



10 DOWNING STREET

Prime Minister

MEETING WITH THE LORD CHANCELLOR AND THE CONSTITUTIONAL COMMITTEE AT 12 NOON TUESDAY, 12TH FEBRUARY.

1. Herewith copy Note dated 7th February, 1980 from the Chief Whip to Norman St. John-Stevan following the meeting of our Back Bench Constitutional Committee on 6th February.
2. Attached to that Note are the two alternative papers which were considered by the Committee.
3. This matter is certain to be raised at tomorrow's meeting.
4. As you know, Quintin Hailsham is strongly in favour of early House of Lords Reform, on the basis of an Upper House elected by P.R.

11th February, 1980

Ian Gow

1. 109 House of Lords Reform.
2. Two memos.

2. Constitutional Committee - write to Lord Hailsham

3. REFERENDUM

4. House of Lords Reform Session - Scottish Select Committee. CHAIRMANSHIP

FROM: THE RT HON MICHAEL JOPLING MP



Government Chief Whip

12 Downing Street, London SW1

PRIVATE AND CONFIDENTIAL

RT HON NORMAN ST JOHN-STEVAS

I am not sure whether I am right in thinking that you are responsible for constitutional matters, but I felt you would be interested in the discussions last night at the Constitutional Committee where House of Lords reform was discussed.

I am enclosing a self-explanatory document which was circulated.

Among those who spoke for plan A were: Michael Ancram, Tim Sainsbury and Douglas Hogg. Those speaking in favour of plan B were: Patrick Cormack and John Stokes.

Others speaking were:

Bill Benyon who wanted a Bill to give the House of Lords an entrenched position in the Constitution. He was supported by Kenneth Baker.

Brandon Rhys Williams spoke in favour of a more powerful House of Lords.

Cyril Townsend wanted early action on Lords reform.

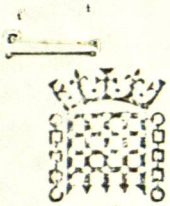
Ivor Stanbrook is opposed to having an elected Second Chamber.

Jonathan Aitken wants the Commons to elect a Second Chamber.

Nicholas Bonsor spoke about the position of the Queen when the Second Chamber is reformed.

It does seem that there is a strong move in the Party to get something done on this matter. Michael Ancram has been told to report back at a later stage.

7 February 1980



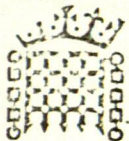
CONSTITUTIONAL COMMITTEE

REFORM OF THE HOUSE OF LORDS - DISCUSSION DOCUMENTS

In July 1979 the Constitutional Committee appointed a sub-committee to meet and to prepare by January 1980 papers for discussion by the Committee as a whole upon the question of the need for reform of the House of Lords, and to present alternative proposals for consideration.

Two papers are attached. Each is a précis of a fuller paper prepared by the members of the sub-committee whose names are subscribed. The papers approach the problem from broadly different standpoints and are now presented to the Committee as a basis for full discussion.

5th February 1980



CONSTITUTIONAL COMMITTEE DISCUSSION PAPER

ALTERNATIVE A

PROPOSAL FOR THE REFORM OF THE HOUSE OF LORDS ON AN ELECTED BASIS

Need for reform

The urgent need is to secure the constitution inviolate against an extreme Government elected on a minority vote; and to give the Second Chamber the confidence to exercise its powers of restraint in such circumstances. Such security can come only from a democratic foundation.

Composition

At least two thirds of the members should be elected members.

Any non-elected element might be composed either of existing peers elected by themselves on a "committee" basis; or nominated by the Prime Minister.

Method of election

The preference is for some system of proportional representation. The Chamber should be "perpetual" on a 3 x 3 or 3 x 2 year basis for elected members.

Size of Chamber

Around 200 to 300. A Chamber of 243 elected members would allow 3 x 2 or 3 yearly elections based on the 81 Euro-constituencies. These might be amalgamated into 16 regions allowing 5 members from each to be elected every three years on a regional list basis.

Alternatively a smaller Chamber elected on a county/metropolitan authority basis would give a Chamber of around 100 members.

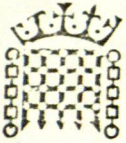
Powers

Delaying powers should revert to the pre-1949 Parliament Act position of 2 years delay. No change to the constitution or the powers of either Chamber should be permitted without a majority vote in both Houses of Parliament.

Titles

Members of the Second Chamber should be called Lords or Lords of Parliament. Existing titles should continue and continue to be created as a well recognised and traditional honour. The hereditary system should continue as a value in itself and to avoid the isolation of the monarchy.

Michael Ancram
William Benyon
Nicholas Lyell
Tim Rathbone
Ian Sproat



CONSTITUTIONAL COMMITTEE DISCUSSION PAPER

ALTERNATIVE B

PROPOSAL FOR REFORM OF THE HOUSE OF LORDS ON A NON-ELECTED BASIS

Need for reform The present constitution of the Lords is unacceptable and the built in majority of Conservative hereditary peers must be removed if it is to be effective once more. Its powers are adequate.

But sweeping change would divide the Conservative Party which must remain united to win the next election. We should not reform merely because of the threat of what the Labour Party might do if returned.

Composition

The House of Lords should remain as a non-elected Second Chamber. Election in whole or in part would create either a Senate or a Chamber with first and second class members.

Four hundred members are suggested:-

- a) 100 hereditary peers elected by their peers at the beginning of each Parliament. New hereditary peers could and should continue to be created.
- b) 150 members should be appointed for distinguished service to the nation as at present but only for a specified period of service which could be renewed.
- c) 150 members should be "ex officio" members serving during the term of their qualifying office, e.g. Bishops, Law Lords, representatives of the T.U.C., Chairmen of the County Councils, etc., making Parliament once more the forum for all those who hold positions of real authority in the land.

These ideas eschew elaborate detail but offer a formula for progress which avoids the danger of internal conflict within this Party; does away with the currently generally shared criticism of the composition of the Second Chamber, and will commend itself to those of Conservative instinct in other Parties who fear the consequences for the House of Commons of an elected Second Chamber.

Patrick Cormack
Robert Cranborne
Tristan Garel Jones

January 1980.