

December 2021

1 <https://www.parliament.uk/globalassets/documents/lords-communications/by-elections/hereditary-peers-by-election-result-simon.pdf>

2 <https://www.parliament.uk/globalassets/documents/lords-communications/by-elections/hereditary-peers-by-election-result-simon.pdf>

3 <https://www.parliament.uk/mps-lords-and-offices/offices/lords/house-of-lords-external-communications/by-elections/>

4 <https://www.legislation.gov.uk/ukpga/2014/24/contents/enacted>

5 <https://www.legislation.gov.uk/ukpga/2015/14/contents>

6 <https://www.parliament.uk/business/publications/house-of-lords-publications/records-of-activities-and-membership/register-of-all-hereditary-peers/register-of-hereditary-peers-running-list/>

7 <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/alternative-vote/>

8 <https://www.parliament.uk/contentassets/89574e5a22664ce6b21bd10898717cdc/hereditary-peers-by-election-result-selborne-et-al.pdf>

9 <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/single-transferable-vote/>

The fifth hereditary peer by-election in less than six months has now taken place.¹ This by-election was called to replace the seat left vacant following the death of Viscount Simon on 15 August 2021. Although Viscount Simon sat as a Labour hereditary peer, his replacement was chosen by the whole house, rather than through a by-election within the Labour grouping of hereditaries. This is because Viscount Simon was one of the 15 hereditary peers elected to serve as office-holders following the 1999 House of Lords reform; their successors are elected by the whole house.

Only three candidates put themselves forward for this latest by-election, with voting taking place on 9 and 10 November. Lord Hacking was declared the winner with 159 votes on a turnout of 264 peers taking part in the election.²

In total, seven new hereditary peers have been ‘elected’ to the House of Lords since June 2021 (one by-election replaced three vacancies in the Conservative grouping and was held as a single election). Hereditary peer by-elections were suspended from 23 March 2020 until summer 2021 due to the coronavirus pandemic.³ Once they resumed in June 2021, they were conducted by electronic means.

Vacancies among hereditary peers that result from death or, since the House of Lords Reform Act 2014⁴ and House of Lords (Expulsion and Suspension) Act 2015,⁵ retirement, resignation or exclusion are filled through a by-election.

Eligible candidates are drawn from the Register of Hereditary Peers held by the Clerk of Parliaments.⁶ This list contains any hereditary peer who has expressed an interest in standing in a by-election. Peers can join or leave the list at any time. Out of 204 on the list, there is only one woman – hereditary peerages still follow the principle of male primogeniture.

By-elections take place within party groups – except for 15 hereditary peers, originally elected to serve as office holders, whose successors are elected by the whole house. These party groups reflected the proportion of party affiliation at the time of the 1999 reforms of the House of Lords.

Elections to the House of Lords use the Alternative Vote.⁷ If an individual election is held to replace multiple vacancies, as occurred in June 2021,⁸ the Single Transferable Vote system is used instead.⁹

Hereditary Peer By-Elections – The Figures

The first hereditary by-election was held in 2003 following the death of Viscount Oxfuird. To date, 41 hereditary peer by-elections have taken place to replace 43 vacancies. One vacancy, in the Labour grouping following the death of Lord Rea, did not result in a by-election taking place, as only one candidate stood. Viscount Stansgate was thus elected unopposed and this by-election is excluded from the analysis below.

Excluding the 11 whole house by-elections, the average electorate for the 30 ‘ordinary’ hereditary peer by-elections is just 33 peers. If whole house by-elections are included, the average electorate is 228. At its highest, the electorate has been 803, at its lowest just three.

Hereditary peer by-elections have had an average turnout of 30 voters, excluding by-elections by the whole house (the average turnout is 108 voters if these elections are included). This compares to an average of 29,053 votes cast over the last 41 by-elections to the House of Commons – a larger democratic mandate by a factor of almost 1,000.

Overall, the average turnout for hereditary peer by-elections is 79%. Three by-elections have had 100% turnout, all of which have had an electorate of four or fewer. Whole house elections tend to have a lower turnout, with an average of 43%.

In total, 4,429 votes have been cast in the 41 hereditary peer by-elections held since 2003. By contrast, 1,191,180 votes have been cast in the last 41 House of Commons by-elections.

Four by-elections have had more candidates than electors. This includes the only by-election to take place within the Labour group of hereditary peers, for which there were 11 candidates and only three voters. The only other vacancy in the Labour group was that following the death of Lord Rea, where the winner was elected unopposed and no by-election took place.

Key Information on Hereditary Peers

The House of Lords Act 1999 led to the removal of all but 90 of the hereditary, plus the holders of the offices of Earl Marshall and Lord Great Chamberlain – in total, 92 hereditary peers remain in the chamber, though only 90 are replaced via by-elections. The 1999 reforms meant that 667 hereditary peers lost their right to sit in the Lords.

There are 89 hereditary peers currently eligible to sit in the House of Lords.

Grouping

There are currently 47 Conservative hereditary peers, 33 Crossbench hereditary peers, four Labour, three Liberal Democrat, and two non-affiliated hereditary peers.¹⁰

A further three hereditary peers (two non-affiliated, one Crossbench) are currently ineligible to sit in the House having taken leave of absence.

Gender

Following the retirement of the Countess of Mar in May 2020, there is no female hereditary peer in the House of Lords. Three of the original five female hereditary peers that remained following the 1999 reforms have since died, and one retired in 2014.

All have been replaced by male peers and there is only one female hereditary peer listed on the most recent register of eligible candidates of 15 September 2021. No female hereditary peer has been admitted to the House of Lords through a by-election.

Age

The average age of hereditary peers currently eligible to sit in the House of Lords is 69 years old. The youngest is 35 years old and two peers are 90 years of age. Only 12 hereditary peers are under 60 years old (13.6% of all sitting hereditary peers).

Region

Data on place of residence, based on the House of Lords expenses form for June 2021,¹¹ is available for 60 of the 89 hereditary peers currently in the House of Lords. The lack of data for the remaining 29 peers is due to a number of reasons – some will have joined the House after June 2021, while

¹⁰ <https://members.parliament.uk/parties/Lords>

¹¹ <https://www.parliament.uk/business/lords/whos-in-the-house-of-lords/house-of-lords-expenses/>

others will not have noted their residence in their expense claim, if they submitted one.

As of June 2021, there were no hereditary peers based in Wales or the West Midlands, at least as far as can be ascertained based on that month's expenses data, despite 4.8% and 8.8% of the UK adult population living in these two areas respectively. Two thirds (66.6%) of all hereditary peers for whom place of residence is available, resided in only three regions: the South East, Scotland and the South West.

Location	Number of hereditary peers residing in this area	Proportion of hereditary peers residing in an area (as % of all hereditary peers for whom place of residence is available)	Percentage of the UK adult population residing in an area	Percentage point difference between peers and UK population in each area
South East	18	30.0%	13.7%	+16.3%
Scotland	11	18.3%	8.4%	+9.9%
South West	11	18.3%	8.6%	+9.7%
London	6	10.0%	13.1%	-3.1%
East of England	4	6.7%	9.3%	-2.6%
North West	3	5.0%	11.0%	-6.0%
Yorkshire & Humber	3	5.0%	8.2%	-3.2%
East Midlands	2	3.3%	7.3%	-4.0%
North East	1	1.7%	4.1%	-2.4%
Northern Ireland	1	1.7%	2.7%	-1.0%
Wales	0	0.0%	4.8%	-4.8%
West Midlands	0	0.0%	8.8%	-8.8%
Total	60	100%		

Professional Background

In terms of previous primary profession, over one third of hereditary peers (34.9%) have a background in business and commerce (18%) and banking and finance (16.9%).

Primary Profession	Current hereditary peers	%
Business and commerce	16	18.0%
Banking and finance	15	16.9%
Agriculture and horticulture	8	9.0%
Legal professions	8	9.0%
Other private sector	7	7.9%
Culture, arts and sport	5	5.6%
Journalism, media and publishing	4	4.5%
Architecture, engineering and construction	3	3.4%
Armed forces	3	3.4%
Representative politics	3	3.4%
Voluntary sector, NGOs and think tanks	3	3.4%
Royal family staff	2	2.2%
Higher education	1	1.1%
Medical and healthcare	1	1.1%
Police	1	1.1%
Transport	1	1.1%
Civil service (UK)	0	0.0%
Clergy or religious	0	0.0%
Education and training (not HE)	0	0.0%
International affairs and diplomacy	0	0.0%
Local authority administration	0	0.0%
Manual and skilled trades	0	0.0%
Other public sector	0	0.0%
Political staff and activists	0	0.0%
Trade unions	0	0.0%
Unclassified	8	9.0%
Total	89	100%