Peers' Working Group report, [A Programme for Progress: The Future of the House of Lords and its Place in a Wider Constitution](#), included a recommendation that the role of Lord Speaker should be reviewed.

3. Deputy Speakers and Deputy Chairmen of Committees

The main role of the Deputy Speakers and Deputy Chairmen is to assist in presiding over the House when the Lord Speaker is not present. The standing orders state:

It is the duty of the Lord Speaker ordinarily to attend the Lords House of Parliament as Speaker of the House; and in case the Lord Speaker be absent, his place on the Woolsack or in the Chair may be taken either by a Deputy Speaker, authorised under the Great Seal from the Queen to supply that place, or by a Deputy Chairman, appointed by the House; and if neither a Deputy Speaker nor a Deputy Chairman be present, the Lords may then choose their own Speaker during that vacancy.⁵⁵

The *Companion to the Standing Orders* elaborates further:

Certain members of the House are appointed by the Crown by Commission under the Great Seal to act as Deputy Speakers of the House of Lords in the absence of the Lord Speaker. In addition, at the beginning of every session the House on motion appoints a number of members, proposed by the Committee of Selection, to serve as Deputy Chairmen of Committees for the remainder of that session. Deputy Chairmen exercise all the functions of Deputy Speakers, and it is the practice that they are appointed Deputy Speakers at a convenient opportunity after their appointment as Deputy Chairmen.

In practice, the duties of Deputy Chairmen and Deputy Speakers are indistinguishable. In the absence of the Lord Speaker or Chairman of Committees, one of the panel of Deputy Chairmen officiates in their place. If no Deputy Chairman is present, the House appoints some other Member, on motion, to perform his duties on that occasion.

Deputy Chairmen or Deputy Speakers may not recall the House under standing order 17 in an emergency.⁵⁶

There are currently 22 Deputy Speakers. These include the Chief Whip and Opposition Chief Whip who sit on the Woolsack if no other Deputy is present.⁵⁷ The first Deputy Speaker is ex officio the Chairman of Committees. There are 20 Deputy Chairmen, although this number does not include the Chairman of Committees or the Principal Deputy Chairman of Committees.

⁵⁵ House of Lords, [The Standing Orders of the House of Lords Relating to Public Business](#), 2013, HL Paper 105 of session 2012–3, standing order 18.

⁵⁶ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, paras 1.60–2.

⁵⁷ House of Lords, [The Grey Book](#), 1 March 2015, p 32.

In contrast to the Lord Speaker, who is not allowed to vote, a Member undertaking the role of Deputy Speaker, or of Deputy Chairman in a Committee of the whole House, may vote, although they would not have a casting vote.⁵⁸

4. Chairman of Committees

Current post holder: [Lord Sewel](#), who joined the House on 10 January 1996, has been Chairman of Committees since 9 May 2012.⁵⁹

4.1 Background

According to Edmund Gosse, translator, literary historian and former Librarian of the House of Lords, the committee business of the House was “managed with great irregularity” until the middle of the eighteenth century.⁶⁰ However, in a paper on the origins of the Office of the Chairman of Committees in the House of Lords, JC Sainty, a former Clerk of the Parliaments, wrote that it was clear by 1778 that, “while there was no resolution of the House to regulate his position, it had for long been accepted that there should be one Lord who, if present, took the chair in all committees of the whole House”.⁶¹ During this period, a succession of individuals performed duties associated with the post of Chairman of Committees in a semi-official capacity.

It was not until 23 July 1800 that the post of Chairman of Committees received official sanction. On that date, a resolution was passed by the House of Lords which stated “that this House will, at the commencement of every session, proceed to nominate a Chairman of Committees of this House”.⁶² Edmund Gosse further noted that “since this resolution the Lord so nominated has taken the chair in all committees of the whole House and in all committees upon unopposed private bills, unless otherwise directed by the House”. In respect of the Chairman’s duties relating to private legislation, JC Sainty wrote that the role of the Chairman was “universally understood and accepted by 1800”. However, the “origin of his functions in this respect remain obscure. They were, of course, never conferred upon him in any formal sense by the House”.⁶³

4.2 Role and Functions

In ‘The Origin of the Office of Chairman of Committees in the House of Lords’, JC Sainty wrote that the office of Chairman of Committees “is one of considerable significance in the administrative structure of Parliament”.⁶⁴ The *Companion to the Standing Orders and Guide to the Proceedings of the House of Lords* outlines the role as follows:

At the beginning of every session, and whenever a vacancy occurs, a Member is appointed by the House to fill the salaried office of Chairman of Committees. As a

⁵⁸ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 7.19.

⁵⁹ HL *Hansard*, 9 May 2012, [cols 18–21](#).

⁶⁰ Edmund Gosse, ‘The Chairman of Committees in the Lords’, *Times*, 24 June 1911.

⁶¹ JC Sainty, ‘[The Origin of the Office of Chairman of Committees in the House of Lords](#)’, House of Lords Record Office, 1974.

⁶² Edmund Gosse, ‘The Chairman of Committees in the Lords’, *Times*, 24 June 1911.

⁶³ JC Sainty, ‘[The Origin of the Office of Chairman of Committees in the House of Lords](#)’, House of Lords Record Office, 1974.

⁶⁴ *ibid.*

salariated office-holder, he is required to lay aside outside financial interests falling into specific categories, including remunerated directorships and other employment. He is also expected to lay aside any party or group affiliation on appointment and for the duration of his time in office.

He is chairman ex officio of all committees unless the House otherwise directs. In practice this means that he chairs the following “domestic” committees:

- Administration and Works Committee
- Liaison Committee
- Committee for Privileges and Conduct
- Procedure Committee
- Refreshment Committee
- Committee of Selection.

The Chairman speaks and answers questions in the House on matters relating to the internal administration of the House, to the work of the House Committee (of which he is a member), or to the work of any of the committees chaired by him.

The Chairman also exercises general supervision and control over private bills and hybrid instruments.

The Chairman is ex officio the first of the Deputy Speakers appointed by Commission [...] He is empowered, in the absence of the Lord Speaker, to recall the House during a period of adjournment.⁶⁵

The *Companion to the Standing Orders* also sets out the Chairman of Committee’s role in relation to private legislation:

In addition to his duties in the House, the Chairman of Committees exercises a general supervision and control over private bills, personal bills, Scottish provisional order confirmation bills and hybrid instruments [...]

The Chairman of Committees has the duty to name the Lords to form the following committees:

- select committees on private bills;
- select committees on opposed personal bills;
- select committees on opposed provisional order confirmation bills;
- joint committees under the Private Legislation Procedure (Scotland) Act 1936 (House of Lords Members);
- joint committees under the Statutory Orders (Special Procedure) Act 1945 (House of Lords Members);

⁶⁵ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, paras 1.54–58. In relation to his responsibilities regarding private bills and hybrid instruments, the Chairman is assisted by counsel—a permanent official of the House: Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 73.

unless he is of the opinion that any such committee should be selected and proposed to the House by the Committee of Selection or unless at least two members of that committee request a meeting for that purpose. The Chairman of Committees also has the duty to name the chairman of any select committee on a private bill appointed by him.⁶⁶

The Chairman of Committees is appointed following negotiation between the ‘usual channels’,⁶⁷ and is nominated on the motion of the Leader of the House after the Humble Address which follows a Queen’s Speech.⁶⁸ The post is not subject to the ‘rotation rule’ which operates in the case of most committees to secure a regular turnover of membership.⁶⁹

The post holder has received a fixed annual salary since January 1800.⁷⁰ The post is a salaried office and is paid in accordance with the recommendations of the Senior Salaries Review Body (SSRB). As at 31 March 2014, the annual salary of the Chairman of Committees was £84,524, paid from House of Lords funds.⁷¹

4.3 Recent Proposals for Reform

Backbench Peers’ Informal Group on Strengthening Parliament: March 2010

Following a seminar on strengthening Parliament hosted by the Lord Speaker in October 2009, an informal cross-party group, chaired by Lord Butler of Brockwell, produced a discussion paper which sought to suggest improvements to the non-legislative procedures of the House.⁷² Among its recommendations, the group suggested that the Chairman of Committees should be elected by the House, rather than appointed.⁷³ To date, this recommendation has not been implemented.

Another informal cross-party group, chaired by Baroness Murphy, produced a discussion paper on governance and accountability arrangements in the House.⁷⁴ This paper recommended that the post of Chairman of Committees should be examined with a view to dividing the role between several (perhaps three) elected Deputy Speakers accountable to the Lord Speaker.

⁶⁶ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 9.01.

⁶⁷ The [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013 (para 3.29) sets out the role of the ‘usual channels’ as follows: “The smooth running of the House depends largely on the Whips of the main political parties. They agree the arrangement of business through the ‘usual channels’. The usual channels consist of the Leaders and Whips of the three main political parties. For certain purposes the usual channels include the Convenor of the Crossbench Peers”.

⁶⁸ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 2.10.

⁶⁹ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 895. The [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, (para 11.11) explains the rotation rule as follows: ‘In order to secure a regular turnover of membership, a “rotation rule” operates in the case of most committees, whereby members who have been appointed (or co-opted) for a given number of successive sessions (or parts of sessions) may not be reappointed in the following session. The House Committee is subject to a five-session rotation rule. All other committees of the House are subject to a four-session rotation rule; the four sessions may be extended to allow a member appointed as Chairman a three-session term as Chairman.’

⁷⁰ Edmund Gosse, ‘The Chairman of Committees in the Lords’, *Times*, 24 June 1911.

⁷¹ House of Lords, [Resource Accounts 2013–14](#), July 2014, HL Paper 24 of session 2014–15, p 7.

⁷² Deposited paper [2010/0788](#), 24 March 2010.

⁷³ House of Lords Library, [House of Lords: Reform of Working Practices, 2000–2012](#), 11 October 2012, LLN 2012/033, pp 18–19.

⁷⁴ Deposited paper [2010/0788](#), 24 March 2010.

The three roles could be responsible for the domestic and administrative committees; for conduct and privileges; and for procedure.⁷⁵ To date, this recommendation has not been implemented.

Leader's Group Review on Working Practices/Goodlad Report: April 2011

Published in April 2011, the [Report of the Leader's Group on Working Practices](#) (also known as the 'Goodlad Report'), recommended that the Lord Speaker take over the role performed by the Leader of the House at oral questions, but that in the "unavoidable absence" of the Lord Speaker the same task would be performed by the Chairman of Committees.⁷⁶ However, to date, the recommendation has not been implemented.

The Goodlad Report also recommended that the Chairman of Committees should in future be elected by secret ballot of the whole House, with the detailed rules governing such an election being embodied in standing orders. The House took note of this report in a debate on 27 June 2011.⁷⁷ However, to date, the recommendation has not been implemented.

5. Principal Deputy Chairman of Committees

Current post holder: [Lord Boswell of Aynho](#), who joined the House on 8 July 2010, has been Principal Deputy Chairman of Committees since 9 May 2012.⁷⁸

5.1 Background

The position of Principal Deputy Chairman of Committees was created in 1974 to chair the European Communities Committee which was formed in that year. Lord Diamond was the first holder of the post.

5.2 Role and Functions

The *Companion to the Standing Orders* outlines the role of the Principal Deputy Chairman of Committees as follows:

The Principal Deputy Chairman of Committees is a salaried office-holder appointed in the same manner as the Chairman of Committees. As a salaried office-holder, he is required to lay aside outside financial interests falling into specific categories, including remunerated directorships and other employment. He is also expected to lay aside any party or group affiliation on appointment and for the duration of his time in office. In addition to assisting the Chairman in his duties, he is appointed to act as chairman of the European Union Committee.⁷⁹

⁷⁵ *ibid*, pp 19–20.

⁷⁶ House of Lords Leader's Group on Working Practices, [Report of the Leader's Group on Working Practices](#), 26 April 2011, HL Paper 136 of session 2010–12, para 38.

⁷⁷ HL *Hansard*, 27 June 2011, [cols 1551–627](#).

⁷⁸ HL *Hansard*, 9 May 2012, [cols 21–4](#).

⁷⁹ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 1.59.

As chairman of the European Union Committee, the Principal Deputy Chairman of Committees is supported by counsel appointed for the purpose of providing legal advice to this committee.⁸⁰ The Principal Deputy Chairman of Committees is also not subject to the ‘rotation rule’, which operates in the case of most committees to secure a regular turnover of membership.⁸¹

The Principal Deputy Chairman of Committees is a salaried office and is paid in accordance with the recommendations of the Senior Salaries Review Body. As at 31 March 2014, the annual salary of the Principal Deputy Chairman of Committees was £79,076, paid from the House of Lords budget.⁸²

5.3 Recent Proposals for Reform

Backbench Peers’ Informal Group on Strengthening Parliament: March 2010

The report from the working group chaired by Lord Butler of Brockwell produced a discussion paper which sought to suggest improvements to the House’s non-legislative procedures. Among its recommendations, the group suggested that the Chairman and Principal Deputy Chairman of Committees should be elected by the House, rather than appointed.⁸³ To date, this recommendation has not been implemented, and both the Chairman of Committees and Principal Deputy Chairman of Committees continue to be appointed following negotiation within the ‘usual channels’.

Leader’s Group Review on Working Practices/Goodlad Report (April 2011)

The [Report of the Leader’s Group on Working Practices](#) (also known as the ‘Goodlad Report’) recommended that the Chairman of Committees and Principal Deputy Chairman of Committees should in future be elected by secret ballot of the whole House, with the detailed rules governing such elections being embodied in standing orders. The House took note of this report in a debate on 27 June 2011.⁸⁴ However, to date, the recommendation has not been implemented.

6. Leader of the House of Lords

Current post holder: [Baroness Stowell of Beeston](#), who joined the House on 10 January 2011, has been Leader of the House since 15 July 2014.

6.1 Background

The term ‘Leader of the House’ as applied to the House of Lords only acquired general usage in the mid-nineteenth century, although the position evolved towards the beginning of the

⁸⁰ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 73.

⁸¹ *ibid*, p 895.

⁸² House of Lords, [Resource Accounts 2013–14](#), July 2014, HL Paper 24 of session 2014–15, p 7.

⁸³ House of Lords Library, [House of Lords: Reform of Working Practices, 2000–2012](#), 11 October 2012, LLN 2012/033, pp 18–19.

⁸⁴ HL *Hansard*, 27 June 2011, [cols 1551–627](#).

previous century. In his essay, 'The Origin of the Leadership of the House of Lords', JC Sainty notes:

Fundamentally the circumstances which gave rise to the evolution of a government leader were the same in each House. As a result of the Revolution Settlement of 1688 parliament became an essential element in the constitutional framework of the country. Thereafter annual sessions were inevitable and parliament could no longer be regarded as a more or less temporary institution to be dispensed with as soon as the financial requirements of the Crown had been met. This new situation imposed on the king's ministers the necessity of reassessing their relationship with parliament.⁸⁵

Charles Spencer, the third Earl of Sunderland, was the first Peer responsible for the management of the House of Lords from around 1717.⁸⁶

6.2 Role and Functions

The position of Leader of the House of Lords is described in the *Companion to the Standing Orders* as follows:

The Leader of the House is appointed by the Prime Minister, is a member of the Cabinet, and is responsible for the conduct of government business in the Lords. Because the Lord Speaker has no powers to rule on matters of procedure, the Leader also advises the House on procedure and order, and has the responsibility of drawing attention to violations or abuse. The Leader also expresses the sense of the House on formal occasions, such as motions of thanks or congratulation. However, like the Lord Speaker, the Leader is endowed with no formal authority.⁸⁷

The Government website defines the role of the Leader of the House of Lords as follows:

The Leader of the House of Lords is responsible for the organisation of government business in the House, providing assistance to all Lords and offering advice on procedure. The Leader also expresses the collective feelings of the House on formal occasions, such as motions of thanks or congratulations.⁸⁸

The Leader therefore performs a dual role. The Leader has overall responsibility for the passage of government legislation through the House of Lords, exercised jointly with the Lords Chief Whip. In addition to leading the government benches, the Leader repeats statements made by the Prime Minister in the Commons, assists and advises all Members of the House of Lords, and takes part in formal ceremonies in the House, such as the State Opening of Parliament.⁸⁹

⁸⁵ JC Sainty, 'The Origin of the Leadership of the House of Lords', in Clyve Jones and David Lewis Jones (ed), *Peers, Politics and Power: The House of Lords, 1603–1911*, 1986, p 207.

⁸⁶ *ibid*, pp 220–1.

⁸⁷ House of Lords, *Companion to the Standing Orders and Guide to the Proceedings of the House of Lords*, 2013, para 4.03.

⁸⁸ Gov.uk, '[Leader of the House of Lords](#)', accessed 5 March 2015.

⁸⁹ Office of the Leader of the House of Lords website, '[What we do](#)', accessed on 5 March 2015.

6.2.1 The Leader of the House of Lords in Cabinet

The description in the *Companion to the Standing Orders* of the Leader of the House as a member of Cabinet has recently been the subject of debate. During a Cabinet reshuffle in July 2014 the Prime Minister, David Cameron, announced that Baroness Stowell of Beeston would become the new Leader of the House of Lords.⁹⁰

It subsequently emerged, however, that the role of Leader of the House of Lords would no longer be a cabinet post, but that the Leader would ‘attend’ Cabinet.⁹¹ Concerns about this change were expressed by many Members during a private notice question on 16 July 2014.⁹² On 28 July 2014, the House of Lords passed a motion by Baroness Boothroyd:

That this House welcomes the appointment of Baroness Stowell of Beeston as Leader of the House of Lords, but regrets the decision of the Prime Minister to diminish the standing of the House by failing to make her a full member of the Cabinet; and requests that the Prime Minister reconsiders this decision.⁹³

During the debate, Baroness Symons of Vernham Dean said:

The Companion to the House states that the Leader of the House is a member of the Cabinet. Moreover, and possibly more significantly, Erskine May also describes the Leader of this House as a member of the Cabinet. The Constitution Committee in its excellent report said that there were no examples of any Leader of this House who has not been a member of the Cabinet. Arguably, this calls into question the status of the Companion, the status of Erskine May and the conventions between the two Houses. These are not trivial matters; these have been the rules that are the foundations on which we operate. If they can be altered by a Prime Minister without consultation and without any reference whatever to Parliament, what else can be changed? That opens up huge constitutional questions for us.⁹⁴

The House of Lords Select Committee on the Constitution report, [Status of the Leader of the House of Lords](#), elaborated on concerns regarding the Leader’s new status in Cabinet:

The Leader may often have to give unpalatable advice to ministerial colleagues about the chances of their legislation passing the House, or the time it will take. The Leader may have to block proposals which would clearly not pass the House or would be contrary to its interests. The Leader has to express the House’s misgivings to departments about their policies. The Leader has to ensure that questions and correspondence from peers are answered promptly and fully. In such matters the Leader needs authority.

⁹⁰ [UK Prime Minister](#), Twitter, 15 July 2014. The announcement also stated that the Leader would be Chancellor of the Duchy of Lancaster, a position previously held by former Leaders of the House Baroness Royall of Blaisdon, Lord Strathclyde, and Lord Hill of Oareford. The Chancellor of the Duchy of Lancaster is responsible to the Sovereign for the administration of the Duchy of Lancaster. However, when the current Leader took the oath of office and kissed hands on her appointment on 16 July 2014 she actually took the position of Lord Privy Seal: for more information please see below.

⁹¹ Meg Russell, ‘[The Lords Leader and Cabinet Controversies](#)’, Constitution Unit Blog, 5 August 2014.

⁹² HL *Hansard*, 16 July 2014, [cols 594–8](#).

⁹³ HL *Hansard*, 28 July 2014, [cols 1492–516](#).

⁹⁴ HL *Hansard*, 28 July 2014, [cols 1497–8](#).

While some of that authority can come from tangible things like sitting at the Cabinet table and receiving Cabinet papers, some of it is intangible, such as having full Cabinet status on the same terms as senior ministers in the Commons. Having a member of the House of Lords in the full Cabinet sends an important signal to the rest of Government (ministers and the civil service), and to the House itself, about the status of the House of Lords. If the Leader is no longer a full member of the Cabinet there may be a risk that the views of the House are not fully listened to in the Cabinet.⁹⁵

In addition to the change in cabinet status of the Leader of the House of Lords, it emerged that Baroness Stowell would not receive the salary of a cabinet minister, as her predecessor Lord Hill of Oareford had, instead receiving the lower salary of a minister of state. The role of ‘Leader of the House of Lords’ does not itself attract a ministerial salary, and instead Leaders are appointed to other posts in order to receive a salary.⁹⁶

Initially the Prime Minister announced that the Leader of the House of Lords would be Chancellor of the Duchy of Lancaster, however this subsequently changed and the Leader of the House instead became Lord Privy Seal.⁹⁷ The change of post did not affect the level of salary received by the Leader, this instead being affected by her status as ‘attending Cabinet’, rather than being a Cabinet Minister.

The salaries for Ministers are governed by the Ministerial and Other Salaries Act 1975. Salary rates for both the Chancellor of the Duchy of Lancaster and the Lord Privy Seal are detailed in schedule 1, with two different rates depending upon whether the recipients are members of the Cabinet. Schedule 1, part V, paragraph 2 of the Act states that the number of salaries paid at the Secretary of State level should be not more than 21, with not more than 50 salaries for Ministers of State.

On 21 July, Lord MacGregor of Pulham Market, the chairman of the Association of Conservative Peers, and Lord Cope of Berkeley met with the Prime Minister to express concerns regarding the status of the Leader of the House of Lords following the reshuffle.⁹⁸ Referring to the reasoning behind the Leader’s salary change, Lord Cope of Berkeley stated:

He [the Prime Minister] explained that the decision on her status arose from the fact that the Leader of the Commons had not recently been a full member of the Cabinet, but as that is now my right honourable friend William Hague, who is also First Secretary of State, it was impossible to demote him. Further, he said that ministerial heads of department these days are all Secretaries of State [...] so that all the available spaces allowed by the 1975 Act were taken up.⁹⁹

⁹⁵ Select Committee on the Constitution, [Status of the Leader of the House of Lords](#), 25 July 2014, HL Paper 41 of session 2014–15, p 7.

⁹⁶ *ibid*, p 4.

⁹⁷ *ibid*, p 6. On 16 July 2014 when the Leader took the oath of office and kissed hands on her appointment, it was as the Lord Privy Seal. The post of Privy Seal ranks higher in order of precedence than the Chancellor of the Duchy of Lancaster and “has a particular status in the House of Lords by virtue of the House of Lords Precedence Act 1539”.

⁹⁸ HL *Hansard*, 28 July 2014, [cols 1493–4](#).

⁹⁹ *ibid*, [col 1508](#).

On 15 July 2014, the Conservative Party announced that the salary of the Leader would be ‘topped up’ to cabinet minister levels from party funds, although this offer was declined by Baroness Stowell of Beeston.¹⁰⁰

The House of Lords Select Committee on the Constitution report provided an overview of the events surrounding the reshuffle and the subsequent reaction to it. With regard to the position of the Prime Minister, David Cameron, on the Leader of the House of Lords being a full member of the Cabinet, the Committee noted:

On 22 July 2014 the Prime Minister wrote to Lord MacGregor of Pulham Market, the chairman of the Association of Conservative Peers, stating that he “completely understand[s] the concern that has arisen in the Lords following the reshuffle”. He agreed “that the Leader of the House should, as a general rule, always be a full member of the Cabinet; unfortunately it was not possible on this occasion, owing to the provisions of the Ministerial and other Salaries Act 1975. I want to reassure you, and the whole House, that I see the current situation as a purely temporary one, which I will want to rectify at the earliest opportunity. I will certainly do so immediately after the General Election, if I am returned as Prime Minister, if no opportunity has arisen to do so over the coming nine months.” He said that Lady Stowell would have the same role in Cabinet as her predecessors and that she would attend the same meetings in Downing Street.¹⁰¹

Responding to Baroness Boothroyd’s motion on 24 July 2014, the Leader of the House of Lords, Baroness Stowell of Beeston stated:

I am the Leader of this House. While noble Lords may be concerned about my ministerial rank, nothing changes that simple fact. Nothing has changed in practice about how I represent this House within government, and I will do the job of Leader in exactly the same way as all my predecessors. Even though nothing has changed in practice, the Prime Minister has made clear that he shares the House’s view, expressed passionately again tonight, that the Leader of the House of Lords should, “as a general rule, always be a full member of the Cabinet”.

He has confirmed that he sees the current situation as a purely temporary one that he will want to rectify at the earliest opportunity, and that he will certainly do so immediately after the general election if he is returned as Prime Minister and no opportunity has arisen to do so before then [...]

A significant problem that the noble Baroness, Lady Boothroyd, and some others have identified is a risk, which was also identified by the Constitution Committee, that my status might detract from my authority in an intangible way and affect my ability to represent this House in the Cabinet. I will respond to that point as directly as I can. As I said during our short debate soon after my appointment, judge me on what I do and how I do it. My effectiveness in the job will rest on the quality of my arguments and my ability to put forward my case. If my arguments are no good and I cannot present a good case, it will not matter whether I am a full member of the Cabinet.¹⁰²

¹⁰⁰ BBC News, [‘Lords Leader Baroness Stowell Rejects Tory “Top-up” Salary’](#), 23 July 2014.

¹⁰¹ Select Committee on the Constitution, [Status of the Leader of the House of Lords](#), 25 July 2014, HL Paper 41 of session 2014–15.

¹⁰² HL Hansard, 28 July 2014, [cols 1511–2](#).

6.2.2 The Leader of the House of Lords in the Chamber

While the functions of the Leader in the House of Lords were altered by the introduction of an elected Lord Speaker in 2006—particularly in relation to private notice questions and decisions regarding the *sub judice* rule—the Leader retains an important role in the Chamber. At question time it is the Leader, rather than the Lord Speaker, who advises the House when to move on to the next question or assists when two (or more) Members rise at the same time.

At other times of the day while the Lord Speaker, or the Lord on the Woolsack or in the Chair, may assist the House by reminding Members of the relevant parts of the *Companion*, the assistance they can provide is limited.¹⁰³ The Leader, alongside other Members of the front benches, has a role in interventions. The *Companion to the Standing Orders* notes:

Interventions, in particular those calling attention to the failure of an individual Member to comply with the practice of the House, for example when arguments deployed in committee are repeated at length on report, may come from the front benches or other members. Such interventions would not normally come from the Lord Speaker.¹⁰⁴

The Leader of the House of Lords is a member of the ‘usual channels’, the purview of which is outlined in the *Companion*:

The smooth running of the House depends largely on the Whips of the main political parties. They agree the arrangement of business through the ‘usual channels’. The usual channels consist of the Leaders and Whips of the three main political parties. For certain purposes the usual channels include the Convenor of the Crossbench Peers.¹⁰⁵

While the Lord Speaker can be seen to have a role in “upholding the rights and interests of the House as a whole”, it is the Leader of the House “who makes representations on behalf of the House on such matters as Members’ allowances”.¹⁰⁶

The Leader of the House of Lords currently receives a salary as a Minister of State, currently set at £78,891 per annum.¹⁰⁷ As provided for in the Ministerial and other Salaries Act 1975, this salary is paid “out of money provided by Parliament”.¹⁰⁸

6.3 Recent Proposals for Reform

Several of the proposals for reform have focused on the role of the Leader at question time.¹⁰⁹ The proposal to transfer the Leader’s duties during question time to the Lord Speaker has been

¹⁰³ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 4.07 states: Such assistance is limited to procedural advice and is usually given at the start of the business in hand, for example how time is to be divided between the front and back benches in response to a statement, the correct procedure at report stage, the handling of grouped amendments, and the procedure to be followed in the case of amendments to amendments.

¹⁰⁴ *ibid*, para 4.09.

¹⁰⁵ *ibid*, para 3.29.

¹⁰⁶ R Rogers and R Walters, *How Parliament Works*, 2006, p 73.

¹⁰⁷ As set out in the Ministerial and other Salaries Act 1975 (Amendment) Order 2011, SI 2011/1689, schedule I (part II). More information about historic ministerial salary rates is also available in House of Commons Library, [Members’ Pay and Expenses—Current Rates from 1 April 2013](#), 31 May 2013, RP 13/33.

¹⁰⁸ Ministerial and other Salaries Act 1975, s 3(1).

¹⁰⁹ For a more detailed breakdown of reform proposals see House of Lords Library, [House of Lords: Reform of Working Practices, 2000–12](#), 11 October 2012, LLN 2012/033.

made repeatedly since the introduction of the Lord Speaker in 2006. The recommendation was initially made in the report of the Select Committee on the Speakership of the House in 2003.¹¹⁰

The proposal was absent from the Select Committee's 2005 report on Speakership of the House of Lords, although the issue was divided upon when the report's recommendations were debated in early 2006.¹¹¹ The role of the Lord Speaker at question time, and in repeating statements made in the Commons to the House, was returned to again in the [Report of the Leader's Group on Working Practices](#),¹¹² and was discussed in the Procedure Committee Report, [Proposals Arising from the Report of the Leader's Group on Working Practices](#),¹¹³ which suggested:

That the role currently performed by the Leader of the House or government frontbench during oral questions and oral statements be transferred for a trial period to the Lord Speaker, or, in her absence, the Chairman of Committees or another Deputy Speaker.

That the role thus transferred includes the responsibility to arbitrate between groups within the House, but not any responsibility to arbitrate between individual members by name.

That the trial begin at the start of the 2012–13 session of Parliament, and continue until the start of the summer recess 2012.

That following the completion of the trial, the procedure at question time and during oral statements should revert to its current form, pending a review by the Procedure Committee.¹¹⁴

The House voted against this proposal by 233 votes to 169.¹¹⁵

In addition, proposals have been made to introduce a question time for the Leader of the House dedicated to questions on House of Lords matters. The suggestion was most recently made in the [Report of the Leader's Group on Working Practices](#), although it has not been implemented.¹¹⁶

¹¹⁰ Select Committee on the Speakership of the House, [The Speakership of the House of Lords](#), 27 November 2003, HL Paper 199 of session 2002–03, p 10.

¹¹¹ HL *Hansard*, 31 January 2006, [col 180](#).

¹¹² Leader's Group on Working Practices, [Report of the Leader's Group on Working Practices](#), April 2011, HL Paper 136 of session 2010–12, para 38.

¹¹³ Procedure Committee, [Proposals Arising from the Report of the Leader's Group on Working Practices](#), November 2011, HL Paper 213 of session 2010–12.

¹¹⁴ *ibid*, para 7.

¹¹⁵ HL *Hansard*, 8 November 2011, [col 147](#).

¹¹⁶ This was recommended by the [Report of the Leader's Group on Working Practices](#), April 2011, HL Paper 136 of session 2010–12, para 42, although the proposal was discussed earlier in relation to Speakership of the House (see HL *Hansard*, 12 July 2010, [cols 578–9](#)). At the meeting of the House of Lords Procedure Committee in July 2012, the former Leader of the House, Lord Strathclyde, told the Committee that he would not seek to take forward any further recommendations arising out of the report of the Leader's Group.

7. Deputy Leader of the House of Lords

Current post holder: [Lord Wallace of Tankerness](#), who joined the House on 17 October 2007, has been Deputy Leader of the House of Lords since October 2013.¹¹⁷

The *Companion to the Standing Orders* notes:

It is usual for another minister to be appointed Deputy Leader of the House. In the Leader's absence the Deputy Leader takes responsibility for advising the House on matters of procedure and order. In the absence of both of them, this responsibility falls to the senior Government Whip present. The opposition frontbenches, and the Convenor of the Crossbench Peers (if present), also have a responsibility to draw attention to transgressions of order.¹¹⁸

The website of the Office for the Leader of the House of Lords states:

The Deputy Leader of the House of Lords supports the House of Lords in its job of questioning government ministers, improving legislation and debating topics of national significance.¹¹⁹

8. Leader of the Opposition

Current post holder: [Baroness Royall of Blaisdon](#), who joined the House on 25 June 2004, has been Leader of the Opposition since May 2010.

The post of Leader of the Opposition in the House of Lords was officially recognised following the Ministers of the Crown Act in 1937. The post was first granted a salary in 1965.¹²⁰

The Leader of the Opposition in the House of Lords has a similar function to the corresponding post holder in the House of Commons, and leads for the main opposition party in all matters in the House of Lords. The Leader of the Opposition is a member of the Shadow Cabinet and a member of the Privy Council.

The Ministerial and other Salaries Act 1975 defines the role of the Leader of the Opposition in the House of Lords as follows:

In this Act 'Leader of the Opposition' means, in relation to either House of Parliament, that Member of that House who is for the time being the Leader in that House of the party in opposition to Her Majesty's Government having the greatest numerical strength in the House of Commons.¹²¹

¹¹⁷ Office of the Leader of the House of Lords website, '[Deputy Leader of the House of Lords](#)', accessed 5 March 2015.

¹¹⁸ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 4.05.

¹¹⁹ Office of the Leader of the House of Lords website, '[Deputy Leader of the House of Lords](#)', accessed 5 March 2015.

¹²⁰ Boulton, *Erskine May: Parliamentary Practice*, 1989, p 11.

¹²¹ Ministerial and other Salaries Act 1975, s 2. The way in which political parties in the House of Lords choose a Leader (who may then become Leader of the Opposition) varies.

The Leader of the Opposition is a member of the House Committee, the Committee of Selection, the Procedure Committee, the Committee for Privileges and Conduct, and the Liaison Committee. The post holder also belongs to the ‘usual channels’, comprising the Leaders and Chief Whips of the government and opposition parties. The Leader of the Opposition is not subject to the ‘rotation rule’, which operates in the case of most committees to secure a regular turnover of membership.¹²²

Furthermore, as a member of the opposition frontbench, the Leader of the Opposition has a responsibility to draw attention to transgressions of order; speaks on behalf of his or her party on formal occasions such as tributes; and takes part in the formal State Opening of Parliament and Prorogation ceremonies.

The Leader of the Opposition in the House of Lords receives a statutory salary which is paid out of the Consolidated Fund, the Government’s general bank account at the Bank of England. As at March 2014, the annual salary of the Leader of the Opposition was £68,710.¹²³

9. Convenor of the Crossbench Peers

Current post holder: [Lord Laming](#), who joined the House on 27 July 1998, has been Convenor of the Crossbench Peers since 2011.

The Convenor of the Crossbench Peers is elected by members of the Crossbench group, formed of Members of the House of Lords who are not affiliated to a political party. The first Convenor of the Crossbench Peers was Lord Strang, a former diplomat who joined the House of Lords in 1954. It was in 1964/65 that a “co-ordinator [or convenor] of the Crossbenches” was chosen and given recognition.¹²⁴

The [website of the Crossbench Peers](#) lists the responsibilities of the Convenor as follows:

- To be a conduit of information between the House Authorities and the Crossbench group and vice versa.
- To keep the Crossbench Members informed about parliamentary business.
- To represent the group, both in and outside the House.
- To contribute as a member of several domestic committees of the House.
- To organise the regular business meetings of the group and to manage its administration.
- To ensure the expertise of the members of the group are utilised in select committees of the House.¹²⁵

The Convenor organises weekly meetings to review forthcoming business and advises new Crossbench Peers on how to find their way around.¹²⁶ For certain purposes, the Convenor is a

¹²² Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 895.

¹²³ National Audit Office, [Consolidated Fund Account 2013–14](#), 14 July 2014, HC 413 of session 2014–15, p 20. This is the same figure as a year earlier (National Audit Office, [Consolidated Fund Account 2012–13](#), 18 July 2013, HC 385 of session 2013–14, p 19). The Leader of the Opposition in the House of Lords may also receive a Lords Office-holder’s Allowance at a rate of £36,366 per annum, which is a 5 percent reduction of the entitled night-time allowance of £38,280. The post holders agreed to a 5 percent pay cut in November 2010.

¹²⁴ R Blackburn and A Kennon, *Parliament: Functions, Practice and Procedures*, 2003, p 676.

¹²⁵ The Independent Crossbenchers website, ‘[Convenors of the Crossbench Peers](#)’, accessed 5 March 2015.

¹²⁶ Emma Crewe, *Lords of Parliament: Manners, Rituals and Politics*, 2005, p 150.

member of the ‘usual channels’.¹²⁷ In addition, the Convenor has a responsibility to draw attention to transgressions of order in the Chamber and speaks after party leaders, on behalf of his or her group, on formal occasions such as tributes.¹²⁸

The Convenor of the Crossbench Peers is a member of the House Committee; the Liaison Committee; the Committee for Privileges and Conduct; the Procedure Committee; the Committee of Selection; the Administration and Works Committee; and the Accommodation Steering Group. The Convenor may also be a member of other committees. The Convenor is not subject to the ‘rotation rule’, which operates in the case of most committees to secure a regular turnover of membership.¹²⁹

In October 1999, ‘Cranborne Money’¹³⁰ was extended to include the Office of the Convenor of the Crossbench Peers. This financial assistance from public funds is provided to support the Convenor in the performance of their parliamentary business and to provide secretarial assistance. Under the scheme, the Convenor is responsible for ensuring that the expenses claimed are exclusively in relation to their parliamentary business. At the end of each financial year, the Convenor must provide a certificate from an independent professional auditor to confirm this.¹³¹ The rates payable for the period 1 April 2012 to 31 March 2013 totalled £69,477.¹³² The total payments made to the Office in that period totalled £56,254.¹³³ The rates payable for the period 1 April 2013 to 31 March 2014 totalled £71,770.¹³⁴ The total payments made to the Office in that period totalled £8,180.¹³⁵

Published in April 2011, the Goodlad Report recommended a more clearly defined role for the Convenor of the Crossbench Peers in the work of the ‘usual channels’.¹³⁶ The House considered the report in a debate on 27 June 2011, when the then Leader of the House, Lord Strathclyde, agreed that in his opinion, “there needs to be more clarity about how the usual channels operate”.¹³⁷

10. Chief Whip

Current post holder: [Lord Taylor of Holbeach](#), who joined the House on 31 May 2006, has been Chief Whip since August 2014.

¹²⁷ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 3.29; and Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, pp 191 and 1181–3.

¹²⁸ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 4.05; and R Blackburn and A Kennon, *Parliament: Functions, Practice and Procedures*, 2003, p 676.

¹²⁹ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 895.

¹³⁰ ‘Cranborne Money’ is the common name given to the annual payment to Opposition parties in the House of Lords to help them with their costs. For further information see House of Commons Library, [Short Money](#), 8 July 2014, SN/PC/01663.

¹³¹ UK Parliament website, [Financial Assistance to Opposition Parties 1 April 2012–31 March 2013](#), accessed 5 March 2015.

¹³² House of Commons Library, [Short Money](#), 8 July 2014, SN01663, p 22.

¹³³ UK Parliament website, [Financial Assistance for Opposition Parties](#), accessed 5 March 2015.

¹³⁴ House of Commons Library, [Short Money](#), 8 July 2014, SN01663, p 22.

¹³⁵ UK Parliament website, [Financial Assistance to Opposition Parties 1 April 2013–31 March 2014](#), accessed 5 March 2015.

¹³⁶ Leader’s Group on Working Practices, [Report of the Leader’s Group on Working Practices](#), 26 April 2011, HL Paper 136 of session 2010–12, p 62.

¹³⁷ HL *Hansard*, 27 June 2011, [col 1627](#).

10.1 Background

The full title of the Chief Whip in the House of Lords is Captain of the Honourable Corps of the Gentleman at Arms. While this title has existed since 1509,¹³⁸ the role of a ‘Whip’ in the more modern sense of undertaking the management of parliamentary business, was not in use until the mid-eighteenth century.¹³⁹

10.2 Role and functions

The Chief Whip, along with the Leader, is responsible for delivering the Government’s business in the House of Lords, with the Chief Whip involved in more of the day-to-day scheduling of business.¹⁴⁰ The *Companion to the Standing Orders* states:

The Government Chief Whip is responsible for the detailed arrangement of Government business and the business of individual sittings. The smooth running of the House depends largely on the Whips of the main political parties. They agree the arrangement of business through the ‘usual channels’. The usual channels consist of the Leaders and Whips of the three main political parties. For certain purposes the usual channels include the Convenor of the Crossbench Peers.¹⁴¹

It goes on to add:

The Government Chief Whip advises the House on speaking times in debates. Reinforcing such time limits is handled by the front benches rather than the Lord Speaker, and any Member can draw such advice to the attention of the House. Timed debates are brought to an end (if necessary) by the Lord Speaker on an indication from the Table.¹⁴²

In addition to planning parliamentary business and advising on time limits, the Chief Whip also has a role as a member of the front bench. In the event of the Leader or the Deputy Leader being unavailable, the senior Government Whip advises the House on matters of procedure and order,¹⁴³ and also has a role in interventions, for example in calling attention to the failure of an individual Member to comply with the practice of the House.¹⁴⁴ The Chief Whip, like the Leader of the House, can also be viewed as having a responsibility to ensure that the House of Lords “as a whole gets a fair deal from the Government of the day”.¹⁴⁵

The Chief Whip is a political appointment,¹⁴⁶ and receives a salary of £78,891 per annum, which is paid from the expenses of the Treasury; the provision for the payment of these salaries is outlined in the Ministerial and other Salaries Act 1975.¹⁴⁷

¹³⁸ T Renton, *Chief Whip: People, Power and Patronage in Westminster*, 2004, p 340.

¹³⁹ For more information see House of Commons Library, [The Whip’s Office](#), 10 October 2008, SN/PC/2829.

¹⁴⁰ R Rogers and R Walters, *How Parliament Works*, 2006, p 73.

¹⁴¹ House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 3.29.

¹⁴² *ibid*, para 4.08.

¹⁴³ *ibid*, para 4.05.

¹⁴⁴ *ibid*, paras 4.05 and 4.09.

¹⁴⁵ Lord Denham quoted in T Renton, *Chief Whip: People, Power and Patronage in Westminster*, 2004, p 342.

¹⁴⁶ Donald Shell, *The House of Lords*, 1988, p 65.

¹⁴⁷ The salary amounts for these posts are outlined in the Ministerial and other Salaries Act 1975 (Amendment) Order 2011, SI 2011/1689, schedule 1 (part IV). The Ministerial and other Salaries Act 1975 provides for the

The Chief Whip is supported in their role by the Deputy Chief Whip, known as the Captain of the Queen's Bodyguard of the Yeoman of the Guard, and assistant whips, who hold offices as Lords in Waiting.¹⁴⁸ The Deputy Chief Whip receives a salary of £68,710, while Government Whips receive £63,537.¹⁴⁹ The Chief Whip also has a private secretary, a position filled by an official from the House of Lords on secondment to the Cabinet Office.¹⁵⁰

Unlike Whips in the House of Commons, a Whip in the House of Lords has a role at the despatch box in defending and promoting Government policy, answering questions, responding to debates and taking through primary and secondary legislation.¹⁵¹ Also unlike the Commons, there is no pairing system for votes in the House of Lords.¹⁵² The Government Whips office in the House of Lords runs a [website](#) which publishes the forthcoming business of the House, each sitting day's speakers list(s) and grouping of amendments, and sets out which ministers are expected to reply to oral questions. It also allows Members to sign up to speak in certain debates. Each week, the Government Whips' Office publishes a document entitled *Forthcoming Business*, which contains business for the following week and that provisionally proposed for subsequent weeks.

11. Opposition Chief Whip

Current post holder: [Lord Bassam of Brighton](#), who joined the House of Lords on 3 November 1997, has been Opposition Chief Whip since May 2010.

The post of Opposition Chief Whip in the House of Lords was officially recognised following the Ministers of the Crown Act 1937. The post was first granted a salary in 1965.¹⁵³

The Opposition Chief Whip in the House of Lords has a similar function to the corresponding post in the House of Commons, with both being responsible for keeping Members informed of forthcoming parliamentary business; maintaining their party's voting strength by ensuring Members attend important debates and support their party in parliamentary divisions; and passing on to the party leadership the opinions of backbench members.¹⁵⁴

The Opposition Chief Whip in the House of Lords is a member of the 'usual channels',¹⁵⁵ and receives a statutory salary which is paid out of the Consolidated Fund, the Government's

payment of salaries. More information about ministerial salary rates is also available in House of Commons, [Members' Pay and Expenses—Current Rates from 1 April 2013](#), 31 May 2013, RP 13/33, p 46.

¹⁴⁸ These should not be confused with the non-political Lords in Waiting, whose functions are in the Royal Household and whose appointments are not affected by changes in Government: see Donald Shell, *The House of Lords*, 1988, p 65.

¹⁴⁹ As set out in the Ministerial and other Salaries Act 1975 (Amendment) Order 2011, SI 2011/1689, schedule 1 (part IV). More information about ministerial salary rates is also available in House of Commons Library, [Members' Pay and Expenses—Current Rates from 1 April 2013](#), 31 May 2013, RP 13/33, p 46.

¹⁵⁰ R Rogers and R Walters, *How Parliament Works*, 2006, p 73.

¹⁵¹ Office of the Leader of the House of Lords website, '[Government Whip, Lord in Waiting](#)', accessed 5 March 2015.

¹⁵² House of Commons Library, [The Whip's Office](#), 10 October 2008, SN/PC/2829. The pairing system run by the Whips in the House of Commons pairs Members who cannot attend votes with Members from other parties in the same situation, thus meaning that the outcome of parliamentary votes is not affected.

¹⁵³ Boulton, *Erskine May: Parliamentary Practice*, 1989, p 11.

¹⁵⁴ House of Commons Library, [The Whip's Office](#), 10 October 2008, SN/PC/2829, p 4.

¹⁵⁵ The [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#) (2013, para 3.29) sets out the role of the 'usual channels' as follows: "The smooth running of the House depends largely on the Whips of the main political parties. They agree the arrangement of business through the 'usual channels'. The usual channels

general bank account at the Bank of England. As at March 2014, the annual salary of the Opposition Chief Whip was £63,537.¹⁵⁶

12. Lord Great Chamberlain

Current post holder: David Cholmondeley, [7th Marquess of Cholmondeley](#). The post holder has held the office of Lord Great Chamberlain since he joined the House of Lords on 8 May 1990 and has been on leave of absence since 25 May 2010.

The Lord Great Chamberlain is a Great Officer of State and is responsible for royal affairs in the Palace of Westminster. The office is hereditary.

12.1 Background

The office of the Lord Great Chamberlain dates back almost 900 years to Norman times, having first been granted by Henry I in 1133.¹⁵⁷ The position ceased to be held on an individual basis on the death of the third Duke of Ancaster in 1779. In 1781 it was decided that the title would be vested in the two sisters of the late Duke and their representatives. Then in 1829 an agreement was reached regulating the rotation of the office by reigns between the families of the various interested heirs. Following subsequent disputes, the House of Lords Committee for Privileges decided, at the time of the coronation of King Edward VII in 1902, that the office be jointly vested in the families of the Marquess of Cholmondeley, the Earl of Ancaster and the Earl of Carrington (later Marquess of Lincolnshire).¹⁵⁸ In 1912, King Edward VII agreed that the post should be held in turn for the duration of a reign.

The Lord Great Chamberlain previously took part in introduction ceremonies in the House of Lords, following Black Rod and Garter King of Arms in the procession. However, for many years this only occurred at royal introductions, the last being that of the Duke of York on 11 February 1987.¹⁵⁹

The House of Lords Act 1999, which removed the majority of those Members of the House of Lords who sat by virtue of a hereditary peerage, specifically exempted the Lord Great Chamberlain—together with the Earl Marshal—from exclusion from the House.¹⁶⁰ The holder of the office of Lord Great Chamberlain will remain a Member of the House of Lords for their lifetime or until a subsequent Act provides otherwise.¹⁶¹

consist of the Leaders and Whips of the three main political parties. For certain purposes the usual channels include the Convenor of the Crossbench Peers”.

¹⁵⁶ National Audit Office, [Consolidated Fund Account 2013–14](#), 14 July 2014, HC 413 of session 2014–15, p 20. This is the same figure as a year earlier (National Audit Office, [Consolidated Fund Account 2012–13](#), 18 July 2013, HC 385 of session 2013–14, p 19). The Opposition Chief Whip in the House of Lords may also receive a Lords Office-holder’s Allowance at a rate of £36,366 per annum, which is a 5 percent reduction of the entitled night-time allowance of £38,280. The post holders agreed to a 5 percent pay cut in November 2010.

¹⁵⁷ GJ Townsend, *History of the Great Chamberlainship of England*, 1934, p 9.

¹⁵⁸ House of Lords Information Office; and Debrett’s, ‘[Great Officers of the State](#)’, accessed 5 March 2015.

¹⁵⁹ House of Lords Library, [Ceremonial in the House of Lords](#), 5 March 2010, LLN 2010/007, p 19.

¹⁶⁰ House of Lords Act 1999, s 2(2).

¹⁶¹ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 65; and House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 1.03. Further information on the history of the office of Lord Great Chamberlain can be found in GJ Townsend, *History of the Great Chamberlainship of England*, 1934; and GE Cokayne, *Complete Peerage*, 1998.

12.2 Role and Functions

The Lord Great Chamberlain is responsible for royal affairs in the Palace of Westminster. On ceremonial occasions, such as the State Opening of Parliament, the Lord Great Chamberlain (together with the Earl Marshal) is responsible for meeting the Queen when she arrives at Parliament and ensuring her well-being.¹⁶² Until 2002, the office holder and Earl Marshal walked backwards during the State Opening ceremony. However, since 2003 this has no longer been the case.¹⁶³ The Lord Great Chamberlain is also responsible for ensuring the route leading to the House of Lords is clear for the State Opening. A House of Lords standing order dating from 22 December 1720 stipulates that when the Sovereign is present, the Lord Great Chamberlain is “desired to take care” that the “approaches to the House shall be kept clear from all unauthorised persons”.¹⁶⁴

On such ceremonial occasions, the Lord Great Chamberlain wears scarlet dress and the gold key of his office, in addition to holding a staff made of ivory, referred to as ‘White Wand’. Black Rod acts as Secretary to the Lord Great Chamberlain, and it is through the latter that the Queen commands Black Rod to summon MPs to attend the House of Lords at the State Opening of Parliament.¹⁶⁵

Previously, the Lord Great Chamberlain was responsible on behalf of the Sovereign for the Palace of Westminster. However, on 26 April 1965 control of the Palace passed to the House of Lords and House of Commons, except for Westminster Hall, control of which became vested jointly in the Lord Great Chamberlain (representing the Queen) and the Speakers of each House. The Lord Great Chamberlain retains control of the Robing Room (and the staircase and ante-room adjoining) and the Royal Gallery.¹⁶⁶ The post holder also has various responsibilities relating to Westminster Hall and the Chapel of St Mary Undercroft, which are exercised jointly with the Lord Speaker and the Speaker of the House of Commons.¹⁶⁷

12.3 Recent Proposals for Reform

The Government published a draft bill and white paper on House of Lords reform in May 2011.¹⁶⁸ On the subject of the Lord Great Chamberlain, the white paper noted:

The Earl Marshal and the Lord Great Chamberlain are the two hereditary offices of state. Both are presently held by hereditary Peers. However, these office holders would not need to sit in the reformed House of Lords to fulfil their duties as members of the Royal Household.¹⁶⁹

However, on 6 August 2012, Nick Clegg, the Deputy Prime Minister, announced that the Government would not proceed with the Bill. In a statement to the House of Commons on 3 September 2012, he confirmed the Government’s decision to withdraw the Bill.¹⁷⁰

¹⁶² British Monarchy, ‘[Lord Great Chamberlain](#)’, accessed 5 March 2015.

¹⁶³ House of Lords Information Office.

¹⁶⁴ House of Lords, [The Standing Orders of the House of Lords Relating to Public Business](#), HL Paper 105 of session 2012–13, 2013, p 7.

¹⁶⁵ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 245.

¹⁶⁶ *ibid*, p 69.

¹⁶⁷ House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 8.

¹⁶⁸ HM Government, [House of Lords Reform Draft Bill](#), 17 May 2011, Cm 8077.

¹⁶⁹ *ibid*, p 22.

¹⁷⁰ House of Lords Library, [Hereditary Peers in the House of Lords Since 1999](#), 26 March 2014, LLN 2014/014,

13. Earl Marshal

Current post holder: Edward William Fitzalan-Howard, 18th [Duke of Norfolk](#). The post holder has held the office of Earl Marshal since he joined the House of Lords on 14 February 2003, and has been on leave of absence since 11 June 2012.

The Earl Marshal is a Great Officer of State, taking precedence after the Lord Great Chamberlain before all Peers of his own degree other than royal Dukes.¹⁷¹ The office is a hereditary position occupied by the Duke of Norfolk.

13.1 Background

The post of Earl Marshal can be traced back as early as the reign of Henry I (1100–35), and originates from the office of Marshal, who together with the Lord High Constable was one of the King's chief military officers during the Middle Ages. It was in this period that the holder of the position became responsible for coronations and other state ceremonies. Later, in the middle of the fourteenth century, the Marshal became one of the two joint judges of the Court of Chivalry.

In 1386, the title changed from Marshal to Earl Marshal, which has been used ever since. The official website of the British Monarchy notes:

Many of the Marshals from the twelfth century onwards were related to each other, but the office was not originally hereditary.

The role only became hereditary in 1672, when Henry Howard, who succeeded to the dukedom of Norfolk in 1677, was appointed hereditary Earl Marshal. Since then the office has descended to the present 18th Duke of Norfolk.¹⁷²

The Earl Marshal formerly took part in introduction ceremonies in the House of Lords, following Black Rod and Garter King of Arms in the procession. However, for many years this only occurred at royal introductions, the last being that of the Duke of York on 11 February 1987.¹⁷³

The House of Lords Act 1999, which removed the majority of those Members of the House of Lords who sat by virtue of a hereditary peerage, specifically exempted the Earl Marshal (together with the Lord Great Chamberlain) from exclusion from the House.¹⁷⁴ The holder of the office of Earl Marshal will remain a Member of the House of Lords for his lifetime or until a subsequent Act provides otherwise.¹⁷⁵

pp 31–2.

¹⁷¹ British Monarchy, '[Earl Marshal](#)', accessed 5 March 2015.

¹⁷² *ibid.*

¹⁷³ House of Lords Library, [Ceremonial in the House of Lords](#), 5 March 2010, LLN 2010/007, p 19.

¹⁷⁴ House of Lords Act 1999, s 2(2).

¹⁷⁵ Malcolm Jack, *Erskine May: Parliamentary Practice*, 2011, p 65; and House of Lords, [Companion to the Standing Orders and Guide to the Proceedings of the House of Lords](#), 2013, para 1.03. Further information on the history of the office of Earl Marshal can be found in JH Round, *The Commune of London and Other Studies*, 1899; and in GE Cokayne, *Complete Peerage*, 1998.

13.2 Role and Functions

Alongside the Lord Great Chamberlain, the Earl Marshal is responsible for ceremonies involving the Sovereign, including coronations, royal weddings and state funerals. The Earl Marshal also officiates at the State Opening of Parliament.¹⁷⁶ Until 2002 the office holder and the Lord Great Chamberlain walked backwards during the State Opening ceremony. However, since 2003 this has no longer been the case.¹⁷⁷

In addition, the Earl Marshal is head of, and supervises the [College of Arms](#), which creates and maintains official registers of coats of arms and pedigrees. In that capacity he appoints the kings-of-arms, heralds and pursuivants of that body. The Earl Marshal's warrant must be obtained before a grant of arms can be made.¹⁷⁸

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However, on 6 August 2012, Nick Clegg, the Deputy Prime Minister, announced that the Government would not proceed with the Bill. In a statement to the House of Commons on 3 September 2012, he confirmed the Government's decision to withdraw the Bill.¹⁸¹

¹⁷⁶ British Monarchy, '[Earl Marshal](#)', accessed 5 March 2015; and House of Lords Library, '[Ceremonial in the House of Lords](#)', 5 March 2010, LLN 2010/007, p 19.

¹⁷⁷ House of Lords Information Office.

¹⁷⁸ British Monarchy, '[Earl Marshal](#)', accessed 5 March 2015.

¹⁷⁹ HM Government, '[House of Lords Reform Draft Bill](#)', 17 May 2011, Cm 8077.

¹⁸⁰ *ibid*, p 22.

¹⁸¹ House of Lords Library, '[Hereditary Peers in the House of Lords Since 1999](#)', 26 March 2014, LLN 2014/014, pp 31–2.

Appendix I: List of Office Holders

The following lists provide historic information on the holders of selected offices in the House of Lords. The lists were compiled by the House of Lords Library using data held by the House of Lords administration.

Lord Speaker

Name	Period in office
Baroness Hayman	July 2006–August 2011
Baroness D'Souza	September 2011–present

Chairman of Committees

Name	Period in office
Earl of Warwick	1734–1759
Lord Willoughby of Parham	1759–1765
Lord Sandys	1765–1770
Lord Boston	1770–1775
Lord Scarsdale	1775–1790
Lord Cathcart	1790–1794
Lord Walsingham	1794–1814
Earl of Shaftesbury	1814–1851
Lord Redesdale (from 1877 Earl of Redesdale)	1851–1886
Duke of Buckingham	1886–1889
Earl of Morley	1889–1905
Earl of Onslow	1905–1911
Earl Donoughmore	1911–1931
Earl of Onslow	1931–1944
Lord Stanmore	1944–1946
Earl of Drogheda	1946–1957
Lord Merthyr	1957–1965
Earl Listowel	1965–1976
Lord Aberdare	1976–1992
Lord Ampthill	1992–1994
Lord Boston of Faversham	1994–2000
Lord Mackay of Ardbrecknish	2000–2001

Lord Tordoff	2001–2002
Lord Brabazon of Tara	2002–2012
Lord Sewel	2012–present

Principal Deputy Chairman of Committees

Name	Period in office
Lord Diamond	May 1974–November 1974
Baroness Tweedsmuir of Belhelvie	November 1974–November 1977
Lord Greenwood of Rossendale	November 1977–December 1979
Baroness White	December 1979–November 1982
Baroness Llewelyn-Davies of Hastoe	November 1982–November 1986
Baroness Serota	November 1986–March 1992
Lord Boston of Faversham	May 1992–November 1994
Lord Tordoff	November 1994–March 2001
Lord Brabazon of Tara	March 2001–November 2002
Lord Grenfell	November 2002–June 2010
Lord Roper	June 2010–May 2012
Lord Boswell of Aynho	May 2012–present

Leader of the House of Lords

Name	Period in office
Lord Carrington	October 1963–October 1964
Earl of Longford	October 1964–January 1968
Lord Shackleton	January 1968–June 1970
Earl Jellicoe	June 1970–June 1973
Baron Windlesham	June 1973–February 1974
Lord Shepherd	February 1974–September 1976
Lord Peart	September 1976–May 1979
Lord Soames	May 1979–September 1981
Baroness Young	September 1981–May 1983
Viscount Whitelaw	June 1983–January 1988
Lord Belstead	January 1988–December 1990
Lord Waddington	December 1990–March 1992
Lord Wakeham	April 1992–July 1994

Viscount Cranborne	July 1994–May 1997
Lord Richard	May 1997–July 1998
Baroness Jay of Paddington	July 1998–May 2001
Lord Williams of Mostyn	June 2001–September 2003
Baroness Amos	September 2003–June 2007
Baroness Ashton of Upholland	June 2007–October 2008
Baroness Royall of Blaisdon	October 2008–May 2010
Lord Strathclyde	May 2010–January 2013
Lord Hill of Oareford	January 2013–July 2014
Baroness Stowell of Beeston	July 2014–present

Deputy Leader of the House of Lords

Name	Period in office
Viscount Blakenham	October 1963–October 1964
Lord Champion	October 1964–January 1967
Lord Shackleton	January 1967–January 1968
Lord Shepherd	February 1968–June 1970
Lord Aberdare	June 1970–February 1974
Lord Beswick	February 1974–December 1975
Lord Goronwy-Roberts	December 1975–May 1979
13th Earl Ferrers	November 1979–May 1983
Lord Belstead	June 1983–January 1988
13th Earl Ferrers	January 1988–May 1997
Baroness Jay of Paddington	May 1997–October 1998
Lord Williams of Mostyn	October 1998–June 2001
Baroness Symons of Vernham Dean	June 2001–June 2005
Lord Rooker	June 2005–October 2008
Lord Hunt of Kings Heath	October 2008–May 2010
Lord McNally	May 2010–October 2013
Lord Wallace of Tankerness	October 2013–present

Convenor of the Crossbench Peers

Name	Period in office
Lord Strang	1964–1974
Baroness Hylton-Foster	March 1974–June 1995
Lord Weatherill	Alternate Convenor: 1993–1995
	Convenor: June 1995–December 1999
Lord Craig of Radley	December 1999–July 2004
Lord Williamson of Horton	July 2004–November 2007
Baroness D'Souza	November 2007–September 2011
Lord Laming	September 2011–present

Chief Whip

Name	Period in office
Earl St. Aldwyn	June 1958–October 1964
Lord Shepherd	October 1964–July 1967
Lord Beswick	July 1967–June 1970
Earl St. Aldwyn	June 1970–February 1974
Baroness Llewelyn-Davies of Hastoe	February 1974–May 1979
Lord Denham	May 1979–May 1991
Lord Hesketh	June 1991–September 1993
Viscount Ullswater	September 1983–July 1994
Lord Carter	May 1997–May 2002
Lord Grocott	May 2002–October 2007
Baroness Royall of Blaisdon	October 2007–October 2008
Lord Bassam of Brighton	October 2008–May 2010
Baroness Anelay of St John	May 2010–August 2014
Lord Taylor of Holbeach	August 2014–present

Appendix 2: Statutory Functions of the Lord Speaker

Section 18 and schedule 6 of the Constitutional Reform Act 2005 confer on the Lord Speaker the following functions (previously undertaken by the Lord Chancellor):

- Under the Clerk of the Parliaments Act 1824, the power to appoint, subject to approval by the House, clerks officiating at the Table other than the Clerk of the Parliaments.
- Under the Parliamentary Papers Act 1840, the role (held concurrently with the Clerk of the Parliaments) of certifying that papers have been published by order of the House.
- Under the Church of England (Assembly) Powers Act 1919, the appointment of the Lords members of the Ecclesiastical Committee.
- Under the Statutory Instruments Act 1946 and the Laying of Documents before Parliament (Interpretation) Act 1948, the role of receiving notifications in cases where a statutory instrument comes into operation before being laid.
- Under the Consolidation of Enactments (Procedure) Act 1949, certain functions in relation to the parliamentary scrutiny of consolidation bills which incorporate “corrections and minor improvements”.
- Under the Exchequer and Audit Departments Act 1957, the giving of authority for an authorised officer to perform functions of the Comptroller and Auditor General.
- Under the Ministerial and other Salaries Act 1975, the power to determine who is the Leader of the Opposition in the House.
- Under the Civil Contingencies Act 2004, the duty of recalling the House if emergency regulations are made during an adjournment ending more than five days later.
- Under the Statutory Instruments Regulations 1947, the function, jointly with the Speaker of the House of Commons, of nominating the members, and establishing the quorum, of the Statutory Instruments Reference Committee.
- Under the Church Commissioners Measure 1947, the role of Church Commissioner.

Under the Planning Act 2008, various functions relating to Westminster Hall and the Chapel of St Mary Undercroft are conferred on the Lord Speaker and exercisable jointly with the Lord Great Chamberlain and the Speaker of the House of Commons.¹⁸²

¹⁸² House of Lords, [Election of the Speaker of the House of Lords](#), 6 June 2011, p 8.