

## Behaviour and conduct in the House of Lords

### Introduction

The House of Lords is self-regulating. The presiding officer (the Lord Speaker) has no power to rule on matters of order. The House does not recognise points of order and the preservation of order and ensuring good conduct is a matter for the House as a whole. Any member may draw attention to breaches of order or failures to observe customs. In practice, it is often a Government whip who does this, but any intervention is subject to the view of the House as a whole.

### **Do behaviour codes apply to conduct in your Chamber? If so, what are the circumstances that are covered? If so, how are the codes applied?**

The Code of Conduct applies to members of the House of Lords in their parliamentary activities, including members' conduct in the Chamber.<sup>1</sup> Behaviour which may amount to bullying or harassment during proceedings could in principle be investigated by the Commissioner for Standards (an arms-length officer of the House), but the Code of Conduct requires them and the Conduct Committee to 'recognise as a primary consideration the constitutional principle of freedom of speech in parliamentary proceedings, including but not limited to the need for members to be able to express their views fully and frankly in parliamentary proceedings'.

In January 2022 a complaint alleging bullying was made (by a non-member) to the Commissioners for Standards about comments made by four members during a debate on an amendment to a bill. This complaint was dismissed at the first stage (i.e. following a preliminary assessment of whether the complaint contained *prima facie* evidence of a breach, thereby justifying full investigation) by the Commissioner. One of the members subsequently raised concerns in the Chamber that this complaint constituted an attempt to intimidate members, arguing that it should not even have been subject to an initial assessment by the Commissioner.<sup>2</sup> They considered it contrary to the rights of members under the 1689 Bill of Rights to freedom of speech in Parliament, part of parliamentary privilege.<sup>3</sup>

This led to a report by the Conduct Committee which emphasised that the Commissioners for Standards, as officers of the House (although they are operationally independent), act on behalf of the House and that parliamentary privilege extends to them in carrying out their duties.<sup>4</sup> The report concluded that members' conduct during proceedings does fall within the Commissioners' jurisdiction, as part of the House's procedures for regulating the conduct of its members. However, the Code of Conduct sets a high bar for any such investigation: not only does the Code recognise the constitutional principle of freedom of speech, but the enforcement procedure states that 'policy matters or a member's views or opinions' fall outside the Commissioner's remit.<sup>5</sup> No member has ever been sanctioned under the Code of Conduct for behaviour during Parliamentary proceedings.

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<sup>1</sup> [www.parliament.uk/hl-code](http://www.parliament.uk/hl-code).

<sup>2</sup> The Code of Conduct, including the guide to the Code, can be found here:

<https://www.parliament.uk/globalassets/documents/lords-commissioner-for-standards/hl-code-of-conduct.pdf>

<sup>3</sup> The Hansard of this debate can be found here: <https://hansard.parliament.uk/lords/2022-01-19/debates/186DAEF5-320C-4A1B-A1B1-E92D85842E0F/ConductCommittee>

<sup>4</sup> The Conduct Committee report is available here:

<https://committees.parliament.uk/publications/9064/documents/159230/default/>

<sup>5</sup> <https://www.parliament.uk/globalassets/documents/lords-commissioner-for-standards/enforcement-procedurebhs-m-april-2025.pdf>

**Whether standing orders or codes contain any provisions that impose positive expectations of behaviours that parliamentarians must uphold in the Chamber. For example, ‘members should treat each other with respect’. If so, how are such provisions enforced?**

Under the Code of Conduct, members should always act on their personal honour. This means they should observe the standards expected by the House as a whole of its members, obeying the spirit as well as the letter of the Code. The term ‘personal honour’ has been used by the House for many years, but has never been fully defined.

Standing Orders 31 and 32 also set expectations of members in the House. They date back to the early 17<sup>th</sup> Century, although the language of SO 31 was updated more recently. The text of these Standing Orders is set out below:

**31 Personally insulting and offensive speeches to be avoided [22 February 2021]**

In the House and its committees, members should be careful to avoid personally insulting or offensive speeches, which offend the customary courtesy of the House. Members should be prepared to give a favourable interpretation to another member’s words but, if they or the House consider remarks to be personally insulting or offensive, the member responsible should be given an opportunity to apologise. By ordering that this Standing Order be read, the House requires that an apology should be made.

**32 Quarrels, to prevent [9 August 1641]**

For avoiding of all mistakes, unkindnesses, or other differences which may grow to quarrels, tending to the breach of peace, it is ordered, that if any Lord shall conceive themselves to have received any affront or injury from any other member of the House, either in the Chamber or at any committee, or in any of the rooms belonging to the Lords House of Parliament, they shall appeal to the Lords in Parliament for their reparation; which, if they shall not do, but occasion or entertain quarrels, declining the justice of the House, then the Lord that shall be found therein delinquent shall undergo the severe censure of the Lords House of Parliament.

When debate becomes heated, it is open to any member to move “*that the Standing Order on Personally insulting and offensive speeches be read by the Clerk*”. This motion is debatable, and if it is agreed the clerk at the Table will stand and read out the text of Standing Order 31. This motion is rare – the last time it was moved was 10 March 1998.

**The management of allegations or assertions made by parliamentarians about the conduct of other parliamentarians in the Chamber, particularly when the Chair has not heard or observed the incident directly.**

The Chair in the House of Lords has no particular power to intervene or rule on matters of conduct: this is the responsibility of the House as a whole. The Leader of the House (the Cabinet Minister responsible for the conduct of Government Business in the House of Lords) normally advises the House on procedure and order, and either she or one of the Government Whips is responsible for drawing attention to violations or abuse. In the Leader’s absence, the Government Chief Whip or another whip present may carry out this role and will seek to moderate between members in the case of allegations or assertions about conduct.

Generally, the House of Lords conducts itself in a restrained and courteous manner and it is rare for members to complain about the conduct or behaviour of other members in the Chamber.

There are some rarely used procedural devices to manage conduct in the Chamber. If in a speech a member is thought to be seriously transgressing the practice of the House, it is open to another member to move “that the Noble Lord be no longer heard”. This motion is debatable and if agreed, prevents the member speaking further on the item of business before the House which was being debated when the motion was used. When the House moves onto the next item of business, they are able to speak again. This motion is very rare and was last moved on 15 July 2011.

Another relatively unusual procedural device is the ability to make personal statements. Members may, by leave of the House, make a short factual statement of a personal character at the beginning of business. These have been used to apologise for misconduct in the Chamber, or for a minor breach of the Code of Conduct, or indeed to respond to allegations made against a member. Personal statements are not debatable.

**Whether issues need to be dealt with at the time in the Chamber, or if they can be dealt with at a later time. If a matter is not dealt with at the time in the Chamber, is there a formal process by which this occurs? What is the process for a parliamentarian to raise their concerns?**

Issues around conduct do not need to be dealt with at the time in the Chamber, and the procedure for personal statements is flexible. For example, on 10 March 2025 a peer apologised for comments he had made in a debate the week before,<sup>6</sup> whereas on 10 December 2024 another peer apologised for comments he had made half an hour earlier.<sup>7</sup> There is no formal process to make a member make a personal statement: it is for them to judge if they need to apologise to the House, although they may informally be encouraged to do so. The one exception is when the Commissioner for Standards can recommend that a member make a personal statement to the House as a sanction or as ‘remedial action’ for a minor breach of the Code of Conduct.

**Any training offered to presiding officers and anyone else taking the Chair in the Chamber to assist them with responding to incidents of disrespectful behaviour in the Chamber**

Training is provided by clerks to both deputy speakers and whips. The training for whips tends to be more focused on responding to incidents of disrespectful behaviour in the Chamber as it is their responsibility to intervene at these points. Training is often undertaken through roleplay exercises of scenarios the whips may encounter.

**What are the sanctions for disrespectful behaviour in the Chamber? How frequently are those sanctions applied in practice?**

As set out above, there are two formal procedural mechanisms for sanctioning disrespectful behaviour in the Chamber. However, the nature of debate in the House, which tends to be restrained and courteous, means that these sanctions are very infrequently applied in practice. Standing Order 31 provides one formal procedural mechanism for sanctioning disrespectful behaviour. If the Standing Order is ordered to be read, it is expected that the member it is directed at will apologise. This last

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<sup>6</sup> <https://hansard.parliament.uk/lords/2025-03-10/debates/912A5731-ECA5-498F-8FE4-03A268EEDAA5/PersonalStatement>.

<sup>7</sup> <https://hansard.parliament.uk/lords/2024-12-10/debates/32E70A1D-8E96-4586-9A0B-CEEDA988BE62/PersonalStatement>.

occurred in 1998. It is also open to any member to move that “the noble lord be no longer heard”, which prevents a member speaking further on that item of business, as detailed above. This was last moved in 2011.