

## **A Question of Expertise? The House of Lords and welfare policy.**

### **Abstract**

The expertise of its members is often cited as one of the distinctive features of the House of Lords. In particular it is frequently argued that because of its composition, and in particular the existence of the Crossbench Peers, debates in the Lords are more informed than in the Commons. In contrast to the Commons where MPs, because of the demands of re-election and constituency business, are required to know a little about a wide range of subjects, Peers, it has been claimed bring professional experience and expertise to the scrutiny of legislation, and have the time to maintain their expertise. Moreover, the presumed expertise of the Upper House is also central to debates about the reform of the House of Lords, with assertions that any further reform should retain the Lords ability to provide distinctive and informed scrutiny.

Drawing on a series of interviews with a large sample of MPs and Peers from across parliament this paper seeks to examine what is meant by parliamentary expertise by focusing on one particular policy area – welfare. It will seek to determine the nature of parliamentary expertise on welfare in both Houses and suggests that in the field of welfare the Upper House may in fact be less expert than the House of Commons.

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## **A Less Expert House? The House of Lords and welfare policy.**

The expertise of its members is often cited as one of the distinctive features of the House of Lords. The system of appointments to the House of Lords has seen the creation of a second chamber which comprises some of the most experienced politicians in the country, combined with a large number of prominent experts from a diverse range of fields some of whom are prepared to take the Party Whips, whilst many have chosen to sit on the crossbenches. In particular it is often claimed that the system of Life Peerages introduced in 1958, has brought into the Lords many individuals who would not otherwise have sought to take part in the legislative process, and through the freedom offered by the crossbenches, are able to offer their expertise without feeling constrained by membership of a political party. This, it is claimed, has created a House which is less dominated by Party and as such is able to offer balanced and informed scrutiny of legislation and Government policy.<sup>1</sup> Indeed, it has become axiomatic that the Lords is not only a forum for expert scrutiny but also that the breadth of expertise available in the House is such that it maintains a reservoir of expertise on any subject which is likely to come before it, or as the Joint Committee on House of Lords Reform succinctly observed 'it has often been said that in the House of Lords an expert may be found on any subject'.<sup>2</sup>

As the Joint Committee suggests, the presumed expertise of the Upper House has also been central to debates about reform of the House of Lords. Historically, proposals for House of Lords reform have started from the assumption that the House of Lords provides distinctive and informed scrutiny and that whatever the intention of reform, care should be taken to ensure that this ability is retained or if possible enhanced. Lord Bryce, who chaired the Cabinet Committee on Lords reform in 1918, asserted that second chambers should be reservoirs of 'specialist knowledge and ripened wisdom'.<sup>3</sup> The Life Peerages Act of 1958, whilst clearly designed to make the Lords more democratic, also opened up the chamber to 'good and intelligent citizens' with 'special knowledge useful to the community',<sup>4</sup> and is now widely credited with dramatically enhancing the expertise of the House of Lords.

Since 1997, the Labour Governments' proposals for reform have stressed that the expertise and experience which its members bring to their scrutiny role is a distinctive feature of the House of Lords, and that changes to the composition of the House should not jeopardise this. The Government's 1998 White Paper on House of Lords reform asserted that the second chamber should have a distinctive role in the legislative process and that:

The most distinctive and important role of the present House of Lords is the specialist expertise and independent perspective it can bring to the scrutiny of legislation.<sup>5</sup>

The subsequent report by the Royal Commission on the Reform of the House of Lords outlined proposals for a more democratic and representative House through the creation of a chamber which reflected the overall balance of political opinion within the country, and contained members from all parts of the country and all walks of life. At the same time it argued that the House should have authority and that this should be based in part on several existing characteristics of the House, notably the 'individual personal distinction' of its members and 'the breadth of experience and

range of expertise which they possess'.<sup>6</sup> Similarly, the Parliamentary Joint Committee on House of Lords Reform outlined five criteria which were desirable for a reformed second chamber: no domination by a single party; independence; expertise; legitimacy and representativeness. The current House, it asserted, already met the first three of these criteria, and these should be 'bolstered by greater representativeness' and that from this a new legitimacy will 'naturally develop'.<sup>7</sup>

In its most recent proposals for reform the government appears to have moved away somewhat from the notion that the House of Lords should provide expert scrutiny of legislation. Whilst it continues to assert that members should 'be able to bring independence of judgement to their work'<sup>8</sup> it suggests that if an appointed element were retained in a reformed House, an individual's 'ability, willingness and commitment to take part in the full work of the second chamber'<sup>9</sup> would be more important than the expertise and experience they would bring to the chamber, and concludes that:

a reformed second chamber would be able to get access to specific expertise and experience through, for example, committees taking written and oral evidence, rather than through the appointment of members with particular expertise and experience.<sup>10</sup>

Nevertheless, the perceived expertise of the current House of Lords remains central to claims for the retention of the House in its current form, or at least the retention of some appointed element. Yet it is clear that whilst the democratic legitimacy of an unelected second chamber has often, and continues to be the subject of considerable debate, the expertise of the House of Lords is rarely questioned. It is widely accepted that the House of Lords is an expert House, but in the various proposals for reform, and indeed in much of the academic literature, little effort has been made to define what is meant by expertise in this context, or to quantify or qualify the sources of the second chamber's expertise. Indeed, the lack of research on parliamentary expertise may be a significant gap in the parliamentary literature in general, given that both houses of parliament are expected to provide some degree of informed scrutiny of policy and legislation. It is particularly significant to debates about the operation of the House of Lords, because whilst in the eyes of many, the current House of Lords may lack *democratic* legitimacy, whatever authority and legitimacy it does have is derived from the expertise of its membership. If expertise is the distinctive feature of the second chamber, and provides the basis for both current and future claims to legitimacy then it is important to understand what this means.

This paper seeks to examine the nature and extent of expertise in the House of Lords by focusing on one particular policy area – welfare. It draws on two pieces of research by the authors on parliament and welfare policy. The first, undertaken during 2004 and 2005, focused primarily on the attitudes and activities of members of the House of Commons in relation to the formulation and scrutiny of welfare policy.<sup>11</sup> That research drew on interviews with 76 MPs, a sample comprising ten per cent of the House of Commons. In addition ten peers were interviewed. The second piece of research was undertaken during 2007 and 2008, and involved interviews with a further 66 members of the House of Lords, taking the total number of Peers interviewed to 76, ten per cent of the current House of Lords. In each case the samples were balanced to represent the balance of the parties with at least ten per cent

of the main parties in each House interviewed, along with ten per cent of cross-bench Peers and of Bishops. The same questionnaire was used when interviewing MPs and Peers about welfare. This comprised a series of general questions about attitudes towards the role of the state in welfare, and more specific questions on a number of areas of welfare policy. The general questions were designed to elicit the interviewee's general philosophy of welfare, with questions such as: what role should the state play in welfare provision?; how should welfare provision be financed?; what are the most important areas? This was followed by more specific questions on four policy areas: the NHS; pensions; benefits; and income maintenance. In addition, MPs and Peers were asked a number of questions about the operation of their respective Houses. These two studies, which in combination involved lengthy face-to-face interviews with over 150 MPs and Peers, have provided extensive data on parliamentary attitudes to welfare, and also allow some comparison of the nature and extent of expertise on welfare within the two Houses of Parliament.

### **Expertise in the House of Lords**

In interviews there was, perhaps not surprisingly, strong support among Peers from all parties for the idea of the House of Lords as an expert House. Peers referred to the wealth of expertise on all sides of the House, not just on the crossbenches, and said that shared expertise tended to create cross-party affiliations of Peers with similar backgrounds and experience. Peers referred to actively seeking out those with expertise when legislation was being debated in the Lords, rather than looking to the Party Whips for guidance. Indeed, several Peers asserted that in many cases expertise was more important than party loyalty, and that a well-informed speech by a recognised expert was in some cases sufficient to carry a debate irrespective of party positions.

Several Peers repeated the axiom that in the House one could find an expert on any subject, and one Labour Peer went so far as to claim that 'on any subject there are 20 to 30 experts' in the House of Lords. Others were more discerning and identified areas in which the expertise of the House was particularly evident. Several Peers referred to the recent debates on the Human Fertilisation and Embryology Bill as exemplifying the House at its best, able to draw on world experts in the field, such as Lord Winston. Other areas which Peers identified included those related to defence and the military, where the presence of the former Chiefs of Defence Staff or 'War Lords' was felt to be particularly valuable, and the debates on Northern Rock, in which the House was able to draw on the expertise of many Peers with experience in the financial sector. In the field of social policy, several Peers referred to a particularly active group who speak on disability issues, including the Labour Peer Lord Ashley, and the Crossbench Peer and Secretary-General of Mencap, Lord Rix.

In many, if not most, cases the expertise and experience of members of the House of Lords was contrasted, explicitly or implicitly, with that displayed by members of the House of Commons, to the obvious detriment of the lower house. Significantly this included Peers with experience in both Houses. One former Conservative Cabinet Minister observed that the Lords was 'a much better informed chamber by a mile,' whilst another claimed 'debates here are generally better informed than in the Commons, because of the wider experience here'. This is a common feature of studies on the House of Lords, where the expertise of the Upper Chamber is sometimes seen

as *the* distinguishing feature between the two houses, so that, as Philip Norton has observed, ‘while the House of Commons is increasingly a House of career politicians, the Lords sees itself as being a House of experience and expertise’.<sup>12</sup>

There are a number of reasons why the Lords is viewed as an expert House, and the Commons is not. Firstly, as Norton suggests, the House of Commons is a partisan chamber where the motive force is politics and the outcome and indeed the conduct of debates is governed much more by party policy, political patronage and whipping, than it is by the knowledge and contribution of individual MPs. Although several Peers said that the Lords was becoming more political, most claimed to be unconcerned by the Whips and also claimed that unlike MPs they were more likely to be swayed by debates within the House if those speaking were recognised experts, although few offered any examples of this. Similarly, many Peers claimed that the House of Lords was a more consensual House, where issues were judged on their merit, rather than simply along party lines. However, our research indicated that in relation to welfare, the degree of cross-party consensus was rather greater in the House of Commons than in the Lords.<sup>13</sup>

Underpinning these views of the differences between the houses is the notion that the House of Commons is dominated by career politicians, whereas members of the House of Lords are politicians with careers. The rise of the career politician, most famously identified by King in the 1980s, has perhaps gained even greater credence in recent years following the influx of some remarkably young MPs during and since the 1997 General Election. According to this view MPs are entering parliament at an early age, and seeking to remain there rather than pursuing a second career elsewhere.<sup>14</sup> In contrast members of the House of Lords are likely to have entered Parliament much later in life, after a successful career in some other field than politics. It is this experience which lies at the basis of the Upper Chamber’s claim to provide more informed scrutiny, as one Peer observed:

The chamber is packed with people who don’t care about their political careers, who have made their money. Some MPs have never worked. Members of the House of Lords have worked.

Moreover, as several Peers observed, the relative lack of financial remuneration for sitting in the House of Lords means that many Peers must carry on working whilst sitting in the House. The part-time nature of the House is seen as further contributing to the expertise within the House by ensuring that members are able to maintain their particular expertise, and also by exposing them to life beyond Westminster. As Norton has observed, the House of Lords has been ‘characterised as a full-time House of part-time members – an active chamber drawing on members whose expertise derives from work normally pursued outside the House’.<sup>15</sup> Consequently, Peers frequently referred to their work outside the Chamber, both in terms of informing their work within the House but also in keeping them ‘in touch’ with everyday life.

Peers, and particularly those who had served as MPs, also identified differences in the way in which two Houses operate, which they suggested had a significant impact on the ability of the Upper House to express and retain its expertise. Most significantly, several Peers argued that they were more able to specialise and maintain their expertise, because unlike MPs, they had more time at their disposal, primarily because

their time is not dominated with dealing with the concerns of constituents. One Peer observed that MPs are required to ‘act like social workers’ and consequently have little time for anything else, not least detailed scrutiny of legislation. Many of those Peers who had previously served as MPs appeared relieved to be free from constituency duties, and believed this enabled them to be more effective parliamentarians, so that, as one Peer observed, ‘I’ve got time to help people, I don’t miss the constituents at all.’

In addition to allowing Peers more time to specialise, it was also suggested that the lack of a constituency interest meant that Peers approach their work in a different manner. MPs, it was argued, tended to adopt a more short-term tactical approach, whereas Peers ‘have time to consider and reflect more broadly’, whilst others referred to the ‘strategic’ or ‘long-term view’ which was often in evidence in the Lords. As one former MP, and respected expert on welfare bluntly declared:

Lots of tripe is talked about case work. I don’t need queues of people to tell me that the benefits system doesn’t work. It drags you down into tactical considerations. No one in the Commons has time for long-term strategic vision.

Finally, perhaps the most significant difference between the two Houses, particularly in terms of expertise, is the presence of the Crossbenchers in the House of Lords. Peers from all sides of the House expressed strong support for the role of the Crossbenchers as a reservoir of parliamentary expertise which had drawn many individuals into parliament who would not otherwise be there. Indeed, several Peers suggested that the Crossbenchers are the only truly expert members of the House. Several Peers referred to the importance of the House of Lords Appointments Commission in bringing a more diverse range of expertise into the House. It was warmly praised for bringing in a number of very good Crossbenchers, and had, according to one Peer, ‘changed the complexion of the House.’ Several Crossbench Peers talked with some bemusement about their own elevation to the Peerage, but strongly supported the idea of non-party political Peers and the inclusion of some appointed element within the House. An elected second chamber one suggested would be ‘a disaster... you would just get the same old people’, whilst another declared:

If you made it elected you wouldn’t get people like me up here. I couldn’t afford it. I couldn’t run an election campaign. Then it wouldn’t be an expert House.

### **A less expert House? The House of Lords and welfare**

Although there was strong support among many Peers for the view that the House of Lords is an expert House, there was not, however, universal support for this position. Several Peers did, however, dissent from the prevailing view that debates in the Lords were all well-informed and that the House of Lords is a more expert House than the Commons, as the following quotes from a prominent Labour Peer and a Liberal Democrat Peer suggest.

We have some great well-informed debates but they are often not as good as people think that they are.

People with expertise here have it in particular areas but don't have it in depth and across the board.

In researching parliamentary attitudes to welfare there was considerable evidence to support the view that whilst there are a great many experts in the House of Lords, the expertise of the chamber as whole is patchy, and in some cases limited, particularly when compared to the House of Commons. Peers' responses to questions on welfare were, at times, markedly different to those offered by MPs, and often appeared to be less informed. Peers were happy offering a general view of their beliefs on the role of the state in welfare, although the language they used was markedly different to that employed by MPs. In general there was a greater propensity for Peers to refer back to older models of welfare provision and the language used by Peers was much closer to that used by MPs interviewed for a similar project in the 1980s.<sup>16</sup> Many Peers referred to the fundamental principles of the welfare state, with Peers' from all parties referring to the Beveridge model, which was rarely mentioned by MPs. Similarly, there was amongst Peers from all sides, a widespread use of the metaphor of the state providing a 'safety-net', an image which was widely used by MPs in the 1980s, but which has been replaced in the lexicon of many MPs today with newer ideas about the state acting as an enabling mechanism to get people back into work. Although Peers' responses suggested that they were drawing on a body of knowledge acquired or beliefs formulated some time ago, it may also indicate the long view which the more experienced members of the Upper House are able to employ, and whether this means that their knowledge is not up-to-date is difficult to tell.

However, when asked about specific policy areas, Peers in general were much less comfortable, and in many cases clearly unfamiliar with current developments in public policy, or in some cases their own party's policies. In interviews with Peers there was much less discussion of specific welfare policies such as tax credits, Pathways to Work, Sure Start, and even the report of the Pensions Commission, all of which featured heavily in interviews with MPs. Moreover, far from offering a party political diatribe as some MPs undoubtedly did, several Peers asked the interviewer what their party's policy was on particular aspects of welfare policy. In most cases Peers appeared to rely heavily upon their own beliefs and personal experience, with the result that they tended to have some knowledge of some areas, most notably the health service and pensions, but relatively little or no understanding of others, such as the benefits system. Indeed, in total 18 Peers (one quarter of the sample) declined to answer the question on benefits because they had no knowledge, experience, or understanding of it. No MPs did this. Moreover, because their knowledge was often drawn from personal experience, in many cases Peers' understanding was, by its very nature, patchy and anecdotal. Partly as a result of their age, many Peers had recent experience of accessing healthcare and often referred to their personal experiences in this context, whilst others mentioned the importance of the experiences of friends and family in informing their knowledge about welfare. Whilst such insights are clearly valuable, they may be markedly less representative than the breadth of knowledge acquired by MPs, directly from their constituents, through visits to, for example, hospitals, Job Centres and care homes in their constituencies, or through party briefings.

It would however be wrong to say that this applied to all Peers interviewed. Several of those Peers interviewed were highly knowledgeable and would clearly be considered experts in various aspects of social policy, and in some cases they owed their position in the Lords to this. However, whilst there are undoubtedly some Peers with detailed knowledge of some aspects of welfare, this knowledge tends to be deep and specific and not broad, and moreover, it appears to be limited to a relatively small number of Peers. Very few Peers appear to have the kind of broad familiarity with the welfare state that most MPs displayed, and those who did tended to be either front bench spokespeople on some aspect of welfare policy, or had recently come up to the Lords from the House of Commons.

There are a number of factors which may explain the relative lack of expertise in the House of Lords, particularly in the field of welfare, but perhaps also more widely. Most significantly, in the field of social policy it was quite clear that the constituency system, which many Peers identified as a barrier to the development of parliamentary expertise, was a vital source of information for MPs, ensuring a detailed and constant exposure to the impact of welfare policy and administration. What MPs referred to as their 'social work' or 'ombudsman' function, is a particularly strong feature of the British constituency system and provides MPs with a useful, if not always welcome, barometer of public experience of the public services. As one former Conservative social security Minister observed:

You get some members of the public who are experts in foreign affairs, but you probably get a better picture of foreign affairs from here at Westminster. But in the welfare field, the punter is the expert. There is no doubt that the debates on the Child Support Agency, and Tax Credits have been driven by constituents. That is one of the strengths of the constituency system, you go back to your constituencies on a Friday and people tell you what's really going on.

Several of those Peers who had been MPs recognised that this lack of contact with constituents now impacted on their knowledge of the welfare policy environment, one opined that 'it's different since I stopped being an MP. Constituents were a big influence, but now I don't get the phone calls, letters, etc. MPs tend to hear lots of problems' whilst another observed that 'MPs are brought into contact with the real world ... As an MP you are in daily contact with social problems, in here you are isolated.'

In addition, whilst the part-time nature of the Lords allows Peers to sustain their professional expertise through working outside the Chamber, the opportunities for them to specialise and develop expertise within Westminster itself are limited. Once again this is particularly the case when compared with the position in the House of Commons. Members of the House of Lords have limited facilities for research, particularly when compared to MPs. Many Peers bemoaned the lack of staff and office space. They were, according to one Labour Peer, 'massively less resourced' than MPs, whilst another asserted that the lack of research facilities and the rudimentary office structure encouraged 'the cult of the amateur', which was not conducive to informed scrutiny. Peers also referred to a relative lack of information and briefings from their party. Although it is doubtful that many would embrace more rigorous Whipping, there was a feeling amongst some Peers that they were effectively



left alone to get on with it and were not provided with sufficient information on policy and forthcoming legislation.

Interestingly, as a result of this, it was apparent that Peers make far more use of lobbying materials than do MPs. Whilst most MPs responded to questions about lobbying by brandishing the wastepaper basket, over half of Peers interviewed claimed they found lobbying useful as a vital source of information on the nature and implications of forthcoming legislation.

Peers' lack of knowledge about social welfare, and welfare policy may therefore lead us to qualify somewhat claims about the remarkable range of expertise to be found in the House of Lords. Moreover, welfare is not an insignificant or arcane area of public policy; indeed, it is the largest area of public expenditure. This raises the question that if the House of Lords is an expert House, where does its expertise lie? There is clearly scope for further research on this, but some existing studies have drawn attention to the patchy nature of expertise in the House of Lords. Crewe, for example, revealed that lawyers, company directors, former MPs and academics now dominate the House, whereas Doctors, social workers, teachers and even farmers are now rather poorly represented.<sup>17</sup> Similarly, in the most recent edition of his work on the House of Lords, Shell observes that 'it is noticeable that some professions and some areas of public service seem under-represented in the House' noting in particular the paucity of teachers with the result that 'the frequent debates on schools that take place there are marked by an absence of contributions from peers who have actually worked in schools'.<sup>18</sup>

Our research also suggests that claims about a relative lack of experience and expertise among members of the House of Commons are somewhat unfair. There is in fact a great deal of expertise in the House of Commons, and whilst a greater proportion of MPs are undoubtedly entering the Chamber at an early age, many others also have considerable experience of working in a wide range of professions before entering the Chamber. It is commonplace in studies of the House of Lords to provide examples of the range of expertise on display in the average Lords' debate, such as the following example offered by Lord Howe:

Whether in the scrutiny of legislation or in penetrating, well-mannered policy debates, the Lords' membership can, and does, deliver a huge diversity of independent-minded expertise. A typical NHS debate, for example, featured two Deans of Medical Schools, a dentist, a former GP, two Consultants, Professor of Nursing, the President of Mencap and former director of Age Concern. Almost any other subject would normally attract a comparably qualified cast.<sup>19</sup>

This is certainly impressive, but it would be wrong to assume that one could not find a similar array of experience and expertise on display in debates in the House of Commons. For example, those MPs who contributed to the second reading of the Human Fertilisation and Embryology Bill included two hospital registrars, one of whom is a member of the BMA medical ethics committee; a former Dean of a School of Biological Sciences; a former reader in organic chemistry; University lecturers with PhDs in biochemistry and philosophy; a former Director of BUPA; a psychiatric

nurse; a social worker formerly employed by the National Carers Association, at least two former Health ministers, and assorted members of the Health select committee.<sup>20</sup>

Indeed the notion that the House of Commons does not contain experts was contradicted by the comments of several MPs. Many MPs talked about the importance of expertise within the House of Commons, and also about capacity of the Commons to allow MPs to develop expertise. Many referred to the importance of select committees in allowing MPs to develop real expertise through contact with experts from outside Westminster, but also through stimulating their own work and investigations. Moreover, MPs also stressed the advantage of expertise in influencing debate in the House. MPs who are recognised as experts are more likely to be consulted by or have access to Ministers, and they may be more likely to catch the Speaker's eye in debates on which they are considered to be knowledgeable. Although the breadth of topics they are required to cover means that relatively few MPs are considered to be experts on social policy, a handful, such as the Labour MP Frank Field, the Conservative MP David Willets, and the Liberal Democrat MP Steve Webb, are seen by MPs from all parties as experts on welfare, and as such are more likely to be listened to.

Finally, perhaps what is necessary is a clearer understanding of what is meant by expertise. In the literature on the House of Lords, and indeed in debates over proposals for reform, it is often not clear what is meant by expertise. Quotes such as that from Howe above, suggest that expertise is based upon qualifications and knowledge. However, it is also apparent that what is valued in the House of Lords is not simply knowledge but also experience. Lord Puttnam, for example, asserted that, 'I recognise the importance of particular experience in life just as much as I do specialist or academic knowledge'.<sup>21</sup> Similarly, Crewe observed that:

Learned speeches do not necessarily sway argument; knowledgeable backbenchers can alienate if they are felt to be showing off or waffling, and analytical contributions from academics are sometimes completely ignored. It may be a House of 'experts' but if knowledge is gained from personal experience it is often taken more seriously than the product of research.<sup>22</sup>

Yet expertise and experience are clearly not the same thing. One may be measurable, quantifiable, and the other may be acquired over time and may or may not be related to age. It may be more appropriate to talk about different kinds of expertise. We may want to distinguish between expertise borne out of scholarship, and expertise which is the product of experience. It may also be useful to distinguish between narrow and deep expertise, such as that which might be acquired by a PhD candidate, a hospital consultant, or a research scientist, and broad but general expertise such as one might expect from a General Practitioner, a school teacher, or a senior judge. Both kinds of expertise are necessary, and in some cases, the GP and the surgeon, for example, they may inform each other. In this case it may be more productive to think of the two complementary Houses as perhaps displaying different kinds of expertise, and moreover, doing so in different policy areas.

It is clear then that there is expertise in both Houses, and that expertise in Parliament is acquired in different ways. Some MPs and Peers enter Parliament with considerable expertise based on their life outside Westminster, whilst others acquire or develop

their expertise within Parliament itself. The capacity for developing expertise while in Parliament is arguably greater in the Commons than in the Lords. These differences may be significant. This research suggests that in the field of welfare, the House of Lords is not a more expert House than the Commons, and the reasons for this relate, in part, to the difference between a House based on constituency representation and an appointed House. However, it may be that freedom from constituency business in the Upper House facilitates the expression or development of expertise in other areas, such as, perhaps, the law. The system of appointments certainly allows experts to be brought into parliament, but whilst the House of Lords contains many experts, this does not necessarily make it an expert House. It is an appointed House containing expertise in some areas, whilst the House of Commons may be viewed as an elected House also containing expertise in some areas.

## **Conclusion**

There is no doubt that there is a great deal of expertise in the House of Lords. Many Peers are well respected experts within their chosen fields, and there is no doubt that the quality of debates in the Lords can be very high. Several factors have served to create and sustain this level of expertise. Principally the system of appointing individuals to the House of Lords, as Life Peers, and also as Crossbenchers, has brought into Parliament a large number of talented individuals from a diverse range of backgrounds. Once in the Lords, the way in which the House operates serves to allow members to maintain their expertise, principally by allowing, indeed encouraging, members to maintain a professional life outside the Lords, and by not expecting Peers to take on the demands of representing a constituency.

However, whilst there is certainly a great deal of expertise in the House of Lords, it is not clear that this makes the House as a whole more expert. The expertise of the House of Lords is somewhat patchy, and may be deficient in a number of key policy areas such as welfare, particularly when compared with the House of Commons. In interviews, few Peers displayed the breadth and depth of knowledge of welfare policies and of the impact of those policies on the recipients of state support that was displayed by most MPs. There are several reasons for this. The absence of a constituency which many Peers consider to be beneficial in terms of allowing them time to develop their knowledge, is in some cases, such as welfare, a barrier to the acquisition of the kind of detailed knowledge and first hand experience on which MPs frequently draw. Moreover, the opportunities for Peers to develop their expertise within the House are limited. The lack of research facilities, particularly compared to the House of Commons, means that the principal ways by which Peers sustain their expertise is by retaining a professional life outside the Chamber, which may limit their ability to contribute to the work of the House in other ways. In contrast, the direct and sustained access to constituents, coupled with the relative wealth of resources available to MPs, means that in some fields at least, the House of Commons may be considered the more expert chamber. However, it is also apparent that attempts to define and quantify the expertise of either House is somewhat problematic and as a result has been largely neglected in debates over the reform of parliament. If the expertise of the second chamber is to be used to legitimise the retention of an appointed House, or some appointed element, then a much clearer understanding of what is meant by expertise is required.

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- <sup>1</sup> See for example, G. Howe, 'The Commons and the Lords: a comparison' in N.J. Baldwin ed. *Parliament in the 21<sup>st</sup> Century*, London: Politico's, 2005; D. Puttnam, 'A Democratic and Expert House' *Political Quarterly*, 70, (4), 1999, pp.368-374; D. Shell, 'The Future of the Second Chamber' *The Political Quarterly*, 71, (4), 2000, pp.390-395.
- <sup>2</sup> Joint Committee on House of Lords Reform, *House of Lords Reform: First Report*, London: The Stationery Office, 2002, p.18.
- <sup>3</sup> D. Shell, *The House of Lords*, Manchester: Manchester University Press, 2007, p.74
- <sup>4</sup> H. Morrison, *Government and Parliament: a survey from the inside*, London: Oxford University Press, 1964, p.
- <sup>5</sup> Cabinet Office, *Modernising Parliament: Reforming the House of Lords*, London: The Stationery Office, 1998, para.9.
- <sup>6</sup> Royal Commission on Reform of the House of Lords, *A House for the Future*, Cm.4534, London: The Stationery Office, 2000, p.97.
- <sup>7</sup> Joint Committee, *House of Lords Reform: First Report*, p.18.
- <sup>8</sup> Ministry of Justice, *An Elected Second Chamber: Further reform of the House of Lords*, Cm.7438, London: The Stationery Office, July 2008, p.4.
- <sup>9</sup> Ministry of Justice, *An Elected Second Chamber* p.5.
- <sup>10</sup> Ministry of Justice, *An Elected Second Chamber* p.51.
- <sup>11</sup> H. Bochel, and A. Defty, *Welfare Policy under New Labour*, Bristol: The Policy Press, 2007.
- <sup>12</sup> P. Norton, *Parliament in British politics*, Basingstoke: Palgrave Macmillan, 2005, p.37.
- <sup>13</sup> H. Bochel, and A. Defty, 'Parliament and Welfare Policy: the changing role of the House of Lords' paper presented at the PSA Annual Conference, University of Swansea, 2008.
- <sup>14</sup> A. King, 'The rise of the career politician in Britain – and its consequences' *British Journal of Political Science*, 11, 1981, pp.249-85.
- <sup>15</sup> Norton, *Parliament in British Politics*, p.38.
- <sup>16</sup> H. Bochel, *Parliament and Welfare Policy*, Aldershot: Ashgate, 1992.
- <sup>17</sup> E. Crewe, *Lords of Parliament*, Manchester: Manchester University Press, 2005,p.
- <sup>18</sup> Shell, *The House of Lords*, p.66.
- <sup>19</sup> Howe, 'The Commons and Lords'
- <sup>20</sup> Human Fertilisation and Embryology Bill, 2<sup>nd</sup> Reading, *Hansard*, 12<sup>th</sup> May 2008, cols.1063-1161.
- <sup>21</sup> Puttnam, 'A Democratic and Expert House', p.369.
- <sup>22</sup> Crewe, *Lords of Parliament*, p.35.