

CAN THE HOUSE OF LORDS REJECT THE TERMINALLY ILL ADULTS (END OF LIFE) BILL?

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The Terminally Ill Adults (End of Life) Bill sponsored by Kim Leadbeater MP, passed its Third Reading in the House of Commons by a reduced majority of 23 in June 2025. A common question is what powers the House of Lords has to amend or even reject the Bill. Supporters of the Bill often argue that the Lords cannot overrule the “democratic will” of the Commons, and that their role is limited to making amendments and revisions.

One prominent voice making this case is Lord Falconer of Thoroton. Writing in [*The Times*](#), he stated: *“The Lords will scrutinise and improve but it will respect and give effect to that decision.”*

Lord Falconer is one of the leading advocates of assisted suicide in Parliament and will be sponsoring the Bill in the Lords (his eighth attempt to secure similar legislation). Moreover, his own record shows that he has not always been deferential to the Commons. He previously voted against or sought to delay major Government Bills – including the Health and Social Care Bill (2011), tax credit changes (2015), and the Illegal Migration Bill (2023) – all of which had passed the Commons with clear majorities. Significantly, these were Government Bills, subject to conventions that limit the Lords’ power to block them – conventions that do not apply to private members bills.

The role of the House of Lords

The Lords primarily scrutinise and revise legislation. Any amendments they make must be considered by MPs in the Commons. If MPs do not accept the Lords’ changes, the Bill is returned to the Upper Chamber. Where agreement cannot be reached between the two Houses, the Bill cannot proceed.

Although members of the House of Lords are not elected, this does not mean that the passage of legislation through the Upper Chamber is of less importance to the democratic process. The Upper Chamber is not expected to automatically approve Bills sent from the Commons. Instead, peers are responsible for scrutinising, revising, and in some cases rejecting proposed legislation.

Does the Lords have the power to block the Bill?

Yes. Under the UK constitution, legislation must be approved by both the House of Commons **and** the House of Lords before it can receive Royal Assent. Only in limited and specific circumstances can the Commons bypass the Lords, and these do not generally apply to Private Member’s Bills such as the Terminally Ill Adults (End of Life) Bill.



Commenting on the passage of the Terminally Ill Adults (End of Life) Bill, Professor Mark Elliott, Professor of Public Law at St Catharine's College, Cambridge, [argues](#) that the House of Lords has the constitutional authority not just to amend the Bill, but to reject it outright.

"The United Kingdom's constitution is founded ultimately on the sovereignty of Parliament, not the sovereignty of the House of Commons alone."

What about the Salisbury-Addison Convention?

By convention, the Lords do not block government Bills that give effect to commitments in a governing party's election manifesto. This understanding, however, does not apply to Private Member's Bills.

The Parliament Act 1911

The Parliament Act allows the House of Commons to send a Bill for Royal Assent without Lords approval if the same Bill is passed by MPs in two consecutive parliamentary sessions. In practice, this means the Lords can usually delay legislation by up to one year. However, for this process to apply, the Bill must be reintroduced without any changes. Because of these conditions, it is rare for a Private Member's Bill to become law without support from the Lords.

Why the Lords Should Act

- The Bill does not have an absolute majority in the Commons, and, very unusually, support reduced between Second and Third Readings.
- Introducing assisted dying/suicide was not part of any party's election manifesto, so it lacks a direct democratic mandate.
- Key medical organisations – who would be responsible for implementing the Bill – oppose its provisions.
- There was no comprehensive consultation process with either the medical profession or the wider public.
- Serious concerns remain about the Bill's safeguards, eligibility criteria, and the risks of unintended consequences.
- Many argue it could have negative effects on palliative care, attitudes to suicide, and perceptions of disabled people.

Conclusion

There is no constitutional reason why the Lords should not block the Terminally Ill Adults (End of Life) Bill. Indeed, it is the responsibility of the Upper House to scrutinise legislation, and, if they deem it unfit to become law, to reject it. Regardless of their personal views on assisted suicide generally, Peers must consider whether this particular Bill is safe and fit for purpose.