



HL Bill 6 of 2023–24

Succession to Peerages and Baronetcies Bill [HL]

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The [Succession to Peerages and Baronetcies Bill \[HL\]](#) is a private member's bill introduced by Lord Northbrook (Conservative). The bill was introduced on 20 November 2023 and second reading is scheduled to take place on 9 February 2024.

The majority of hereditary titles can only be passed down to a male heir. The Succession to Peerages and Baronetcies Bill [HL] would enable female heirs to a hereditary peerage to succeed to a title that currently can only be succeeded to by a male heir. It would also allow female heirs to succeed to a baronetcy. Under the bill, a daughter and her issue would be treated for the purposes of succession as if that daughter was a male. However, the bill would maintain the principle of male preference concerning the succession, with male siblings and their issue being entitled to succeed before female siblings. The bill would not affect the succession to land or any other property.

This is the most recent of several private members' bills introduced which have sought to change the law to allow more female heirs to succeed to hereditary titles. During the 2013–14 session, Lord Lucas (Conservative) introduced the Equality (Titles) Bill [HL]. This bill would have enabled the succession of female heirs to hereditary peerages if the incumbent of the peerage wrote to the lord chancellor to ask that this should occur. During the 2015–16 session, Lord Trefgarne (Conservative) introduced the Succession to Peerages Bill [HL]. This bill was similar to the Succession to Peerages and Baronetcies Bill [HL] in that it would have enabled a woman to succeed to a peerage while maintaining male preference primogeniture in succeeding to hereditary peerages. There have also been several private members' bills tabled in the House of Commons. None of these bills have been passed.





I. Female succession to hereditary peerages and baronetcies

Fewer than 90 peerages can be inherited by a female heir.¹ Women who inherit or are given a title in this way are known as hereditary peers ‘in their own right’, to distinguish them from women who have a title by virtue of their relationship to a male peer (for example the wife of a peer at the rank of baron is known as a ‘Lady’, although she does not hold a peerage herself).

Baronetcies are hereditary titles which are not part of the peerage.² Most baronetcies can only pass to male heirs.³ However, female heirs may succeed to certain Scottish baronetcies.

Under the House of Lords Act 1999, all but 92 hereditary peers were removed from the House of Lords. These are known as ‘excepted hereditary peers’. Of the 92 who were to remain, two are ex officio members, 15 are elected by the whole House and 75 are elected by hereditary peers within their party or crossbench group. Female hereditary peers in their own right are eligible to stand in by-elections to replace the 90 elected excepted hereditary peers. There were five female hereditary peers immediately after the 1999 reforms; all were elected to stay on following those reforms. Three of the five have since died. Lady Saltoun of Abernethy retired in December 2014, under the terms of the House of Lords Reform Act 2014. The last remaining female hereditary peer, the Countess of Mar, retired in May 2020. There are currently no female hereditary peers in the House of Lords.

2. Bill provisions

The Succession to Peerages and Baronetcies Bill [HL] has four clauses. The bill’s provisions are as follows:

- Clause 1(1) would establish that no person would be unable to succeed to a hereditary peerage or baronetcy on the grounds that they are a woman. It would also enable someone to succeed to a title if their claim to it was through a female relative. Clause 1(3) states that any daughter and her issue are treated as if that

¹ Debretts, [‘Titles in the female line’](#), accessed 31 January 2024.

² ‘Baronetcy’ in ‘Halsbury’s Laws of England’, 2020, vol 79, para 857.

³ Standing Council of the Baronetage, [‘Succession to a baronetcy’](#), accessed 31 January 2024.



daughter were male for the purposes of succession to a title.

- Clause 1(4) would establish that male heirs would be given preference in succeeding to a title over female heirs. It states that, in any group of siblings, males in order of birth and their issue would be entitled to succeed before any females in order of birth and their issue.
- Clause 2 would enable female heirs to succeed to the titles that are in abeyance. Titles in abeyance are in a state of suspension between co-heirs when there is no male heir.⁴ The clause would establish that any peerages or baronetcies in abeyance on the day on which the provisions in the bill commenced would be vested in accordance with the provisions in clause 1.
- Clause 3 concerns peerages that have become extinct as a result of there being no heir. It would enable extinct peerages to vest to someone in accordance with clause 1 of the bill. This would only apply to peerages which became extinct on or after 6 February 1952.
- Clause 3(2)–(6) would establish a mechanism by which someone may petition the crown regarding succession to a peerage that became extinct before 6 February 1952. However, the opportunity to make a petition would be limited to the first 12 months following the commencement of the act. The bill would also prevent the petitioner from appealing any decision in the courts concerning their petition.
- Clause 4(1) would establish that the bill would not affect the succession to the crown or any peerages or baronetcies held by the King.
- Clause 4(2) states the bill would only affect the succession to titles and not land or any other property.
- Clause 4(3) would establish that the provisions in the bill would not affect the succession to any titles that took place before the bill comes into force.
- Clause 4(5) states the bill would come into force on the day it is passed.

First reading of the bill took place on 20 November 2023.⁵ When introducing the bill, Lord Northbrook declared he had an interest because he had a daughter who would become eligible to succeed to his peerage if the bill was passed.⁶ At the time of writing, no explanatory notes have been produced for this bill.

⁴ 'Abeyance' in 'Halsbury's Laws of England', 2020, vol 79, para 830.

⁵ [HL Hansard, 20 November 2023, col 606.](#)

⁶ [HL Hansard, 20 November 2023, col 606.](#)



3. Previous House of Lords private members' bills

The [Succession to the Crown Act 2013](#) came into force in March 2015.⁷ The act ended the principle of male preference primogeniture for heirs to the throne. Following the introduction of this legislation, there have been several private members' bills introduced which have sought to change the law to make it possible for female heirs to succeed to any hereditary titles.

The first of these was the [Equality \(Titles\) Bill \[HL\]](#), introduced by Lord Lucas (Conservative) during the 2013–14 session, to change rules concerning the inheritance of hereditary titles by women. Lord Lucas had introduced a similar bill in the 2012–13 session, the [Hereditary Peerages \(Succession\) Bill \[HL\]](#), but this did not reach its second reading. The Equality (Titles) Bill [HL] sought to enable the succession of female heirs to hereditary peerages if the incumbent of the peerage wrote to the lord chancellor to ask that this should occur. The bill received a second reading on 25 October 2013.⁸ However, it only completed one day in committee stage and fell at the end of that session.⁹

During the 2015–16 session, Lord Trefgarne (Conservative) introduced the [Succession to Peerages Bill \[HL\]](#). This bill was similar to the Succession to Peerages and Baronetcies Bill [HL] in several respects. For example, clause 1(1) of Lord Trefgarne's bill said that no one should be unable to succeed to a hereditary peerage on the grounds that they are a woman. The bill would similarly have given male heirs preference over female heirs. However, the bill extended only to hereditary peerages. It did not include any provisions concerning baronetcies. Second reading of the bill took place on 11 September 2015.¹⁰ No days of committee stage took place and the bill fell at the end of the session. Lord Trefgarne introduced the bill in the following two sessions but both fell before receiving second reading.

4. House of Commons private member's bill

In 2022, Harriett Baldwin (Conservative MP for West Worcestershire) introduced the [Hereditary Titles \(Female Succession\) Bill](#). This bill would have allowed all female heirs to

⁷ House of Commons, '[Written statement: Commencement of Succession to the Crown Act 2013 \(HCWS490\)](#)', 26 March 2015.

⁸ [HL Hansard, 25 October 2013, cols 1310–22.](#)

⁹ [HL Hansard, 6 December 2013, cols 538–64.](#)

¹⁰ [HL Hansard, 11 September 2015, cols 1618–34.](#)



inherit hereditary titles. It would also have given female heirs equal preference to male heirs in the line of succession. This bill did not receive a second reading and fell at the end of the 2022–23 session. Ms Baldwin has introduced the same bill during the 2023–24 session.¹¹ Speaking during a debate on 14 November 2023, she said she regretted the government had not introduced legislation to end what she described as the “indefensible system of ‘men only’ seats” in the House of Lords, arguing the “92 hereditary peerages are almost exclusively for men”.¹²

5. Government policy

Government statements on female succession to hereditary peerages have suggested that the government views reform as “complex” and that changing the law in this area was not a government priority.¹³ The most recent statement from the government was made in response to an oral question in the House of Commons on 18 January 2024 by Harriett Baldwin. Ms Baldwin asked whether the government would support her private member’s bill.¹⁴ The parliamentary secretary for the Cabinet Office, Alex Burghart, said succession to hereditary peerages was a “complicated area of constitutional law” but that the government “appreciate the position from which she is coming”.¹⁵

6. Read more

- House of Lords Library, [‘Women, hereditary peerages and gender inequality in the line of succession’](#), 3 October 2022
- House of Lords Library, [‘Hereditary by-elections: Results’](#), 15 June 2023
- House of Lords Library, [‘Hereditary peers in the House of Lords since 1999’](#), 27 March 2014

¹¹ UK Parliament, [‘Hereditary Titles \(Female Succession\) Bill’](#), accessed 31 January 2024.

¹² [HC Hansard, 14 November 2023, cols 548–9.](#)

¹³ [HL Hansard, 20 April 2021, cols 1720–2.](#)

¹⁴ [HC Hansard, 18 January 2024, col 1014.](#)

¹⁵ [HC Hansard, 18 January 2024, col 1014.](#)

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