

**Electing the Lords:**  
**How Did That Work Out for**  
**the Lib Dems?**

**A Study into the Effectiveness of the Interim**  
**Peers Panel System for Electing Liberal**  
**Democrat Nominees to the House of Lords,**  
**1999-2015**



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**September 2015**

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## Contents

Introduction: The Lib Dem Peers – Who Put Them There?	4
The Interim Peers Panel Explained	9
The Role of Patronage and the Party Leader	10
The Panel’s Electorate	11
The Kennedy Years (1999-2006)	12
The Campbell Years (2006-7)	12
The Clegg Years (2007-15)	13
The Legitimacy of the Elected List	15
The Legitimacy of Unelected Nominees	15
The Effect of Patronage on Internal Party Democracy	17
The Growth of the <i>Ex Officios</i> on the Interim Peers Panel	22
Conclusion	23
Policy Recommendations	24
Bibliography	25
About the Author	27

## **Introduction: The Lib Dem Peers – Who Put Them There?**

*“I mean, if I went ‘round saying I was an Emperor, just because some moistened bint had lobbed a scimitar at me, they’d put me away!” Michael Palin, Monty Python and the Holy Grail (1975)*

With a parliamentary party consisting of 112 peers and 8 MPs, the Liberal Democrats now have the largest ratio of peers-to-MPs at any time in the history of any major UK political party. The Lords look set to wield a strong influence on the party’s direction over the next parliament, with 14 of the party’s 22 current frontbench spokespersons already drawn from there.<sup>1</sup> Given the extremely low awareness of these peers – who vary from the seriously impressive to the distinctly mediocre – and since I’ve written elsewhere about the process by which some peers of all parties came by their positions,<sup>2</sup> I felt it might be instructive to look at how the present batch of 112 peers came to be appointed, and how well the appointment process worked.

Some of these peers have been in the Lords for a long time – both Geoff Tordoff and Derek Ezra were appointed in David Steel’s day, while Eric Avebury is the longest-sitting Lib Dem peer of all, having sat in the Lords since 1971 (and in the Commons in 1962-70). But these outliers are very much the exceptions to the rule, and the surge of appointments under Nick Clegg means that 51 of the Lib Dems’ 112 peers were only appointed in the last five years. Table 1 below sets out which leaders appointed the current crop of 112 Lib Dem peers.

**Table 1 – Who appointed the Lib Dem peers currently sitting, as of September 2015**

<b>Peers appointed by</b>	<b>No. of peers</b>
Nick Clegg	51*
Paddy Ashdown	29
Charles Kennedy	19
Sir Menzies Campbell	7
Hereditary peers	4**
David Steel	2

*\*Figure includes Lord Hussain, who is still listed as holding the Liberal Democrat whip according to the parliament.uk website, which is the generally-cited, up-to-the-minute authority treated by most news outlets as definitive; but according to the Lib Dem website he is no longer listed as holding the whip, following the March 2015 controversy over his having smuggled his son into the UK.*

*\*\*Not included in this figure are a further two hereditary peers, Lord Redesdale and the Earl of Mar and Kellie, both of whom currently sit by virtue of life peerages granted to them by Charles Kennedy in 2000, and so are included under Charles Kennedy’s total.*

It should be noted that the above is not a tally of the total number of peers appointed by each leader, but is merely an indication of those who still remain today; thus only 29 of Paddy Ashdown’s 38 nominees are still sitting today (both Dahrendorf and Jacobs switched to the Crossbenches a few years before their respective deaths, while Goodhart, Phillips, Sandberg and Sharman have all recently retired under the provisions of the House of Lords Reform Act 2014, and Holme, Howells and Russell-Johnston have died); and Charles

<sup>1</sup> Lib Dem spokespeople list as of September 11, 2015, <http://www.libdems.org.uk/spokespeople>.

<sup>2</sup> Daniel Boffey, [“Revealed: the Link Between Life Peerages and Party Donations”](#), *Observer*, March 22, 2015.

Kennedy's list has suffered a similar attrition rate to Ashdown's, but was shorter to begin with, so only 19 of his 27 peers are still sitting as Lib Dems. (Dykes, Neuberger, Oakeshott and Tonge have all changed their party affiliations, Roper has retired, while Garden of Hampstead, Livsey and Michie have passed away.)

**Table 2 – All Lib Dem Peers Appointed, 1988-Present, and How They Were Appointed**

New peers appointed - total	Peers selected from Interim Peers Panel			Peers NOT selected from Interim Peers Panel	% Drawn from Interim Peers Panel	% Drawn from elected members of Interim Peers Panel
	Total	Elected members of the panel	<i>Ex officio</i> members of the panel (former MPs / MSPs / AMs / MEPs / pre-1999 hereditaries)			
38	N/A			38 Alderdice, Barker, Bradshaw, Carille of Berriew, Clement-Jones, Dahrendorf, Dholakia, Goodhart, Hamwee, Harris of Richmond, Holme, Howells, Jacobs, Lester, Linklater, Ludford, McNally, Maddock, Miller of Chilthorne Domer, Newby, Nicholson of Winterbourne, Phillips of Sudbury, Razzall, Rennard, Rodgers, Russell-Johnston, Sandberg, Sharman, Sharp of Guildford, Smith of Clifton, Steel, Taverne, Thomas of Gresford, Thomas of Wallswood, Tope, Wallace of Saltaire, Watson of Richmond, Williams of Crosby	N/A	N/A
4	N/A			Marquess of Bath, Earl of Carlisle, Earl Russell, Viscount Thurso	N/A	N/A
27	20	9 Bonham-Carter, Greaves, Northover, Oakeshott, Redesdale, Roberts, Scott of Needham Market, Shutt, Walmsley	11 Ashdown, Chidgey, Fearn, Jones of Cheltenham, Kirkwood, Livsey, Earl of Mar & Kellie (hereditary peer given a life peerage as Baron Erskine), Michie, MacLennan, Tonge, Tyler of Linkinhorne	7 Alliance, Dykes, Falkner of Margravine, Garden of Hampstead, Neuberger, Roper, Vallance	74.07%	33.33%
6 (although all of them had sat before)	N/A (although one existing hereditary peer, Redesdale, was elected onto the Panel - see above)			Addington, Avebury, Viscount Falkland, Earl of Glasgow, Methuen, Earl Russell (all peers prior to 1999; returned under terms of 1999 Act)	N/A	N/A
7	6	3 Garden of Frogmal, Teverson (already an <i>ex officio</i> on the panel, as a former MEP), Thomas of Winchester	3 Burnett, Cotter, Wallace of Tankerness	1 Lee of Trafford	85.71%	42.86%
0	N/A			N/A	N/A	N/A
51	23	7 Brinton, Doocey, Hussein-Ece, Marks, Palmer, Parminter, Stoneham	16 Allan of Hallam, Beith, Bowles of Berkhamsted, Bruce of Bennachie, Burt of Solihull, Campbell of Pittenweem, Featherstone, Foster of Bath, German, Kramer, Randerson, Stephen, Stunell, Taylor of Goss Moor, Willis	28 Bakewell of Hardington Mandeville, Benjamin, Fox, Goddard of Stockport, Grender, Humphreys, Hussain, Janke, Jolly, Loomba, Macdonald of River Glaven, Manzoor, Oates, Paddick, Palumbo of Southwark, Pinnock, Purvis of Tweed, Scriven, Sharkey, Sheehan, Shipley, Smith of Newnham, Storey, Strasburger, Suttie, Thornhill, Tyler of Enfield, Verjee, Wrigglesworth	45.10%	13.73%
1	N/A			Earl of Oxford and Asquith	N/A	N/A

Source: *Dod's Parliamentary Companion* (London: Dod's, 1989-2015 editions); Colin Rosenstiel, *Liberal Democrats' All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/ldelections](http://www.rosenstiel.co.uk/ldelections).

**Table 3 – The Different Routes to a Life Peerage for Lib Dems, 1999-Present**

	Received a peerage			Never received a peerage
	Total	Peerage during their time on the Panel	Peerage <i>after</i> their time on Panel	
Lib Dem members elected to the Interim Peers Panel	23	19	4	92
Lib Dem members on Interim Peers Panel as an <i>ex officio</i> , i.e. former parliamentarian	34	34	N/A	100
Lib Dem members <i>not</i> on the Interim Peers Panel, and who never stood for it	33	N/A	N/A	>80,000 (estimated)
Lib Dem members who stood for the Interim Peers Panel, and who were not elected to it	3	N/A	N/A	176

Source: Extrapolated from Colin Rosenstiel, *Liberal Democrats' All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/ldelections](http://www.rosenstiel.co.uk/ldelections).

**Table 4 – Individuals elected to the Interim Peers Panel since 1999, successfully nominated to the Lords during their term**

Name	Term on panel	Elevated to the peerage
1. Jane Bonham Carter	2000-4	2004
2. Sal Brinton	2010-1	2011
3. Dee Doocey	2000-4, 2006-10	2010
4. Lady Sue Garden	2006-7	2007
5. Tony Greaves	2000	2000
6. Meral Hussein-Ece (née Ece)	2006-10	2010
7. Jonathan Marks	2004-11	2011
8. Lindsay Northover (née Granshaw)	2000	2000
9. Matthew Oakeshott	2000	2000
10. Monroe Palmer	2000-11	2011
11. Kate Parminter	2006-10	2010
12. Rupert Mitford, 3 <sup>rd</sup> Baron Redesdale (also <i>ex officio</i> – former Lib Dem hereditary peer)	2000	2000
13. Roger Roberts	2000-4	2004
14. Ros Scott	2000	2000
15. David Shutt	2000	2000
16. Ben Stoneham	2004-11	2011
17. Robin Teverson (also <i>ex officio</i> – former Lib Dem MEP)	2004-6	2006
18. Celia Thomas	2004-6	2006
19. Joan Walmsley	2000	2000

Source: Extrapolated from Colin Rosenstiel, *Liberal Democrats' All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/ldelections](http://www.rosenstiel.co.uk/ldelections).

**Table 5 – Individuals elected to the Panel since 1999, yet never selected for a peerage**

Name	Years on panel
1. Robert Adamson	2000-12
2. Qassim Afzal	2004-12
3. Zulfiqar Ali	2006-10
4. Jeremy Ambache	2008-12
5. Michael Anderson	2000-4
6. Joyce Arram	2006-10
7. Jon Ball	2010-4
8. Ralph Bancroft	2000-4
9. Sue Baring	2010-4
10. Kay Barnard	2010-4
11. Christina Baron	2006-10
12. Liz Barron	2004-8
13. Sue Barling	2000-4
14. Catherine Bearder (will be an <i>ex officio</i> on the Panel when she ceases to be an MEP)	2004-12
15. David Bellotti (already on the Panel since 1999; <i>ex officio</i> as a former MP)	2000-4
16. Phil Bennion (subsequently an <i>ex officio</i> member of the Panel after ceasing to be an MEP in 2014)	2006-10
17. Viv Bingham	2000-4, 2008-12
18. Sarah Boad	2000-4
19. Nahid Boethe	2006-10
20. Chris Bones	2010-4
21. David Boyle	2000-4, 2010-4
22. Duncan Brack	2008-12
23. Alan Butt Philip	2000-4, 2010-4
24. Richard Church	2010-4
25. Reg Clark	2006-10
26. Flo Clucas	2000-4
27. Stan Collins	2006-10
28. Ruth Coleman	2000-12
29. Val Cox	2000-4, 2010-4
30. Ian Cuthbertson	2006-10
31. Frances David	2000-4
32. Dawn Davidson	2004-8
33. Ramesh Dewan	2000-12
34. Chris Foote-Ward	2006-10
35. John Fox	2006-10
36. Jonathan Fryer	2000-12
37. Jock Gallagher	2000-12
38. Philip Goldenberg	2000-4, 2006-10
39. Lady Celia Goodhart	2004-8
40. Bernard Greaves	2008-12
41. David Griffiths	2006-10
42. Fiona Hall (subsequently an <i>ex officio</i> member of the Panel after ceasing to be an MEP in 2014)	2000-4
43. Josephine Hayes	2000-12
44. Steve Hitchins	2006-10

45. Antony Hook	2010-4
46. Keith House	2000-4
47. John Howson	2006-10
48. Christina Jebb	2006-10
49. James Kempton	2004-12
50. Iain King	2000-4
51. Bill Le Breton	2000-12
52. Liz Leffman	2010-4
53. Gordon Lishman	2000-4, 2008-12
54. Maitland Mackie	2004-8
55. Paul Marshall	2006-10
56. Rabi Martins	2006-10
57. Justine McGuinness	2008-12
58. Stuart Mole	2006-10
59. Rowland Morgan	2000-4
60. Fiyaz Mughal	2008-12
61. Mark Pack	2010-4
62. Jackie Pearcey	2004-12
63. Candy Piercy	2000-4
64. Kathy Pollard	2006-10
65. Peter Price	2004-12
66. Flick Rea	2000-4, 2010-4
67. Marie-Louise Rossi	2006-10
68. Mohammed Shafiq	2008-12
69. Alan Sherwell	2004-12
70. Elizabeth Shields	2000-4
71. Jane Smithard	2004-12
72. John Smithson	2004-8
73. Michael Steed	2000-4, 2006-10
74. Hilary Stephenson	2000-8
75. John Stevens	2004-12
76. John Tilley	2000-4
77. Paul Tilsley	2000-8
78. Mike Tuffrey	2010-4
79. Atul Vadher	2000-4
80. Gerald Vernon-Jackson	2006-10
81. Tony Vickers	2008-12
82. James Walsh	2000-4
83. David Walter	2006-10
84. Chris White	2004-12
85. Joanne Whitehouse	2000-4
86. Chris Wiggin	2010-4
87. Alex Wilcock	2000-4
88. David Williams	2000-12
89. Alison Willett	2000-4
90. Elizabeth Wilson	2006-10
91. Robert Woodthorpe Browne	2006-10
92. Paula Yates	2000-4

Source: Colin Rosenstiel, *Liberal Democrats' All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/lelections](http://www.rosenstiel.co.uk/lelections).



## **The Interim Peers Panel Explained**

Elsewhere, I have called for a reinstatement of the Interim Peers Panel (IPP) elections as a safeguard against the sale of peerages,<sup>3</sup> which there is mounting evidence to believe has happened in the last decade.<sup>4</sup> Certainly, the practice of electing a political party's Lords nominees has now spread to the Green Party,<sup>5</sup> and so it is even less defensible that the Lib Dem commitment to this once-trailblazing democratic process should have been quietly dropped three years ago.

But it should be asked how effectively enforced the Interim Peers Panel was. A "Democratic Reform Group" set up by the Lib Dem Federal Executive did look at this in 2013, but curiously, none of their outputs gave any indication of their having considered the absolute numbers involved – so the numbers are given in this report, with detailed breakdowns.<sup>6</sup> In Table 2, all Lib Dem peerages since the party's 1988 foundation are given, so we can see how peerages were dispensed under Paddy Ashdown before the 1999 rules were brought in by Conference (against Ashdown's strong opposition), and how rigorously rules have been enforced (or not) under Charles Kennedy, Menzies Campbell and Nick Clegg.<sup>7</sup>

It is worth elaborating on how the Interim Peers Panel works. (The "Interim" of the title refers not to the peers themselves, but to the supposedly temporary status of the House of Lords, and how any Lib Dem peers are expected to press for their own abolition – an opinion which hasn't always been pursued once nominees have been comfortably ensconced in the Lords.) Donnachadh McCarthy, who played a key role in the introduction of the Panel, writes:

Firstly, as we [Liberal Democrats] were in favour of elections to the Lords, we could demonstrate our good faith by introducing elections for our own nominees. Secondly, I wanted to put an end to donors buying Lib Dem peerages . . . And thirdly, I wanted an end to the corrosive suppressive effect Lords patronage was having on internal party democratic debates.<sup>8</sup>

The system was adopted in 1999, in tandem with Tony Blair's "phase one" Lords reform, which involved the abolition of most hereditary peers, on the assumption that "phase two" reform (involving a strong democratic element) was imminent. Lib Dem members were elected to the IPP for up to four years at a time, and the leader could choose their peerage nominees from that panel, plus one nominee of their own for every batch of peers

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<sup>3</sup> Seth Thévoz, "[What Price a Lib Dem Peerage?](#)", *Liberator*, 371 (April 2015), pp. 6-7.

<sup>4</sup> Andrew Mell, Simon Radford and Seth Thévoz, "[Is There a Market for Peerages? Can Donations Buy You a British Peerage? A Study in the Link Between Party Political Funding and Peerage Nominations, 2005-14](#)", (Oxford University Department of Economics Discussion Paper 744, Oxford, March 2015), 34pp.

<sup>5</sup> "[Jenny Jones 'Elected' to House of Lords as Green Peer](#)", *Business Green: Sustainable Thinking*, August 1, 2013.

<sup>6</sup> The Democratic Reform Group's terms of reference can be found in Sue Doughty et al., "[Party Reform: A Panel Fit for Purpose](#)" (Democratic Reform Group, London, 2013), 14pp.

<sup>7</sup> For an account of the difficulty in passing the conference resolutions committing the party to democratically electing peerages, and for the opposition of then-Leader Paddy Ashdown, see Donnachadh McCarthy, *The Prostitute State: How Britain's Democracy Has Been Bought* (3 Acorns, London, 2014), pp. 94-6.

<sup>8</sup> Donnachadh McCarthy, *The Prostitute State: How Britain's Democracy Has Been Bought* (3 Acorns, London, 2014), p. 95

appointed (and batches have been anything from one to fifteen at a time, but have typically been around five to eight since the Tony Blair era).

The size of the elected element on the Panel was originally 50, for what was assumed to be a one-off list in 1999, effective for four years from 2000. In 2004, when the list expired, and with no further reform of the House of Lords in sight, Lib Dem conference standardised the process to regular elections of a panel of 30 people every two years, for overlapping four-year-terms, and this was implemented in 2004, 2006, and 2008. In 2010, on the somewhat naïve assumption that the Conservative-Lib Dem Coalition would imminently carry out Lords reform, just 15 people were elected to the IPP. In 2012, the IPP elections were suspended altogether, on the pretext that Lords reform was going ahead, even though the Coalition's Lords reform proposals had already collapsed in the aftermath of an August 2012 vote in the Commons, and the IPP elections that were due would not have been held until November 2012. Accordingly, the terms of the last 15 members of the Panel elected in 2010 expired in 2014, and since then, the party has had no elected Panel members.

But the elected members are not the only people on the Panel – former Lib Dem MPs, MEPs, MSPs and Welsh AMs are automatically deemed to be *ex officio* members of the Panel once they cease to be parliamentarians, along with the handful of hereditary peers who took the Lib Dem whip before 1999. (Former parliamentarians who sat for the Liberal Party, SDP, or another party are not included – only those who have taken the Liberal Democrat whip since 1988 are *ex officios*.)

Table 3 highlights the importance of the *ex officio* members of the Panel compared to the elected members – it shows the different routes to a peerage available since 1999, and strongly suggests that the best way of getting a Lib Dem peerage is to become a Liberal Democrat parliamentarian first. 34 out of 134 ex-parliamentarians (25.4%) have received peerages. That compares to just 19 out of 115 elected Panel members (16.5%) who were ennobled during their time on the Panel. Yet for those hankering after a peerage, it is still worth standing for election to the Panel: the odds of ennoblement may be slim (just 26 out of 291 candidates – or 8.9% – who stood for the Panel ended up getting a peerage), but these are still much better odds than hoping to be ennobled as a rank-and-file member who has not been a parliamentarian. (In the absence of precise membership data accounting for Lib Dem membership “churn” over the last 16 years, a precise figure is not possible, but a “guestimate” would be 0.04%.)

Table 4 lists the 19 successful Lib Dem members who were elected to the Panel and who subsequently made it to the House of Lords during their elected term.

### **The Role of Patronage and the Party Leader.**

Of course, getting elected to the Panel is no guarantee of being picked by the leader for a peerage, and Table 5 above names the 92 people elected to the Panel at various times who have not been selected. Some people who were particularly keen to press their claim for a peerage stood for the Panel's elected component, even though they were already on its *ex officio* component: David Bellotti, Rupert Redesdale and Robin Teverson were all elected to the Panel, despite already being on it by default, as former parliamentarians – presumably, they believed that standing would give them a further degree of legitimacy. In Redesdale and Teverson's cases, this was successful in securing a peerage. In Bellotti's case, it was not.

The leader's choices can be all-important in singling people out from the Panel – for instance, while the two people elected to the top of the 1999 Panel (hereditary peer Rupert

Redesdale and activist Tony Greaves) were both ennobled, neither the third nor fifth candidates elected (wealthy businessman Ramesh Dewan and former MP David Bellotti) were put up for peerages, despite candidates with fewer first-preference votes like activists Lindsay Northover and Ros Scott being ennobled. The leader's patronage, then, can be critical in selecting peers, even among the democratically-elected list.

There is, of course, a need to sift through the candidates. As the Lib Dems' Democratic Reform Group pointed out, "There is currently no candidate approval process in place for those wishing to be elected to the Interim Peers Election Panel", beyond the basic requirement that they find 30 Conference Representatives to nominate them.<sup>9</sup> To underline this point, the subsequently-disgraced Sir Cyril Smith was on the panel as an *ex officio*, from its 1999 instigation until his death in 2012. At present, the Leader exercising their patronage is the only internal party sifting or vetting process.

There is a genuine need to exercise such an approval process – as the blocking of David Laws' nomination by the House of Lords Appointments Commission showed, unsuccessful nominations can cause the party considerable embarrassment, while the variable attendance records of peers can be symptomatic of varying levels of commitment to the role of legislator.

However, there is no reason why the party leader needs to be the person making that decision, and it may be worth asking whether there are more accountable and democratic ways of approving peerage candidates than to leave it to the leader's private office.

At all stages of the IPP system, a measure of patronage has been ever-present. From the outset, the IPP system recognised the legitimacy of the leader to nominate one non-Panel name per batch, and so the system has not eliminated the leader's patronage entirely. Similarly, for an individual to get from the list (whether they were elected there, or placed there as an *ex officio*) to the House of Lords still requires the leader's patronage. As such, a drawback of the system is that it does not entirely remove the role of patronage in Lords appointments, and no system could do that, short of adopting the Green Party system of direct elections.

Furthermore, in picking out the *ex officio* peers, and the leader's own private nominations that became a staple of the Clegg era, it is clear that the leader continues to exercise considerable patronage.

### **The Panel's Electorate**

Ever since the Panel's introduction in 1999, the electorate for the Panel has been made up of several thousand Liberal Democrat Conference Representatives, themselves elected by the rank-and-file members to represent local parties (plus a handful of affiliated bodies, the "Specified Associated Organisations", like the party's youth wing).

Consequently, the electorate has a strong bias in favour of well-known party activists, and is perhaps less representative of less active armchair members. The degree to which this is true is, of course, hard to prove, as the inactivity of the armchair members makes their voting behaviour difficult to predict.<sup>10</sup> Nonetheless, this bias is clearly

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<sup>9</sup> The Democratic Reform Group's terms of reference can be found in Sue Doughty et al., "[Party Reform: A Panel Fit for Purpose](#)" (Democratic Reform Group, London, 2013), p. 11.

<sup>10</sup> See, for instance, the way that the blog *Lib Dem Voice* polled the active membership in their private forums in November 2014 for how they would vote in the forthcoming party presidential election. 747 members replied (out of a membership of 44,000 at the time), producing a forecast that Daisy Cooper would win with

represented in the names elected to the panel, who tend to be well-known, veteran party activists.<sup>11</sup> Whether a wider franchise would produce a different result is unclear, since well-known activists tend to feature heavily in party communications to armchair members as well, and so receive more publicity.

The Liberal Democrats are in the middle of an ongoing governance review, and one of the proposals being put forward is to have the party switch from a Conference Representative system, to a “One Member, One Vote” (OMOV) system that would give all members a vote on such issues. The proposal is not uncontroversial, but if implemented, would have clear ramifications for the Interim Peers Panel.

### **The Kennedy Years (1999-2006)**

As the first leader affected by the Panel, Charles Kennedy initially adhered to the list— his first batch of peerages in 2000 consisted of Tony Greaves, Lindsay Northover, Matthew Oakeshott, Rupert Redesdale, Ros Scott, David Shutt, and Joan Walmsley from the elected part of the list, the Earl of Mar and Kellie from the *ex officio* part of the list, plus one peerage in his own personal gift, which went to ex-SDP MP John Roper.

Kennedy’s second batch of peerages formed part of the 2001 dissolution honours, and so consisted entirely of retiring MPs, in keeping with the standard practice of dissolution honours (and standing in stark contrast to Nick Clegg’s more creative use of the 2010 and 2015 dissolution honours). These went to retiring MPs Paddy Ashdown, Ronnie Fearn, Richard Livsey, Robert Maclennan, and Ray Michie – all were *ex officio* members of the Panel once they retired from the Commons, and so this batch was also in keeping with the Panel system, even if it did not include any elected members.

However, Kennedy caused some disquiet with his third batch of peerages in 2004, when only two of the eight places went to people elected to the Panel, Jane Bonham Carter and Roger Roberts (and no places went to *ex officio* members of the Panel).<sup>12</sup> The remaining six seats went to Kennedy’s own nominees: party staffer Kishwer Falkner, retired Air Marshal Sir Tim Garden, Rabbi Julia Neuberger, former Conservative MP Hugh Dykes, and wealthy businessmen Sir David Alliance and Sir Iain Vallance.

Kennedy’s fourth and final peerages list was far more conventional, being the 2005 dissolution honours, containing the retiring MPs David Chidgey, Nigel Jones, Archy Kirkwood, Jenny Tonge and Paul Tyler.

### **The Campbell Years (2006-7)**

Menzies Campbell only appointed seven peers during his short leadership of the party, and his appointments were fully in line with the Panel system: his first batch in 2006 consisted of Robin Teverson and Celia Thomas from the elected part of the Panel; John Burnett and Brian Cotter from the *ex officio* contingent; and John Lee as his personal nominee. To that, he

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52% of the vote on the first round, with 30% going to Sal Brinton, on a 91% turnout. This may or may not have been an accurate barometer of activist opinion, but bore little relationship to the final result once armchair members had voted, with 46.8% voting for Brinton on the first ballot, and 27.0% for Cooper, on a 38.9% turnout. See Stephen Tall, [“Election for Party President: Who Will Win, According to Our Exclusive Survey”](#), *Lib Dem Voice*, November 26, 2014.

<sup>11</sup> Sue Doughty et al., [“Party Reform: A Panel Fit for Purpose”](#) (Democratic Reform Group, London, 2013), p. 11, which states “The list is currently elected by conference delegates who may be biased in favour of those they already know, in contrast with electing PPCs by one member one vote.”

<sup>12</sup> [“Radical Bulletin: End of the Peers Show”](#), *Liberator*, 293, February 2004, p. 4; “Kennedy Reported to MPs’ Watchdog”, *BBC News*, September 1, 2004, accessed at [http://news.bbc.co.uk/1/hi/uk\\_politics/3617328.stm](http://news.bbc.co.uk/1/hi/uk_politics/3617328.stm).

later added a second batch of two peers in 2007, Sue Garden and Jim Wallace, both from the Panel, the first elected, the second *ex officio*. Campbell was thus the only Lib Dem Leader to fully adhere to the letter of the Panel rules during his stint, albeit with few nominations made.

### **The Clegg Years (2007-15)**

I will not list all 51 of Nick Clegg's successfully-nominated peerages here, not least for reasons of brevity (though their names can all be found in Table 2). However, it is clear from the figures alone that Nick Clegg has ridden roughshod over the whole Panel concept, and the figures starkly show what happened in 2007-15.<sup>13</sup> Previously, Charles Kennedy had appointed 74.1% of his peers from the Panel, although only 33.3% of those were from the elected contingent. Menzies Campbell's six Panel nominees constituted 85.7% of his seven peerage appointments, with three of them (42.9%) being from the elected element. Nick Clegg made just 45.1% of his appointments from the Panel – and the figure was only that high because of his propensity for ennobling former parliamentarians who were *ex officio* members of the Panel, making up two-thirds of Clegg's Panel appointments. Just 13.7% (or 7 out of 51) of Clegg's peerages went to individuals elected onto the Panel. Under Nick Clegg, the elected Panel effectively died a death.

The apparent suitability of peerages under Clegg has also suffered a big setback. Since the creation of the House of Lords Appointments Commission (HoLAC) in 2000, almost concurrently with the introduction of the Lib Dems' Panel system, a total of seventeen peerage nominations by the political parties have been blocked.<sup>14</sup> As HoLAC's successive Chairmen and spokespersons have gone to considerable pains to point out, they have no remit to vet the merits of appointments (and have sometimes made little secret of their contempt for the merit – or otherwise – of certain party political nominees they consider to be underqualified for a place in the Lords), as they have no power to block appointments on the grounds of competence. They can merely vet for "propriety".<sup>15</sup> Nonetheless, throughout the Kennedy and Campbell years, HoLAC had never blocked a single Lib Dem peerage.

Under Clegg, the name of one wealthy party donor was reportedly pulled from an internal nomination list just days before it was due to be formally proposed in July 2013, in the wake of various press reports around the individual concerned;<sup>16</sup> and in August 2015,

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<sup>13</sup> It should be conceded that the nature of the IPP having expired by 2014 means that by definition, peers appointed after 2014 could not be elected members of the IPP. However, against this, several things must be considered. Firstly, only 11 of Clegg's 51 peerages were awarded after the last IPP expired. Secondly, in line with dissolution honours, 8 of the 11 people on the final 2015 list were former parliamentarians who were *ex officio* Panel members anyway, so it was not their appointments which led to the run of Clegg acolytes being appointed, but the wilful decision in 2010-4 for Clegg to appoint his own nominees over the party's.

<sup>14</sup> Figure of 10 blocked peerages 2000-2014 derived from Freedom of Information request to House of Lords Appointments Commission and response dated September 16, 2014, House of Lords Appointments Commission website, [http://lordsappointments.independent.gov.uk/media/32087/foi%20responses%202014%20\(updated%20september\).pdf](http://lordsappointments.independent.gov.uk/media/32087/foi%20responses%202014%20(updated%20september).pdf); a further 7 blocked peerages, all from 2015, reported in Peter Dominiczak, Steven Swinford and Christopher Hope, "[Revealed: Seven Peerages Blocked After Failing Vetting Process](#)", *Daily Telegraph*, August 26, 2015.

<sup>15</sup> See, for instance, the testimony of Lord Stevenson of Coddensham, the then-Chairman of HoLAC, in House of Commons Public Administration Select Committee, "[Propriety and Peerages: Second Report of Session 2007-08](#)" (The Stationery Office, London, 2007), ev. 14-26

<sup>16</sup> Claire Newell, Holly Watt and Ben Bryant, "[Lib Dem Donor Denied Peerage After Care Home Neglect Report](#)", *Daily Telegraph*, July 28, 2013.

HoLAC leaked that David Laws had become the first Lib Dem nominee to ever be formally blocked from a peerage.<sup>17</sup> Additionally, the party suffered adverse publicity after Clegg appointed a number of major donors to the House of Lords;<sup>18</sup> and in resigning from the party in 2014, Lib Dem peer Lord Oakeshott commented:

When Charles Kennedy rang to make me a peer, from a panel elected by the party, fourteen years ago, he said he wanted me to shake up the Lords. I've tried – my bills to ban non-dom peers are now law – but my efforts to expose and end “cash for peerages” in all parties, including our own, and help get the Lords elected have failed.<sup>19</sup>

Earlier this year, my colleagues Andrew Mell, Simon Radford and I sought to test such claims by releasing a detailed, long-term, cross-party study through Oxford University, of the link between peerages and donations between 2005 and 2014. The report had a number of striking findings, including our identifying a strong statistical link between making large donations to the three political parties and being appointed to the House of Lords. One of the more curious features of the data was around the odds of becoming a peer across the different parties – the Conservatives were not short of major donors (we counted some 543), and so only 1 in 22 Conservative “big donors” were given peerages. In the Labour Party, 1 in 14 “big donors” was given a peerage. In the Liberal Democrats, the figure was 1 in 7. In short, the Lib Dems were pushing the cross-party average for a link between donations and peerages up, not down.<sup>20</sup> These were sobering statistics for any party to contemplate. Even more soberingly, I can divulge here that when we were processing the data, we noted that the high concentration of Lib Dem “big donors” appointed to the Lords were all put forward under Nick Clegg. None of the data on Charles Kennedy or Menzies Campbell’s nominees from 2005-7 – when the Panel system was still being enforced – contained any “big donors”.

As we stressed at the time, none of these statistics should be used to make any inferences about any individual cases – they relate to overall trends, and not to individual people; and do not in themselves constitute a “smoking gun” on any specific “cash for peerages” allegations, even though they present evidence that is fully consistent with such allegations.<sup>21</sup> Nonetheless, they indicate a worryingly strong relationship between money and peerages during the Clegg years. The data we have from when the Panel system was

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<sup>17</sup> Andrew Pierce, [“EXCLUSIVE: Expenses Cheat David Laws Denied Peerage in Snub to Friend Nick Clegg: Lords Appointments Commission Turns Down Former DPM’s Nomination”](#), *Daily Mail*, August 13, 2015.

<sup>18</sup> See, for instance, Marie Woolf, [“Cash for Peerages Row Hits Clegg”](#), *Sunday Times*, June 16, 2013; Sam Marsden, [“Clegg in ‘Cash for Honours’ Row Over His Biggest Donors: Two-Fifths of Lib Dem Donations Came From Three Men...And They’ve Recently Been Made Peers”](#), *Mail on Sunday*, June 15, 2014; Chris Greenwood, [“Police Probe Lib Dem Cash for Peerages Allegations: Party Under Pressure Over Claims Party Chiefs Offered Titles to Donors”](#), *Daily Mail*, June 30, 2014; Patrick Wintour, [“‘Cash-for-Peerages’ Row to Reignite as Lib Dem and Tory Donors Head for Lords”](#), *Guardian*, August 7, 2014; Nigel Morris, [“Plan to Ennoble Wealthy Lib Dem Donor Prompts More Claims of Cronyism in the Honours System”](#), *Independent*, August 7, 2015.

<sup>19</sup> George Eaton, [“Lord Oakeshott accuses the Lib Dems of ‘Cash for Peerages’”](#), *New Statesman*, May 28, 2014.

<sup>20</sup> Andrew Mell, Simon Radford and Seth Thévoz, [“Is There a Market for Peerages? Can Donations Buy You a British Peerage? A Study in the Link Between Party Political Funding and Peerage Nominations, 2005-14”](#), (Oxford University Department of Economics Discussion Paper 744, Oxford, March 2015), 34pp.

<sup>21</sup> Indeed, as we indicated in the paper, our calculations on the highly improbable odds involved – roughly the same as winning five National Lottery jackpots in a row – did not relate to any individual cases, but to the improbability of so many “big donors” all being appointed to the House of Lords by chance.

being enforced in 2005-7 would seem to suggest that such a link between money and peerages was not present then.

In Clegg's defence, he has had a stronger record of ennobling women and ethnic minority peers than his predecessors, and it would have been difficult for him to have done so if he had confined himself to the Interim Peers Panel list, which very much reflected the Lib Dem activist base in being disproportionately white and male. If one is to advance the view that minority representation in the Lords should be a primary consideration of appointments, then it can be argued that this is incompatible with the Panel system, and that Clegg was therefore fully justified in largely ignoring it. Nonetheless, the fact that Clegg overlooked a number of perfectly plausible and effective women and ethnic minority nominees who were on the Panel, in favour of his own appointees, suggests this was not the only factor at play.

### **The Legitimacy of the Elected List**

One could question the legitimacy of the elected list. While conference resolutions should be binding upon the leader, the fact remains that the peerage appointment apparatus of the Monarchy does not recognise such internal party processes; only the nominations put forward by a party leader. Consequently, there is nothing to stop a Lib Dem leader from going ahead and doing what they wish in this sphere, as Nick Clegg (and to a much lesser extent, Charles Kennedy) showed. Moreover, the status of the 1999 and 2004 conference resolutions was merely a request to the leader – conference has no real binding sanction to enforce these requests, any more than they had any real binding sanction to enforce numerous policy changes which were bartered away during the coalition years under the mantra of “The coalition agreement over-rides everything else” (even though this argument was sometimes appropriated to defend policies which were never actually in the coalition agreement). Thus the difficulty of enforcing the elected list is symptomatic of a wider problem for the Liberal Democrats, in that the 2010-2015 coalition highlighted on a number of issues, from tuition fees to secret courts, that the leadership and the parliamentary party were perfectly capable of ignoring conference resolutions, with apparently few consequences, other than at the ballot box.

Thus whilst it may be argued that the elected Panel members have added legitimacy on a moral level, the reality is that they have little legitimacy either in UK law, or in the practical enforcement of party rules. This problem is likely to persist as long as the Liberal Democrats fail to resolve whether or not their conference resolutions are binding. If they are, then the means of making these resolutions binding will need to be clarified, along with outlining the sanctions for a failure to comply. If not, then the point of Lib Dem conferences passing resolutions remains doubtful.

### **The Legitimacy of Unelected Nominees**

*If* one accepts the role of an appointed chamber (a big “if” for Liberal Democrats), then there is a certain logic to some of the leader's appointments being made through patronage, particularly in the case of some of Charles Kennedy's nominations: Air Marshal Sir Tim Garden was a strong case in point. Having only joined the party in the early 2000s, Garden would not have been eligible to stand in the 1999 IPP elections, and even if he had, then as a relative unknown he would have been unlikely to have attracted the vote of many of the Conference Representatives making up the electorate; but once he joined the party, he rapidly offered invaluable advice, particularly on military matters in the run-up to the



Iraq war, offering insight (and healthy scepticism) into the irregularities of the so-called “intelligence” cited by the Blair government as a justification for going to war.

Nonetheless, as the grounds for Garden’s appointment would have been his “expert opinion”, he was precisely the kind of peer one might normally have expected to see appointed to the Crossbenches rather than as a party political nominee. Indeed, one of the reasons for the creation of HoLAC in 2000 was its being given the remit to appoint independent-minded experts to the Lords, and therefore to relieve party leaders of having to make such nominations, leaving leaders free to make political appointments – which in the Liberal Democrats’ case, were supposedly reserved for the Panel (although it should be recognised that under David Cameron, these powers seem to have fallen into abeyance, with no new Commission-nominated Crossbenchers created since February 2013, leaving this function to once again rest with the patronage of party leaders).

From a purely legal point of view, peers appointed through patronage are, of course, just as legitimate as any other. Indeed, courtesy of most of the other parties still depending entirely on their leaders’ patronage, the introduction of democracy to the Lords is very limited – out of some 827 peers, the total numbers to be elected by some process or other are just 92 hereditary peers (from an electorate of other hereditary peers), 26 Bishops (elected by 14-strong Crown Nominations Commissions within the Church of England), 19 Liberal Democrats (from an electorate of party Conference Representatives), and 1 Green (elected by all Green Party members). In other words, there are more “elected” Bishops and Hereditaries in the Lords than there are Liberal Democrats, so the party can hardly claim the moral high ground on the *status quo*. Elected peers are thus something of an aberration in the grand scheme of things. Nonetheless, they remain arguably more legitimate than anybody else there, barring the Green Party’s directly-elected nomination system.

**Table 6 – Individuals elected to the Interim Peers Panel since 1999, who *did* eventually get a peerage, but not during the period they were on the Panel**

Name	Term on panel	Elevated to the peerage
Sharon Bowles (subsequently an <i>ex officio</i> Panel member from 2014)	2000-4	2015
Olly Grender	2006-10	2013
Brian Paddick	2008-12	2013
Julie Smith	2004-12	2014

Source: Extrapolated from Colin Rosenstiel, *Liberal Democrats’ All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/lelections](http://www.rosenstiel.co.uk/lelections).

Yet the question of legitimacy is not binary. Partly, this is because even those ‘elected’ Lib Dem peers have still had an element of patronage to pluck them out from the list. There are also some ‘borderline’ cases of legitimacy with the Lib Dem Panel system. Specifically, I am thinking of the individuals who were elected to the Panel, not selected for a peerage, whose terms on the Panel then expired, but who were later appointed anyway. (Table 6.) This only applied to four people, Sharon Bowles, Olly Grender, Brian Paddick and Julie Smith (though by the time Bowles was appointed, she had become an *ex officio* member of the Panel after having served as an MEP, so she did indeed have a legitimate place on the Panel). Of course, the greatest argument in favour of Grender, Paddick and



Smith was that the Panel system was winding down and/or had been phased out at the time they were appointed – Grender might have remained on the Panel when she was ennobled in 2013, had she stood for a second term in 2010, but she declined to do so; whilst Paddick and Smith were unable to stand for a further term on the Panel in 2012 due to those Panel elections having been cancelled. An argument deployed at the time was that the penultimate 2008 Panel elections were still valid, although this becomes ever more doubtful as time passes, and fails to explain why none of the other nine peers appointed from the same batch as Paddick and none of the other five peers appointed in the same batch as Smith were drawn from the Panel, either as elected or *ex officio* members.

Less defensible are the three cases of individuals who stood for election to the Interim Peers Panel and were defeated, yet still managed to make it into the Lords by dint of the leader’s patronage: John Roper (now retired from the Upper House), David Goddard and Kishwer Falkner (Table 7). Their legitimacy for a Lib Dem peerage would seem to be extremely dubious, given their explicit rejection at IPP elections. One might ask what the point is in having elections at all, if those who are explicitly rejected by the voters still end up being appointed anyway.

**Table 7 – Individuals successfully nominated to the Lords, despite having unsuccessfully stood for the Interim Peers Panel (and not being an *ex officio* member of the panel)**

Name	Year of unsuccessful IPP candidature(s)	Elevated to the peerage
Kishwer Falkner (née Khan)	1999	2004
John Roper	1999	2000
David Goddard	2010	2014

Source: Extrapolated from Colin Rosenstiel, *Liberal Democrats’ All-Member Election Results, 1988-2015*, accessed at [www.rosenstiel.co.uk/ldelections](http://www.rosenstiel.co.uk/ldelections).

### **The Effect of Patronage on Internal Party Democracy**

Since at least the seventeenth century, the philosophy of liberalism has stemmed from an instinctive mistrust of abuses of power, and a desire to install checks and balances to disperse power, and to make power more accountable.<sup>22</sup> Liberals of all shades of opinion would recognise the relevance of Lord Acton’s quintessentially liberal observation that “Power tends to corrupt and absolute power corrupts absolutely.”<sup>23</sup> Liberals are thus instinctively opposed to the type of unaccountable power that is wielded by the kind of patronage outlined above.

As previously quoted, one of the three main reasons IPP elections were introduced was to try to “end . . . the corrosive suppressive effect Lords patronage was having on internal party democratic debates”,<sup>24</sup> given the tendency of certain party activists to seek to obediently catch the eye of the party leader who nominates peerages and other honours.

<sup>22</sup> This is not the place for a historiography of the development of Liberal philosophy, but a strong summary can be found in the writings of Conrad Russell, in particular, Conrad Russell, *The Liberal Cause: The Three-Century-Long Tradition of the Liberal Democrats – Unservile State Paper #35* (London: Unservile State Group, 1990), and Conrad Russell, *An Intelligent Person’s Guide to Liberalism* (London: Duckworth, 1999).

<sup>23</sup> Lord Acton, letter to Mandell Creighton, April 5, 1887, in John Neville Figgis and Reginald Vere (eds), *Historical Essays and Studies by John Emerich Edward Dalberg-Acton* (London: Macmillan, 1907), p. 504.

<sup>24</sup> Donnachadh McCarthy, *The Prostitute State: How Britain’s Democracy Has Been Bought* (3 Acorns, London, 2014), p. 95

Few forms of behaviour can be less philosophically reconcilable with liberalism than the quiet parroting of the views of the party leader of the day, regardless of merit – and yet it is the enormous patronage placed in the leader’s hands which positively encourages such behaviour. Anyone involved in politics has seen this happen first-hand across all major parties, and personally, I never cease to be amazed at how even hitherto-principled and admirable people can find themselves stopping at nothing, even betraying close friends or defending dubious causes, for little more than a paltry MBE. Certainly, the study of political behaviour and behaviour around power remains a relatively under-examined area, more in the realm of psychology than politics; yet it remains a field with far-reaching implications, and the question of how people behave around power should be of keen interest to all Liberals.<sup>25</sup>

As someone who was involved – in a fairly peripheral capacity – in the May 2014 attempt at a coup against Nick Clegg (I was never the “rebel ringleader”, as politics.co.uk inaccurately described me,<sup>26</sup> I was merely someone who was fully prepared to say in public what I had been saying in private – something which was sadly not the case with a sizeable number of MPs who all subsequently lost their seats, not to mention numerous Lib Dem peers, and other parliamentarians...), and who is now prouder than ever of my actions to try and steer the party clear of the disaster of May 2015, I saw the effects of patronage most dramatically.

The extent of the abuse of patronage under Clegg has yet to be fully exposed, as he doled out assorted peerages, knighthoods and lesser baubles in exchange for political support. This is not in any way illegal – far from it, it is one of the main purposes for which the Honours system was created in the Middle Ages.<sup>27</sup> Indeed, one Lib Dem peer has divulged that in 2013, fully cognisant of just how vulnerable his position was, Nick Clegg circulated well over 80 peerage nomination “security vetting forms” around key party activists.<sup>28</sup> These vetting forms were not in any way legally binding. They did not mean that over 80 people were to be ennobled from 2013 (the figure was actually 28 – and 8 of those went to long-standing parliamentarians, not to rank-and-file activists), nor that all 80 individuals even had their names formally nominated. Nonetheless, this left over 80 party activists – including some very well-known names – firmly believing that they were imminently under consideration for a peerage.<sup>29</sup> Accordingly, they were on their “best behaviour” around May 2014, publicly defending Clegg, despite having expressed very different views in private only a few months earlier. Some even then resumed criticising him by the end of the year, having finally twigged that the much-promised peerage was an exercise in *Waiting for Godot*. Since a number of these individuals have subsequently been

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<sup>25</sup> See, for instance, David Owen, *The Hubris Syndrome: Bush, Blair and the Intoxication of Power* (London: Politico’s: 2007), and David Owen, *In Sickness and In Power: Illness in Heads of Government During the Past 100 Years* (London: Methuen, 2008), which may well be written by an author notable for a notorious measure of hubris himself, but which nonetheless sheds some fascinating light on the numerous psychological effects of power on the human mind and on human behaviour.

<sup>26</sup> Alex Stevenson, “‘Stop It Now!’, Ashdown Begg for End to Lib Dem Plotting”, *Politics.co.uk* <http://www.politics.co.uk/news/2014/06/01/stop-it-now-ashdown-begg-for-end-to-lib-dem-plotting>.

<sup>27</sup> John Walker, *The Queen Has Been Pleased: The British Honours System at Work* (London: Secker & Warburg, 1986), pp. 31-54. I can also strongly recommend the pioneering work found in the unpublished manuscript Andrew Roth, “Up the Golden Bannister” (1963), held in the Roth Collection, Bishopsgate Institute, London.

<sup>28</sup> Private information.

<sup>29</sup> The only part of this to have broken into the public domain was a press report indicating some dozen or so individuals – including some named individuals who subsequently did not get peerages – who had been offered peerages in Marie Woolf, “Clegg to Salve Lib Dem Pain With Peerages”, *Sunday Times*, June 15, 2014.

in “foot in mouth” mode over the incident (my own personal view is that if you are gullible enough to have your support “bought off” in this way, then you are inherently unfit to be a legislator), I doubt many will voluntarily come forwards. The silencing effect of patronage on internal party democracy should therefore be all too apparent; it is very difficult to have any kind of meaningful democratic debate if participants are looking over their shoulder worrying about a political future, or even just a decorative bauble such as a knighthood or OBE, resting entirely on the patronage of one individual.

The incident outlined a phenomenon which has long been a feature of political life across all parties, and from which the Liberal Democrats have sadly not been immune from in this day and age. Liberalism is fundamentally rooted in Enlightenment philosophy, and rejects the practices of the Middle Ages – of which the wielding of state-sponsored patronage by one individual without checks or balances is one of the last few remaining features. Thus even if one chooses to reject the assorted pieces of evidence presented here as to why it is undesirable to allow a party leader to continue to wield this level of unscrutinised power, philosophically, it is something which should be indefensible for Liberals.

**Table 8 – Former Parliamentarians who have been *ex officio* members of the Interim Peers Panel since 1999, yet have not received a peerage**

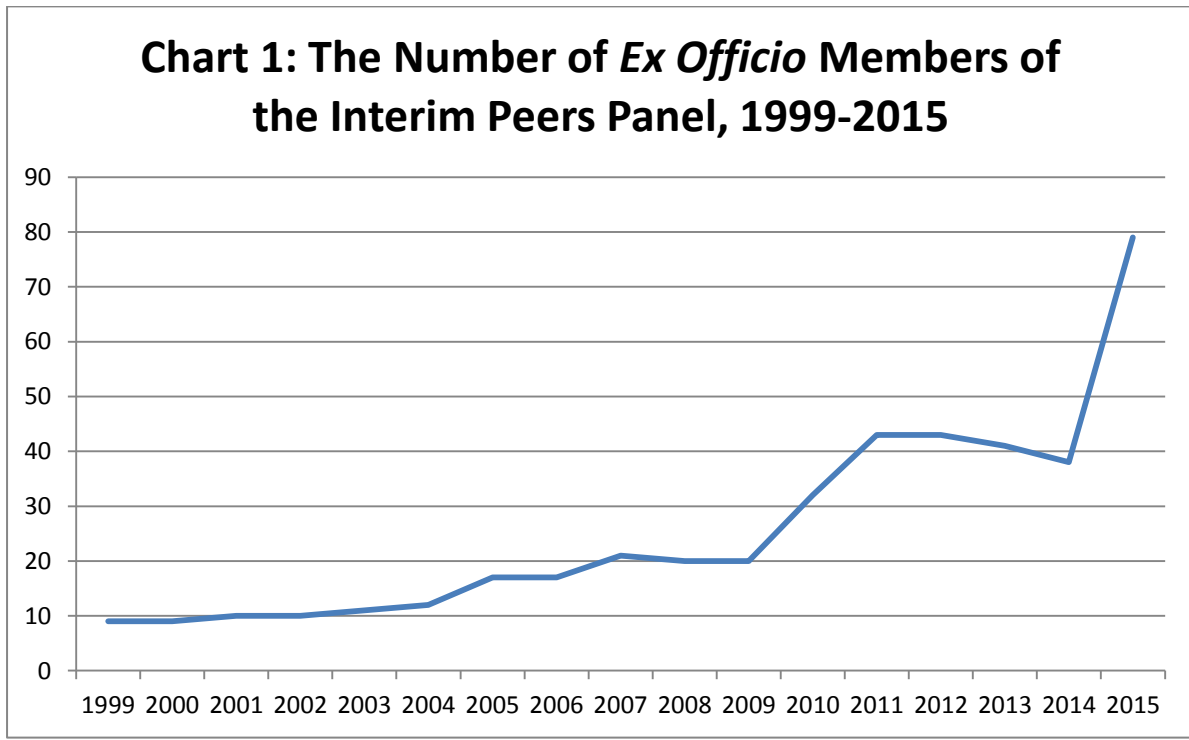
Name	Joined Panel	Notes
1. Sir Danny Alexander, MP, 2005–15.	2015	Reportedly declined a peerage in 2015.
2. Elspeth Attwool, MEP, 1999-2009.	2009	
3. Norman Baker, MP, 1997–2015.	2015	
4. Jackie Ballard, MP, 1997–2001.	2001	
5. John Barrett, MP, 2001–10.	2010	
6. Mick Bates, AM, 1999-2011.	2011	
7. Alexander Thynn, 7 <sup>th</sup> Marquess of Bath, hereditary peer, 1992-9.	1999	
8. David Bellotti, MP, 1990–2.	1999	Also an elected member of the Panel, 2000-4. Deceased, 2015.
9. Dr Phil Bennion, MEP, 2012-4.	2014	Also an elected member of the Panel, 2006-10.
10. Gordon Birtwistle, MP, 2010–5.	2015	
11. Dr Peter Brand, MP, 1997–2001.	2001	
12. Colin Breed, MP, 1997–2010.	2010	
13. Dame Annette Brooke, MP, 2001–15.	2015	
14. Robert Brown, MSP, 1999-2011.	2011	
15. Jeremy Browne, MP, 2005-15.	2015	
16. Eleanor Burnham, AM, 2001-11.	2011	
17. Paul Burstow, MP, 1997–2015.	2015	
18. Sir Vincent Cable, MP, 1997–2015.	2015	Reportedly declined a peerage in 2015.
19. George Howard, 13 <sup>th</sup> Earl of Carlisle, hereditary peer, 1994-9.	1999	
20. Michael Carr, MP, 1991–2.	1999	

21. Nick Clegg, MEP, 1999-2004; MP, 2005-present.	2004	Removed from panel on his election as an MP, 2005 – remains off the panel until he ceases to be an MP.
22. Mike Crockart, MP, 2010–5.	2015	
23. Chris Davies, MP, 1995–1997; MEP, 1999-2014.	2014	
24. Andrew Duff, MEP, 1999-2014.	2014	
25. Sue Doughty, MP, 2001–5.	2005	
26. Ross Finnie, MSP, 1999-2007.	2007	
27. Andrew George, MP, 1997–2015.	2015	
28. Lady Veronica German, AM, 2010-1.	2015	
29. Sandra Gidley, MP, 2000–10.	2010	
30. Steve Gilbert, MP, 2010–5.	2015	
31. Parmjit Singh Gill, MP, 2004-5.	2005	
32. Julia Goldsworthy, MP, 2005–10.	2010	
33. Donald Gorrie, MP, 1997–2001; MSP, 1999-2007.	2007	Deceased, 2012.
34. Matthew Green, MP, 2001–5.	2005	
35. Richard Grey, 6 <sup>th</sup> Earl Grey, hereditary peer, 1976–88 (as Liberal), 1988–99.	1999	Deceased, 2013.
36. Fiona Hall, MEP, 2004-14.	2014	
37. Duncan Hames, MP, 2010–5.		
38. Mike Hancock, MP, 1984-7 (as SDP), 1997–2014 (and as Ind, 2014-5).	????	Presumably no longer a member; therefore presumably was never on Panel. But could theoretically qualify for it if he ever re-joined.
39. Dr Evan Harris, MP, 1997–2010.	2010	
40. Sir Nick Harvey, MP, 1992–2015.	2015	
41. David Heath, MP, 1997–2015.	2015	
42. John Hemming, MP, 2005–15.	2015	
43. Paul Holmes, MP, 2001–10.	2010	
44. Martin Horwood, MP, 2005–15.	2015	
45. Prof David Howarth, MP, 2005–10.	2010	
46. Sir Simon Hughes, MP, 1983–8(as Liberal), 1988–2015.	2015	Reportedly declined a peerage in 2015.
47. Chris Huhne, MEP, 1999-2005; MP, 2005–2013.	2013	Not a member since 2013; automatically removed from Panel.
48. Dr Julian Huppert, MP, 2010–5.	2015	
49. Mark Hunter, MP, 2005–15.	2015	
50. Ian Jenkins, MSP, 1999-2003.	2003	
51. Saj Karim, MEP, 2004-2007.	????	Defected to the Conservatives as an MEP, 2007; therefore presumably was never on Panel.
52. Paul Keetch, MP, 1997–2010.	2010	
53. Charles Kennedy, MP, 1983–8 (as SDP), 1988–2015.	2015	Deceased, 2015 – was offered a peerage (and accepted) two days before his death.
54. David Laws, MP, 2001–15.	2015	Was nominated for a peerage, but blocked by the House of Lords Appointments

		Commission, 2015.
55. John Leech, MP, 2005–15.	2015	
56. Stephen Lloyd, MP, 2010–15	2015	
57. George Lyon, MSP, 1999-2007; MEP, 2009-2014.	2007	Removed from Panel on election as MEP, 2009; restored on losing his seat, 2014.
58. Liz Lynne, MP, 1992–7; MEP 1999-2012.	2012	
59. Paul Marsden, MP, 2001–5.	2005	No longer a party member – defected to Labour within days of standing down, 2005; automatically removed from Panel.
60. Edward McMillan-Scott, MEP, 2010-4.	2014	
61. Michael Moore, MP, 1997-2015.	2015	
62. James Moorehouse, MEP 1998-9.	1999	Deceased, 2014.
63. John Farquhar Munro, MSP, 1999-2011.	2011	Deceased, 2014.
64. Tessa Munt, MP, 2010–2015.	2015	
65. Bill Newton-Dunn, MEP 2000–14.	2014	
66. Mark Oaten, MP, 1997–2010.	2010	
67. Hugh O’Donnell, MSP, 2007-11.	2011	No longer a party member; so no longer on Panel.
68. Lembit Öpik, MP, 1997–2010.	2010	
69. Mike Pringle, MSP, 2003-11.	2011	
70. Nora Radcliffe, MSP, 1999-2007.	2007	
71. Keith Raffan, MSP, 1999-2005.	2005	No longer a party member; so no longer on Panel.
72. Alan Reid, MP, 2001–15.	2015	
73. David Rendel, MP, 1993–2005.	2005	Reportedly declined a peerage, 2005.
74. Euan Robson, MSP, 1999-2007.	2007	
75. Dan Rogerson, MP, 2005–2015.	2015	
76. Paul Rowen, MP, 2005–2010.	2010	
77. Mike Rumbles, MSP, 1999-2011.	2011	
78. Sir Bob Russell, MP, 1997–2015.	2015	
79. Adrian Sanders, MP, 1997–2015.	2015	
80. Sir Cyril Smith, Rochdale, 1972–88 (as Liberal), 1988–92.	1999	Deceased, 2012.
81. Ian Smith, MSP, 1999-2011.	2011	
82. Margaret Smith, MSP, 1999-2011.	2011	
83. Sir Robert Smith, MP, 1997–2015.	2015	
84. Jamie Stone, MSP, 1999-2011.	2011	
85. Ian Swales, MP, 2010–5.	2015	
86. Jo Swinson, MP, 2005–15.	2015	
87. Rebecca Taylor, MEP, 2012-4.	2014	
88. Sarah Teather, MP, 2003–15.	2015	
89. Mike Thornton, MP, 2013-2015	2015	
90. Peter Thurnham, MP, 1996-7.	1999	Deceased, 2008.
91. John Sinclair, 3 <sup>rd</sup> Viscount Thurso, hereditary peer, 1995-9; MP, 2001–15.	1999	Removed from Panel on election as MP, 2001; restored on losing his seat, 2015.
92. Diana Wallis, MEP, 1999-2012.	2012	No longer a member as of 2015; stood as a

		"Yorkshire First" parliamentary candidate.
93. David Ward, MP, 2010–5.	2015	
94. Sir Graham Watson, MEP, 1994-2014.	2014	
95. Steve Webb, MP, 1997–2015.	2015	
96. Roger Williams, MP, 2001–15.	2015	
97. Stephen Williams, MP, 2005–15.	2015	
98. Jenny Willott, MP, 2005–15.	2015	
99. Simon Wright, MP, 2010–5	2015	
100. Richard Younger-Ross, MP, 2001–10.	2010	

Source: *Times Guide to the House of Commons* (London: *The Times*, 1992-2015 editions); *Dod's Parliamentary Companion* (London: *Dod's*, 1989-2015 editions); *BBC News website*.



Source: *Times Guide to the House of Commons* (London: *The Times*, 1992-2015 editions); *Dod's Parliamentary Companion* (London: *Dod's*, 1989-2015 editions); *BBC News website*.

### **The Growth of the *Ex Officios* on the Interim Peers Panel**

Any attempt to resurrect the Interim Peers Panel in some form would suffer from a serious problem: The way that the defeat of so many Lib Dem parliamentarians between 2010 and 2015 has massively inflated the *ex officio* members of the Panel. As Chart 1 shows (with the full list of names laid out in Table 8), this has grown from 9 *ex officios* in 1999, to 20 by 2009, to 78 in 2015.

Even if it were not the case that the Liberal Democrats are now massively over-represented in the Lords compared to their vote share (after decades of being under-

represented on the red benches),<sup>30</sup> and so are unlikely to be offered many peerages in the forthcoming parliament, then it would be quite conceivable for future House of Lords Lib Dem vacancies to end up being entirely filled by *ex officios*, without a single elected candidate being appointed. This would make further Panel elections redundant.

In many ways, this mirrors the wider “numbers crisis” across the House of Lords, which has led to severe overcrowding, and which threatens to further escalate in the future.<sup>31</sup> Elected members of the Interim Peers Panel have only spent up to four years on the Panel per term. Yet *ex officio* parliamentarians remain there for life; and by default, since the suspension of elections in 2012, the current 78 *ex officio* parliamentarians are the only people on the Panel. This disparity is a recipe for chaos, and for picking the same overwhelmingly white, male demographic that has long dominated the party’s Commons representation. It may have made sense for a party in 1999 whose ex-parliamentarians were in single figures, but it makes little sense for a party that has undergone a massive period of growth followed by a tremendous contraction in its parliamentary numbers. Only by “weeding out” the bulk of the *ex officios* would any further elections for peerages be meaningful.

### **Conclusion**

The Interim Peers Panel system for electing Liberal Democrat nominees to the Lords was born of the highest motives. In 1999, it produced a trailblazing scheme as the Lib Dems became the first party to hold democratic elections for the Lords. As long as that system was implemented, it appears from the available evidence that appointments were relatively transparent and “clean” – something that is more important now than ever, at a time when trust in parliamentary institutions is at an all-time low, and when there is mounting evidence to support accusations of “cash for peerages” over the last decade. Although Charles Kennedy significantly deviated from the Panel with one batch of 2004 peerages, the system was largely adhered to from 1999 to 2007 under Kennedy and Menzies Campbell.

Since Nick Clegg appointed his first peers, there has been significant departure from the list, which has coincided with recurring allegations of “cash for peerages” – one of the very problems the Panel system had addressed. As such, effectively dropping the Panel system since 2012 has led to a serious deterioration in the Liberal Democrats’ credibility, both on the issue of Lords reform, and on the wider issue of commitment to transparency and accountability in politics. By default, and without Lib Dem conference ever having voted for it, Nick Clegg’s leadership has left his party in a position where the leader has effectively clawed back the powers of patronage that had been contained from 1999 to 2007.

Yet for all its strengths, the Panel has not been a perfect system. Limiting the electorate to Conference Representatives has most likely produced biased results, both in favouring well-known activists, and in narrowing the potential diversity of candidates elected.

The Panel is also flawed in reserving considerable amounts of patronage for the leader, who not only appoints individuals not on the Panel at all, but who picks out people from the Panel list

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<sup>30</sup> It should be noted that many governing parties from Harold Macmillan onwards have repeatedly claimed an intention to appoint new life peers in rough proportion to vote shares at general elections; and that most consistently fail to do so where opposition parties (and particularly third parties in opposition) are concerned. Thus with the Liberal Democrats now having 18.7% of peers with a party affiliation, compared to a 7.9% vote share at the 2015 general election, it seems highly unlikely they will be offered many peerages in the 2015-20 Parliament.

<sup>31</sup> For projections on how this overcrowding crisis in the Lords is forecast to get even worse, see Meg Russell and Tom Semlyan, [\*Enough is Enough: Regulating Prime Ministerial Appointments to the Lords\*](#) (London: The Constitution Unit, UCL, 2015).

(often overlooking those at the top of the list in favour of those nearer the bottom), without being in any way accountable for such decisions.

The domination of former parliamentarians on the Panel is also a serious cause for concern. Not only have these *ex officios* spiralled in number in recent years, reaching such a point that any democratic element of the Panel would be eclipsed to the point of redundancy, but they remain on the Panel for life. There is no point in holding fresh Panel elections if all the *ex officio* parliamentarians remain in place, or the system would collapse overnight.

Consequently, it seems responsible to draw the key findings of this report together into a concrete set of policy recommendations, which would cumulatively make for better transparency, better accountability, and would restore to the Liberal Democrats the moral high ground on the issue of House of Lords reform:

### **Policy Recommendations**

1. Interim Peers Panel elections to be reinstated, and held every two years, coinciding with the Party President ballot, starting in late 2016.
2. The electorate for Interim Peers Panel elections to be Liberal Democrat members, on a system of “One Member, One Vote”.
3. Candidates for the Interim Peers Panel to have to undergo an approvals process comparable to that currently undergone by parliamentary candidates.
4. An end to the party leader’s right to make their own personal nominations to the Lords – without this, whether rightly or wrongly, allegations of “cash for peerages” and of other improprieties would continue to bedevil the party.
5. The party leader to reserve the right to appoint peers from the elected Panel in their own order, rather than in the strict order elected; but for them to publish their reasons for doing so at the time of the nomination. This would necessitate publicly announcing who has been proposed for a peerage at the time of nomination, not leaving the announcement as a *fait accompli* when the peerage has already been confirmed.
6. In addition to the (wholly confidential) financial declarations that peerage nominees make to the House of Lords Appointments Commission, which are made in private and which never see the light of day, Lib Dem peerage nominees to make a full declaration of interests in line with current House of Lords guidelines, with the declaration to be made to the Federal Executive (and scrutinised by any body the FE sees fit for the task), prior to their formal nomination to the Monarch.
7. An end to ex-parliamentarians automatically gaining *ex officio* positions on the Panel, and either
  - a. Expecting **all** Lib Dem members – including former parliamentarians – to contest Interim Peers Panel elections on the same list, or
  - b. Reserving a certain number of places on the Panel – perhaps 25% – for former parliamentarians, for which they would still have to seek election.and for the Lib Dem parliamentarian positions on the panel to cease to be for life, but instead for them to be for renewable, set, elected terms of four years.
8. To at least consider the introduction of quotas onto the Interim Peers Panel, to ensure adequate representation of both sexes and of ethnic minorities.
9. A broader clarification of the enforceability of conference resolutions, including outlining the sanctions to parliamentarians (especially party leaders) who explicitly ignore and/or over-rule such resolutions.



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