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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS
OFFICIAL REPORT

ORDER OF BUSINESS

Questions	
Surveillance Legislation.....	683
Police: Ambulance Support.....	686
Building Stability Overseas Strategy.....	688
Carbon Emissions.....	690
Business of the House	
<i>Motion on Standing Orders</i>	693
Privileges and Conduct	
<i>Motion to Agree</i>	693
Standing Orders (Public Business)	
<i>Motion to Amend</i>	694
Hybrid Instruments	
<i>Membership Motion</i>	695
Human Rights	
<i>Membership Motion</i>	695
Responsibility to Protect	
<i>Motion to Take Note</i>	696
NHS: Reform	
<i>Statement</i>	726
BBC Charter Review	
<i>Statement</i>	741
English Votes for English Laws	
<i>Question for Short Debate</i>	754
Freedom of Religion and Belief	
<i>Motion to Take Note</i>	766
National Minimum Wage (Amendment) Regulations 2015	
<i>Motion to Approve</i>	804
	Grand Committee
Biodiversity	
<i>Question for Short Debate</i>	GC 81
Public Life: Values	
<i>Question for Short Debate</i>	GC 96
Rural Communities	
<i>Question for Short Debate</i>	GC 112
UK: Population	
<i>Question for Short Debate</i>	GC 127
Sub-Saharan Africa: Healthcare	
<i>Question for Short Debate</i>	GC 138

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Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

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House of Lords

Thursday, 16 July 2015.

11 am

Prayers—read by the Lord Bishop of Portsmouth.

Oaths and Affirmations

11.05 am

Lord Sacks made the solemn affirmation, and signed an undertaking to abide by the Code of Conduct.

Surveillance Legislation Question

11.06 am

Asked by **Baroness Jones of Moulsecoomb**

To ask Her Majesty's Government, following David Anderson QC's report on surveillance legislation, whether they intend that Ministers should retain the power to authorise surveillance.

The Minister of State, Home Office (Lord Bates)

(Con): My Lords, as I said in the House on 8 July during the debate on the recent reports into investigatory powers, the Government have made no decisions on the proposals within the reports. We intend to bring forward legislative proposals in the autumn that will be subject to pre-legislative scrutiny.

Baroness Jones of Moulsecoomb (GP): I thank the Minister for his reply. It is important to think that the public understand how and why such decisions are made. However, it is an offence to disclose that a warrant for authorisation of surveillance has been issued, and it is government policy not to talk about security matters, so how can the public understand exactly what the Minister has done and why he has done it? Is some sort of transparency a factor in his thinking?

Lord Bates: David Anderson's report, on which we had a very helpful debate last week, talks about trust, and there needs to be a balance of trust. The issues that are being investigated by our security services and law enforcement agencies are of the most grave and serious nature, so full disclosure is not possible. However, there is an Interception of Communications Commissioner who reviews the decisions taken by the Home Secretary. Should an individual feel that they have wrongly had their communications intercepted, they have the ability to take that up with the investigation tribunal to look into the decision further.

Lord West of Spithead (Lab): My Lords, the Minister will be aware of the splendid report produced by RUSI looking at intercept which comes up with a very practical and sensible way forward on this issue. The report, tying in with Anderson, is written in such a way that it could almost be a Green Paper, and the two of them taken together could be a draft White Paper. We need something in draft by October this year,

because we definitely need to have something in front of the House by early February if we are going to meet the sunset clause. Does the Minister agree that it forms a very sound basis for moving forward with this legislation?

Lord Bates: I absolutely agree with the report. I received a copy of it yesterday when it was published, and it is a very readable document. It comes alongside the Anderson review, which is nearly 400 pages long, and the Intelligence and Security Committee report in the last part of the last Session. Taken together, in the round, they will enable the Joint Committee, which we hope will begin pre-legislative scrutiny early this autumn, to make faster progress than would otherwise be the case and therefore meet the important deadline of the sunset clause, to which the noble Lord rightly referred.

Lord King of Bridgwater (Con): My Lords, my noble friend's Answer to the noble Baroness's Question is exactly right. She is going to have the opportunity for a quite unprecedented amount of consideration of the important issue of whether warrants should be signed by judges or Secretaries of State. I welcome my noble friend's answer that this will be discussed further against the RUSI report, the Anderson report and the pre-legislative scrutiny so that the public can see just how important these issues are and the importance that this House attaches to them.

Lord Bates: Absolutely, and I think we are all grateful to the business managers for having arranged time for that very important debate before the report from RUSI had actually been received. There were many helpful contributions in that debate, including those from the noble Baroness, Lady Manningham-Buller, and the noble and learned Lord, Lord Brown of Eaton-under-Heywood, who shared incredible insights from their practical experience of the dilemmas that are faced. On the issue of judicial authorisation of warrants, judgment was split: RUSI and the ISC were in favour of the status quo whereas David Anderson wanted to look at it. That will be work for the pre-legislative scrutiny committee whose deliberations will, of course, be published.

Lord Scriven (LD): My Lords, can the Minister explain to the House how, if the Government decide not to go for a judicial signature on the warrant, the country will get information from communications service providers abroad, which hold most of the data that would be sought, when they have said that they are highly unlikely to give over information based on a political signature but are likely to co-operate with us based on a judicial signature?

Lord Bates: As Sir Nigel Sheinwald, the Prime Minister's envoy to the communications service providers on this issue, pointed out, our system is not entirely politically based. There is judicial oversight of the process in the shape of the commissioner, who can look into this and review the decisions taken. I hope that that would satisfy. I have to say—although the noble Lord is leading me down that road—that we have reached no conclusions on that, and it will be thoroughly debated publicly before any decision is taken.

Lord Reid of Cardowan (Lab): On the specific Question asked by the noble Baroness, Lady Jones, will the Minister and his colleagues strongly bear in mind in any consideration the principle of accountability to Parliament and to the public? On grave decisions such as this, it is the Minister who will be held responsible by both Parliament and the public, and that is especially the case if anything should go wrong and a tragedy occur. Will he make that central to his considerations?

Lord Bates: It is a major part of the consideration. I think that we were very interested to hear the noble Baroness, Lady Manningham-Buller, who talked about the level of scrutiny that was there and the support for the Home Secretary who takes the decision. We recognise that, ultimately, they are the ones with the responsibility, and they are the ones who should therefore have the authority.

Lord Rosser (Lab): In the debate last week on investigatory powers, the Minister said that the Government would come forward with a draft Bill after the pending Recess which would then be subject to pre-legislative scrutiny. The Minister then said that he hoped or thought that,

“the period of time for pre-legislative scrutiny might be shortened, and that the period of time for scrutiny through the House might be quicker than it otherwise would have been had it not been for all the evidence, reports and consideration”—[*Official Report*, 8/7/15; cols. 235-36]—

now in the public domain. I am sure that that is a perfectly reasonable hope or expectation to have, but can the Minister confirm that there will not be any government pressure to go further than that by seeking to curtail either the pre-legislative scrutiny process or the period of time for scrutiny of the proposed legislation by Parliament?

Lord Bates: That is a fair point. We have been around this track several times before. The Joint Committee chaired by my noble friend Lord Blencathra looked at the communications data Bill and did a very thorough piece of work. We then had the Intelligence and Security Committee report and the Anderson review, which took more than a year to complete. We then had the RUSI review. People are coming together towards a consensus, which should mean that the passage of the Bill, as a result of the diligent work that has gone on before, should be smoother and quicker and therefore we can get the powers to the security agencies that they need to keep us safe.

Lord Cormack (Con): My Lords, when the Bill is debated and the papers are produced, could we also have a paper detailing so far as possible the infinite damage caused by the refugee in the Ecuadorian embassy and Edward Snowden?

Lord Bates: I do not know whether they will be directly linked in the same package, but of course it is open to us to reflect on that. The reality is that our security services do an incredibly important job in keeping us safe against a threat that is getting more severe, as we have seen not only in this country but also overseas in recent weeks.

Police: Ambulance Support Question

11.15 am

Asked by **Lord Harris of Haringey**

To ask Her Majesty's Government what assessment they have made of police forces supporting ambulance services by taking patients to accident and emergency departments.

Lord Harris of Haringey (Lab): My Lords, I beg leave to ask the Question standing in my name on the Order Paper and draw attention to my interests in the register.

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): The public deserve the right service from the right organisation at the right time. Only ambulances should be used to transport patients to A&E as only ambulances are clinically equipped and staffed to do so. Incidents where the police transport patients to hospital are very rare and the emergency services continue to work together to reduce them further.

Lord Harris of Haringey: I am grateful to the Minister for that Answer; however, I think he is incorrect in saying that it is a very rare occurrence. Freedom of information requests have shown that the number of cases of people being taken to hospital to accident and emergency departments runs in the thousands in recent times. He is also aware, because he sent the figures to me, that, for example, in London the ambulance service has failed to meet its emergency target in terms of time in every single London borough in each of the last three months. What exactly do the Government think they are doing about making sure that there is adequate coverage for the emergency services? Is the intention that, despite all the Minister's fine words about the importance of ambulances, the reality is that the police will have to act as paramedics?

Lord Prior of Brampton: I do not think that the noble Lord is right. The actual number of times that police transport patients to A&E is less than 0.1% of all such conveyances. I agree that there are some particular problems in London. There is a shortage of paramedics and they have an active recruitment plan to correct that. There have also been management problems in the London Ambulance Service and its performance, to which the noble Lord correctly draws attention, has not been good enough. There is now a new chief executive of the London Ambulance Service, who is fully aware of the issues. She has recently published the report about the levels of bullying in the London Ambulance Service, which are very distressing. The fact that that has been published and that she has acknowledged it give me hope for the future.

Lord Condon (CB): My Lords, building on the point made by the noble Lord, Lord Harris, is the Minister aware that in recent months in London—and also outside—there has been a significant increase in the use of police officers to invoke emergency powers under the Mental Health Act to take people who are

mentally ill to a place of safety? While police officers have a can-do mentality, it is disturbing that they are being used to deal with mentally ill people because of an absence of other professions to deal with this. It warrants an assessment of their use in relation to mental health.

Lord Prior of Brampton: The noble Lord raises a very important point. Apart from being an extra drain on the resources of the police, it can often exacerbate a mental health problem if someone who is already very distressed ends up being transported in a police vehicle. Under the mental health concordat, to which all ambulance services are signed up, they are committed to reducing the number of times that people detained under the Mental Health Act are transported in police vehicles. We will monitor performance against that very carefully.

Lord Patel of Bradford (Lab): My Lords, the Mental Health Act code of practice clearly says that people with mental health problems should not be transported by police vehicles. In the Midlands the ambulance service transports roughly 75% of people with mental health problems—that is reasonably good but not acceptable—while in Lancashire the figure is as low as 5% and in London it is 30%. Have the Government made any assessment of this, given what the Home Secretary said about police cells being completely inappropriate places of safety for people with mental health problems? Police vehicles should not, wherever possible, transport mental patients.

Lord Prior of Brampton: The noble Lord is right: it is quite wrong for people to be detained under Section 136 in police cells. It is also wrong that people suffering from severe mental health problems are transported in police vehicles. I am not aware of the figures that he gave for the West Midlands in comparison with other parts of the country but I will look at them very carefully.

Lord Paddick (LD): My Lords, would the Minister—

Baroness Gardner of Parkes (Con): My Lords, I am sitting next to a living example of the situation that we are discussing about the police helping. We are all delighted to welcome back my noble friend Lady Knight. She was found in her garden by her gardener, who was convinced that she was dead. He was terrified and immediately decided to call the police. Eventually she got to hospital by ambulance in enough time, but under those circumstances, when you call the emergency services, how much time does it take to decide who you are going to send—the police or an ambulance? Naturally, if she had been dead, the police would have been the most appropriate people.

Lord Prior of Brampton: I am sure that my noble friend will never die; she is clearly immortal. When you dial 999, the ambulance service has eight minutes to respond in such a serious matter as my noble friend has described. Then a fully equipped ambulance must arrive within 19 minutes. In the last two months, 75% of all such “A Red” calls have been met by the ambulance services.

Lord Hunt of Kings Heath (Lab): My Lords, on the question of the London Ambulance Service’s performance, when does the Minister expect the LAS to perform according to the targets that it has been set?

Lord Prior of Brampton: The performance of the London Ambulance Service is improving, albeit too slowly. A new chief executive has just been appointed and the TDA is following the performance extremely carefully. We hope that improvements will continue to be made.

Building Stability Overseas Strategy Question

11.22 am

Asked by **Lord McConnell of Glenscorrodale**

To ask Her Majesty’s Government what plans they have to review the Building Stability Overseas Strategy.

The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns) (Con): My Lords, the Government currently have no plans for a formal review of the Building Stability Overseas Strategy, but the UK’s role in promoting stability overseas will be considered as part of the development of the national security strategy and the strategic defence and security review.

Lord McConnell of Glenscorrodale (Lab): My Lords, the Minister for Government Policy, Mr Oliver Letwin, said in a Written Statement in March that the new £1 billion Conflict, Stability and Security Fund would be,

“underpinned notably by the building stability overseas strategy”.—
[*Official Report*, Commons, 12/3/15; col. 19WS.]

The strategy was agreed in 2011, and since then we have had the tragedy in Syria, the development of ISIS and its allies around the world, and the crisis of migration in the Mediterranean and south-east Asia. Given that we now have a new sustainable development goal framework that is likely to include stability and peacebuilding, is the time now right to review the Building Stability Overseas Strategy? Perhaps the sustainable development goals agreed in September would give the Government an opportunity to do that.

Baroness Anelay of St Johns: I agree with the implication behind the noble Lord’s supplementary that Governments have to be responsive to change. He outlines significant events that have taken their toll on life and security. The principles within the Building Stability Overseas Strategy—early warning, rapid response and upstream prevention—remain as valid now as they were then. However, it is right that the Government focus more carefully on how one then delivers the aid in that strategy. That is why we have formed the new Conflict, Stability and Security Fund with £1.033 billion, and the National Security Council will be looking very carefully at how that money is best spent.

Earl Attlee (Con): My Lords, the Minister will recognise that budgets are never limited, so on what basis has the Conflict, Stability and Security Fund decided to prioritise some regions and plans over others?

Baroness Anelay of St Johns: My noble friend is right, and it is a daily difficulty of every Government to deliver their spending in a way that secures the security of their people. We focus on countries and regions where risks are high, our national interests are at stake and we know that we can have an impact. We partner with others—the European Union, the United Nations and NATO—but it is the move from the Conflict Pool system to the new Conflict, Stability and Security Fund that is part of our continuous process to improve how our funds are spent. The new system will better align our national security objectives with conflict prevention.

Baroness Northover (LD): My Lords, does the noble Baroness agree—I am sure she will—that it is only through long-term engagement with fragile states that there is any chance of building stability overseas and, in particular, that means ensuring that young people have a brighter future? Does she therefore think it was right that my colleague Michael Moore and my noble friend Lord Purvis brought forward the 0.7% Bill, which ensured that predictable funding into the future, in the last days of the coalition Government?

Baroness Anelay of St Johns: My Lords, I welcome the noble Baroness's question because I recall that the last time this Question was on the Order Paper it was so ably answered by her. I entirely agree with her view that this country should be proud that we have a legislative requirement for spending 0.7% on overseas aid. We should also be proud that we are the only country in the world that, as the Budget made clear, will spend 2% on defence for at least the life of this Government.

Lord Alton of Liverpool (CB): My Lords, does the Minister agree that one of the biggest threats to world stability now is the biggest migration of people since World War II, with the UNHCR suggesting that some 54 million refugees—internally displaced people or asylum seekers—are now out of their countries and drifting around, and therefore posing a threat in the places they now are? Dictators such as Omar al-Bashir in Sudan have been indicted by the International Criminal Court and there are reports indicting Eritrea for its crimes against humanity. Does the Minister agree that when they can travel with impunity and the International Criminal Court fails to be able to act, it jeopardises world stability? What plans do the Government have to try to strengthen the role of the ICC?

Baroness Anelay of St Johns: My Lords, we are strong supporters of the ICC. I visited the court just before Christmas and have maintained negotiations with it since then. We are continually pressing our partners to ensure that it has enough funding—we lead the way on that. I also press the ICC to reform some of its processes to enable more effective prosecution of those who should be held to account.

Lord Howell of Guildford (Con): My Lords, we are learning now that conflict resolution and stability overseas require new and much more powerful methods of public diplomacy. Does the Minister feel that the budget we have and the balance between the MoD,

DfID and the Foreign Office is quite right or should we be thinking about a switch to reinforce somewhat the Foreign and Commonwealth Office's efforts, budget and developments in the public diplomacy field?

Baroness Anelay of St Johns: My Lords, the building security strategy depends entirely on the interplay between defence, diplomacy and development. It is clear that the Budget addressed that matter but we have ahead of us the comprehensive spending review and, of course, the defence review. Until those discussions are concluded we will not see the final picture.

Baroness Kinnock of Holyhead (Lab): My Lords, does the Minister agree that any future policy on the Building Stability Overseas Strategy must include a strong commitment to mainstreaming gender, peace and security throughout all the UK's conflict prevention efforts and should not, for example, be siloed in the national action plan?

Baroness Anelay of St Johns: I entirely agree with the noble Baroness and it is a matter that I am looking at in policy terms.

The Earl of Sandwich (CB): My Lords, does the noble Baroness agree that joined-up government in principle is a very good thing and this is a good example of it, but when it comes to four or five departments, does not the argument of the noble Lord, Lord McConnell, become stronger? We perhaps need to review the speed at which decisions are made by several departments.

Baroness Anelay of St Johns: My Lords, that is exactly why the National Security Council has taken the measures it has to be able to deliver decisions more effectively and rapidly. Also, sometimes it has to be *festina lente*. One has to have the underlying principles on which one acts and they are, as I mentioned earlier, early warning, rapid response and upstream prevention. Upstream prevention takes time.

Lord Howarth of Newport (Lab): My Lords, just now the Minister reminded the House that the Government have pledged to spend 0.7% of GDP on international development and 2% of GDP on defence, but the Government have also pledged to consign very considerable numbers of our children in this country to poverty. Is not the Government's policy stance surreal?

Baroness Anelay of St Johns: My Lords, this Government have as their objective to raise the living standards of all people in this country by having a stable economy. That, of course, includes the children, who are our future.

Carbon Emissions

Question

11.29 am

Asked by *Lord Purvis of Tweed*

To ask Her Majesty's Government what assessment they have made of the impact on carbon emissions in the United Kingdom of the decision not to proceed with either the zero-carbon allowable solutions carbon offsetting scheme for homes or the 2016 increase in on-site energy efficiency standards.

Viscount Younger of Leckie (Con): My Lords, estimates of the carbon savings from the zero-carbon homes policy in England have been included in the updated emissions projections published by the Department of Energy and Climate Change. In the next update of those projections the Government will be taking into account the decision not to proceed with the zero-carbon allowable solutions carbon offsetting scheme for homes or the 2016 increase in on-site energy efficiency standards.

Lord Purvis of Tweed (LD): But is the Minister not aware of the deep concern in response to this decision about the impact not only on climate change but on the construction industry? The UK Green Building Council called it,

“short-sighted, unnecessary, retrograde and damaging to the house building industry which has invested heavily in delivering energy efficient homes”.

Does he recall that his noble friend the Minister Lord Ahmad of Wimbledon told this House in November:

“I assure noble Lords that the Government will strengthen standards and deliver zero-carbon homes from 2016. That is and remains a clear commitment on which we will be held accountable if we do not deliver”.—[*Official Report*, 5/11/14; col. 1709.]?

How will the Minister hold his noble friend to account for this failure to deliver?

Viscount Younger of Leckie: I understand that the noble Lord is exercised about this but research has shown that the zero-carbon standard would have placed a significant regulatory burden on housebuilders and developers. These changes will give rise to the challenge of building more homes, including new starter homes. The carbon offsetting element—the so-called “allowable solutions”—would count as a tax on developers and would be of no benefit to the homebuyer, so we are giving the industry some breathing space.

Lord Beecham (Lab): My Lords, does the Minister agree that the Government’s claim to be the greenest Government ever has, to coin a phrase, gone up in smoke? If not, what is the basis on which he could rebut that charge?

Viscount Younger of Leckie: We have a very strong record to play upon. According to the *Carbon Plan*, published in 2011, improvements to the current building stock present an opportunity to save up to 75 million tonnes of carbon dioxide equivalent. DECC’s latest projection shows that less than 5 million tonnes of CO₂ would have been saved during the fourth carbon budget period through these schemes.

Lord Geddes (Con): My Lords, I have asked this question before but perhaps I may try again. Why can it not be made mandatory that all new buildings have things such as photovoltaic and/or solar panels built into them?

Viscount Younger of Leckie: There is a balance to be struck in ensuring that houses are affordable and that builders are given some leeway to build homes. I should remind the House that one of the key manifesto pledges was to build more homes, and particularly more affordable homes.

Baroness Meacher (CB): My Lords, is the Minister aware that the senior scientists who have been working on carbon capture and storage for many years have themselves concluded that this is not a viable way to deal with global warming? Will the Government therefore consider ceasing investing in carbon capture and storage and divert those resources into effective and sustainable energy sources?

Viscount Younger of Leckie: The noble Baroness has a point to the extent that there have been some concerns that you could seal a house too much, and research into that is currently going on. That is perhaps part of the reason why it is right not just to plough ahead with schemes without thinking through them, and we are therefore taking this pause, which is the right thing to do.

Lord Redesdale (LD): My Lords, the Minister said that this is a tax on the building industry, but is it not a fuel poverty issue? If a development goes ahead with affordable housing which is less carbon efficient and therefore costs a great deal more in fuel bills, is not the developer making a greater profit and do not those on the lower end of the social scale, in terms of their ability to pay for the fuel, have to pay over the longer term a great deal more in their energy bills?

Viscount Younger of Leckie: I draw the noble Lord’s attention to our record over the last five years in making buildings more efficient. Homes and non-domestic buildings built to the latest building regulation requirements are already very energy efficient, so that plays into the affordable homes argument.

Lord Howell of Guildford (Con): Would my noble friend explain to the noble Lord, Lord Purvis, and indeed the noble Lord, Lord Redesdale, that they are talking about emissions arising from domestic activity and domestic energy production, while, through our colossal imports into this country, our emissions from consumption are rising very fast? They have risen enormously since 1990. If one is concerned about combating global climate change, the changes we are talking about today make very little difference to our contribution, while they probably help a number of would-be homeowners very considerably.

Viscount Younger of Leckie: In taking a holistic view my noble friend makes a good point. Under the UK’s Climate Change Act we are committed to cutting overall emissions by 80% by 2050. This extends the argument beyond housing. Carbon budgets provide the framework to put us on a cost-effective pathway to meeting our legally binding 2050 target.

Lord Berkeley (Lab): Another manifesto commitment that will effectively increase the amount of carbon is the Government’s commitment to phase out onshore windmills. We can debate why that should be but the proposed planning system will effectively phase them out. Is the Minister aware that it will also reduce the number of jobs in the industry? Is he aware that a company called Mabey in Chepstow announced its

[LORD BERKELEY]

closure last week, with the loss of 125 jobs, as a direct result of the fact that no more masts will be manufactured for windmills?

Viscount Younger of Leckie: I do not know about the examples that the noble Lord mentioned, but in relation to windmills, or wind farms, decarbonisation must work for the local communities where infrastructure is built. We remain focused on getting the best deals for bill payers, to make these schemes work better.

Lord Cormack (Con): If the Government continued with wind farms, how many jobs would be lost in the tourism industry?

Viscount Younger of Leckie: As ever, my Lords, there is a balance to be struck.

Business of the House

Motion on Standing Orders

11.37 am

Moved by Baroness Stowell of Beeston

That Standing Order 46 (*No two stages of a Bill to be taken on one day*) be suspended on Monday 20 July to allow the Supply and Appropriation (Main Estimates) Bill to be taken through its remaining stages that day.

Motion agreed.

Privileges and Conduct

Motion to Agree

11.37 am

Moved by The Chairman of Committees

That the 2nd Report from the Select Committee (House of Lords (Expulsion and Suspension) Act 2015: changes to standing orders) (HL Paper 15) be agreed to.

The Chairman of Committees (Lord Sewel): My Lords, I beg to move the first Motion standing in my name on the Order Paper and in so doing will speak to the first and second Motions.

The two Motions before the House will implement the House's new power to expel Members or to suspend them for any length of time. As such, it gives effect to the House of Lords (Expulsion and Suspension) Act 2015. The new Standing Order will allow the House to expel or suspend where a Member has been found in breach of the code of conduct and the Committee for Privileges and Conduct has recommended expulsion or suspension, as the case may be.

Safeguards to ensure the proper use of the new power are in the Standing Order. The House of Lords (Expulsion and Suspension) Act 2015 requires a by-election to be held to replace any hereditary Peer who is expelled. The amendment to Standing Order 10(1) carries out that requirement. I beg to move.

Baroness Hayman (CB): I do not wish to delay the House but I would like to express my gratitude to the Committee for Privileges and Conduct for what has been a thorough and timely approach to drawing up these changes to Standing Orders. The House will be aware that concerns were expressed that these very serious powers should be implemented only after careful consideration and due and proper process. These Standing Orders ensure that that would happen. I am extremely grateful and I support them.

Motion agreed.

Standing Orders (Public Business)

Motion to Amend

11.39 am

Moved by The Chairman of Committees

That the standing orders relating to public business be amended as follows:

In Standing Order 10(1), after "House of Lords Reform Act 2014" insert "or expulsion under the House of Lords (Expulsion and Suspension) Act 2015,"

After Standing Order 11 insert the following new Standing Order:

"Expulsion or suspension of a member

11A.-(1) In implementation of section 1 of the House of Lords (Expulsion and Suspension) Act 2015, this Standing Order makes provision for expelling or suspending a member under that Act.

(2) A motion to expel or suspend a member must follow a recommendation from the Committee for Privileges and Conduct that the member be expelled or suspended (as the case may be) because the member has breached the Code of Conduct.

(3) Such a recommendation may be made by the Committee for Privileges and Conduct only if the Commissioner for Standards has found the member in breach of the Code of Conduct or the member is in breach of the Code in accordance with paragraph 16 or 17 of the Code.

(4) A motion to expel or suspend a member must state that, in the opinion of the House, the conduct giving rise to the motion occurred:

(a) on or after 26 June 2015, or

(b) before 26 June 2015 but was not public knowledge before 26 June 2015.

(5) A motion to suspend a member must specify the period for which the suspension is to last (which may be until the occurrence of a specified event).

(6) Notice must be given of a motion to expel or suspend a member.

(7) Expulsion or suspension takes effect as soon as the House has agreed the motion.

(8) This Standing Order does not affect the House's inherent power to suspend a member for a period no longer than the remainder of the Parliament

then in existence in respect of conduct occurring before 26 June 2015 which was public knowledge before 26 June 2015.”

Motion agreed.

Hybrid Instruments *Membership Motion*

11.39 am

Moved by The Chairman of Committees

That Lord Crickhowell be appointed a member of the Select Committee in place of Lord Luke, retired.

Motion agreed.

Human Rights *Membership Motion*

11.39 am

Moved by The Chairman of Committees

That a Select Committee of six members be appointed to join with a Committee appointed by the Commons as the Joint Committee on Human Rights:

To consider:

(a) matters relating to human rights in the United Kingdom (but excluding consideration of individual cases);

(b) proposals for remedial orders, draft remedial orders and remedial orders made under section 10 of and laid under Schedule 2 to the Human Rights Act 1998; and

(c) in respect of draft remedial orders and remedial orders, whether the special attention of the House should be drawn to them on any of the grounds specified in Standing Order 73 (*Joint Committee on Statutory Instruments*);

To report to the House:

(a) in relation to any document containing proposals laid before the House under paragraph 3 of the said Schedule 2, its recommendation whether a draft order in the same terms as the proposals should be laid before the House; or

(b) in relation to any draft order laid under paragraph 2 of the said Schedule 2, its recommendation whether the draft Order should be approved;

and to have power to report to the House on any matter arising from its consideration of the said proposals or draft orders; and

To report to the House in respect of any original order laid under paragraph 4 of the said Schedule 2, its recommendation whether:

(a) the order should be approved in the form in which it was originally laid before Parliament; or

(b) the order should be replaced by a new order modifying the provisions of the original order; or

(c) the order should not be approved;

and to have power to report to the House on any matter arising from its consideration of the said order or any replacement order;

That the following members be appointed to the Committee:

B Buscombe, B Hamwee, L Henley, B Lawrence of Clarendon, B Prosser, L Woolf;

That the Committee have power to agree with the Committee appointed by the Commons in the appointment of a Chairman;

That the quorum of the Committee shall be two;

That the Committee have power to send for persons, papers and records;

That the Committee have power to appoint specialist advisers;

That the Committee have power to adjourn from place to place;

That the Committee have leave to report from time to time;

That the reports of the Committee be printed, regardless of any adjournment of the House;

That the evidence taken by the Committee in the last session of Parliament be referred to the Committee;

That the evidence taken by the Committee be published, if the Committee so wishes.

Motion agreed, and a message was sent to the Commons.

Responsibility to Protect *Motion to Take Note*

11.40 am

Moved by Lord McConnell of Glenscorrodale

To move that this House takes note of the “Responsibility to Protect” and the application of this international norm by the United Kingdom and the United Nations.

Lord McConnell of Glenscorrodale (Lab): My Lords, first, I draw attention to my relevant entries in the Lords register and thank the House for this opportunity to raise the important issue of the responsibility to protect and its application by both the United Kingdom and United Nations. This is an opportunity to look backwards, but also forwards. I also look forward to hearing the valedictory speech of the noble Viscount, Lord Montgomery of Alamein.

This is a timely debate. Last Friday, I had, with many others, the honour of attending a commemorative service in St Giles’s Cathedral in Edinburgh, 20 years on from the genocide in Srebrenica in the Balkans. Speaking at the ceremony were representatives of the Mothers of Srebrenica. Their pain 20 years on was raw; their anger remains deep; and they know—today, we know—that we in the international community let them and their families down. We had said “Never again” after 1945, but too often in the decades that

[LORD MCCONNELL OF GLENSCORRODALE] followed, because of a false analysis of state sovereignty, the international community let down people threatened by, and who were ultimately victims of, genocide and mass atrocities.

In Srebrenica in July 1995, the United Nations stood aside, supported by members of the Security Council, including the United Kingdom, and allowed 8,372 people, men and boys, to be slaughtered by the Bosnian Serbs. Their relatives, particularly the women and children who were moved aside on that day, live with that memory every day. Despite the numerous requests for support, the international community was not there to help protect them. That was only one year after the genocide in Rwanda, where the United Nations had similarly let down so many people—in that case, hundreds of thousands—who became victims of genocide.

Kofi Annan, who was in the United Nations at the time, used his new position as Secretary-General of the United Nations to try to address the issue following his appointment in 1997. To his eternal credit, he cleverly, diplomatically, intelligently but very decisively pushed the international community into action. He asked the key question:

“Who is responsible for protecting people from gross violations of human rights?”

He specifically and importantly clarified that the UN charter agreed in 1945, which of course had state sovereignty at its heart,

“was never meant as a licence for governments to trample on human rights and human dignity. Sovereignty implies responsibility, not just power.”

In 2001, partly at the instigation of the Secretary-General of the United Nations, the Canadian Foreign Minister established the International Commission on Intervention in State Sovereignty. Its report, *Responsibility to Protect*, published in December 2001, provided the basis for an international discussion on what could and should be agreed. The report rightly identified the internationally recognised atrocity crimes—genocide, war crimes, ethnic cleansing and crimes against humanity—as requiring special attention in any new framework that could be agreed in the years to come.

The advocacy of the responsibility to protect tried to shift the focus from protecting the rights of states to protecting the rights of people. Appropriately, it recognised that the nature of conflict had changed from interstate conflict, particularly during the Cold War decades, to civil conflicts—internal conflicts within states. We know that in the period since, that development has continued. In many instances—not just in Rwanda and the Balkans—the United Nations has been unable to protect the local population from crimes committed against them, either by their own Governments or their fellow citizens.

However, the world summit in 2005 agreed unanimously—every single member state agreed—that the responsibility to protect was to become an international norm. It stated clearly—and I think cleverly, as well as being based on strong principles—that there were three pillars or stages to the responsibility to protect. The first was the primacy of the state in protecting its own people. The second was the responsibility of the international community to support states in protecting their own people. The third, crucially, was that the

international community had a responsibility and yes, a moral duty to intervene—in many different ways, but in all ways possible to protect those citizens should their states fail in that responsibility.

That was agreed by the international community in 2005, and very soon first quoted in the United Nations Security Council resolution in 2006 with reference to the emerging situation in the Sudan. Responsibility to protect was referenced in Security Council Resolution 1674 and again in Resolution 1706, which provided a basis for action there that at least protected those who had not yet become victims of the emerging violence in that part of northern Africa.

It was in 2011 that, in the words of Ban Ki-moon, the then Secretary-General of the United Nations, “responsibility to protect came of age; the principle was tested”, particularly in Libya, but also in Côte d’Ivoire, South Sudan, Yemen and Syria where, either explicitly or implicitly the United Nations used the principles of responsibility to protect to justify action to protect civilians, with mixed results. As Ban Ki-moon said:

“The results were uneven, but ... tens of thousands of lives were saved. We gave hope to people long oppressed”.

However, the events of 2011 justify us now in 2015, and the events since 2011, in particular, justify us in reviewing the progress of responsibility to protect and assessing what is not yet being applied consistently or effectively. I want to address a number of points today concerning the application of the principle by both the United Nations and the United Kingdom. I mentioned the Lords register earlier, and I want to thank the United Nations Association of the United Kingdom—UNA-UK—for sponsoring a visit by me and others to the United Nations and to the United States Government in Washington in March where we were able to explore the current application of this principle by both the United Nations and the USA.

It seems to me that the United Nations still has a deep commitment to the responsibility to protect norm and its application. As recently as last year, the joint offices of genocide prevention and responsibility to protect produced a publication entitled *Framework of Analysis for Atrocity Crimes*. It highlights to all UN agencies, departments and in-country offices ways in which they should be identifying the potential for atrocity prevention and how the United Nations can then respond to help prevent atrocities taking place. The United Kingdom has been at the forefront of driving this United Nations momentum and Peter Wilson, Deputy Permanent Representative, UK Mission to the UN, New York, said last September in a review discussion:

“The international community has a growing role to play in helping states fulfil their primary ‘responsibility to protect’ their own populations from mass atrocities”.

That is particularly true this year, as we look at the sustainable development goals being agreed in September.

I want to raise a number of points relating to the United Nations, on which the noble Earl, Lord Courtown, may wish to respond on behalf of the Government. First, what are we doing in the United Nations Security Council to ensure that that framework for analysis is being driven through the departments and agencies of the UN and implemented consistently and effectively?

Perhaps much more importantly, are we engaged in the important discussion that has been sparked off by the French to look at the use of the veto in cases of mass atrocities? The French have floated the idea that perhaps there should be at least a voluntary restriction on the use of the veto when cases of mass atrocities are up for discussion in the Security Council. As recently as last week, Russia refused to endorse a resolution condemning the Srebrenica genocide. Given the way that the veto has been used over the years—not just by Russia—will the United Kingdom support that debate and look at how the use of the veto could, at least on a voluntary basis in advance of UN reform, be dealt with in the future?

Are we prepared to argue strongly inside the United Nations for a higher priority to be given to state-building capacity following the agreement of the sustainable development goals in September? Can we do more to build strong, independent institutions that protect people inside their own countries? Where we identify that mass atrocities may be about to happen, will the United Nations and the regional organisations that were mentioned in the original World Summit resolution be able to intervene to protect local populations?

Are we learning the lessons of the follow-through? The Brazilians and others have raised the issue of responsibility while protecting. In Libya, for example, there was an intervention that, at the time, protected the population from the threat from Colonel Gaddafi to exterminate those who opposed his regime in his last days in power. But where was the follow-through? Can we ensure that there is a follow-through responsibility, while protecting and afterwards, to protect the local population and then build a successful state that protects their rights in the longer term, not just in that immediate period of action?

I turn to the United Kingdom and, perhaps in this context, to the European Union. Recently, I met a group of boys from Hampton School who have, since the 20th anniversary last year of the Rwandan genocide, been conducting a project on how the education system and their generation could remember the Rwandan genocide and the lessons from it, and not allow that to be forgotten. I am happy to share their very interesting and well-presented report with the Government. Before I deal with the bigger strategic, diplomatic and development issues, there is an issue around how we in this country ensure that the younger generation understands these lessons as well as we do—I am struck by the fact that anybody who leaves school today was born after the Srebrenica genocide. Perhaps the Government may wish to address that.

In the United Kingdom, the *Building Stability Overseas Strategy*, which did not mention responsibility to protect as a norm back in 2011, should perhaps reflect this important principle more in both its theory and its application. The new Conflict, Stability and Security Fund should specifically target atrocity prevention as one of the issues it was established to tackle with its £1 billion in our long-term security interests. The civilian stability group from the UK, which is deployed to these conflict and post-conflict situations by the United Kingdom Government, should also have a particular remit to help in atrocity prevention and in

the aftermath, ensuring that states are able to build solid, independent institutions that protect populations in the future.

We in the United Kingdom might also want to look at advocating within the European Union for a similar structure to that which now exists in the United States of America, where, under Samantha Power, the Obama Administration have created the Atrocities Prevention Board, which brings together knowledge and expertise from across government to identify the potential for atrocities and then take action to try to prevent them. It seems to me that that model could perhaps be copied in the European Union, even if it is not necessarily appropriate for the United Kingdom alone.

Finally, the United Kingdom should find some way of embodying that UN framework for analysis and identifying possible atrocities in our own development, diplomacy and defence policies and strategies. I look forward to the debate that is about to take place and I welcome this opportunity, timely as it is, 20 years on from the genocide in Srebrenica. The United Kingdom did not play a particularly happy role at that time with regard to our international responsibilities. We have learnt a lot since then. We have led this debate in many ways over the past decade and more, and been very supportive of Kofi Annan. All United Kingdom Governments have played a key role in trying to ensure greater consistency and investment in development. I hope this debate allows us to do that even more effectively in the future.

11.55 am

Baroness Hodgson of Abinger (Con): My Lords, I sincerely congratulate the noble Lord, Lord McConnell, on introducing today's debate. At this time of increasing world instability, growing extremism and shrinking spaces for civil society, the concept of responsibility to protect is perhaps more urgent and more important than ever before. This debate enables us to reflect on whether more can be done, particularly by the United Kingdom.

The rapid pace of globalisation means that we are all more heavily interconnected, and thus atrocities happening in other countries can ultimately threaten our own security. As we have heard, following the terrible events in Rwanda and Bosnia, in 2005 all member states of the United Nations at the World Summit agreed on their primary responsibility to protect populations from the atrocities of genocide, war crimes, crimes against humanity and ethnic cleansing.

I declare an interest. In March, I was one of a small cross-party delegation that was taken by the United Nations Association to the United States to examine where responsibility to protect—or R2P, as it is known—had got to, and to consider what more could perhaps be done. As the noble Lord has already highlighted, the nature of conflict has changed. Today, it is no longer two armies fighting on battlefields; it is often asymmetric, fought in communities, often by non-state actors. Rape is used as a weapon of war, while ethnic cleansing and war crimes are commonplace and 90% of those killed today in conflicts are civilians. The number of people fleeing conflicts, both internally displaced people and refugees, has never been higher.

[BARONESS HODGSON OF ABINGER]

The rise of ISIL provides us with a glaring example of where conflict prevention mechanisms either failed or were altogether absent. ISIL's dangerous and warped ideology has attracted people from all over the world, and we are now faced with a growing and complex web of terrorism and a barbaric caliphate in the Middle East. Visiting an IDP camp in northern Iraq in May, I heard shocking stories from women who had fled with their children from Mosul and Sinjar. The persecution taking place there, especially against the Yazidis, Christians and other minorities, is undoubtedly a form of genocide.

Prevention of conflict is so important. Picking up and acting on the early vibrations can prevent so much of the devastating suffering that atrocities create. Human rights violations are one indication of the early vibrations. Acting on these can be complicated but, when nothing is done, they all too easily turn into mass atrocities, as has been the case in Sudan and the Central African Republic. Protecting civilians and preventing atrocities does not necessarily require the use of military force. Atrocity prevention policies seek to avoid violence altogether. However, effective prevention requires the inclusion of a mechanism for rapid mobilisation, to try to stop conflict as soon as it starts. As with everything else, resourcing is key. Once regime change has occurred, finance and expertise need to be given to help countries build institutions to prevent a vacuum, which creates the chaos that we see in Iraq and Libya today.

The UK still has significant influence around the world through soft power, but do we do enough on R2P? Internationally, our Foreign Office and diplomatic corps are held in the highest esteem, and they focus on human rights and democracy. On poverty reduction, the UK also has an excellent record. We played a leading role in the formation of the new SDGs, with their policy of leaving no one behind, and we are the only country in the G8 to have delivered on the commitment of 0.7% of GNI for overseas aid and to have this enshrined in our law.

While conflict causes poverty, poverty also causes conflict. Aid also assists with long-term economic growth and stability, giving us the ability to listen to voices at grass roots. The UK was one of the first countries to have a national action plan for UN Security Council Resolution 1325, the groundbreaking resolution on peace and security, which recognises that conflict disproportionately impacts on women. I met some of our military in Iraq carrying out innovative work, training for the protection of civilians. Communication with women in civil society also assists them with intelligence-gathering. I also sit on the steering board of the Preventing Sexual Violence in Conflict Initiative, through which the UK has demonstrated outstanding international leadership. While I understand that finance is always an issue, surely using these levers, which are already in place, means there is more that the UK can do to promote R2P?

We have heard already about the United States Atrocities Prevention Board, which was set up by President Obama in 2012 to ensure that atrocity prevention remains a priority across the US Government. Perhaps we can learn from this; I ask the Minister whether

consideration could be given to establishing a similar mechanism in the UK. UN implementation of R2P has at times been hampered by lack of co-ordination and communication between its agencies. The Human Rights up Front initiative has tried to address this fragmentation and to ensure that human rights always have importance in a coherent and systematic way.

However, even when UN peacekeeping missions are sent to countries, sometimes there have been reports of abuse. The majority of the UN peacekeeping troops come from developing countries and may not have been trained to the same high standards as the UK military. So, why do the UK and US not provide troops to the UN for peacekeeping activities? For a commitment such as R2P to be effective, it needs buy-in from all countries—is this really there? There seems to be a growing global trend for non-western countries to oppose western leadership, with the UN, and thus, perhaps, R2P, being seen as a product of the West.

To conclude, while the UK has always been an enthusiastic, vocal supporter of R2P, is it given the prominence in UK policy that perhaps it merits? As has been mentioned already, our cross-departmental *Building Stability Overseas Strategy* fails even to mention the terms “responsibility to protect” and “atrocity prevention”. I ask my noble friend the Minister whether there is a focal point in government on R2P and has funding been allocated? What is the policy on R2P, in the Ministry of Defence and what training do our military receive in this regard? Will there be provision for R2P in the upcoming strategic defence and security review? In the words of President Obama:

“Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States”.

12.03 pm

Lord Judd (Lab): My Lords, I thank my noble friend Lord McConnell for giving us this opportunity to debate a crucial issue. Since my noble friend joined the House, he has brought a very special and refreshing commitment and drive to our considerations of these international matters. I also thank the noble Baroness, Lady Anelay, for the answer she gave me recently—very detailed answers—to some of my Written Questions. They were very helpful answers that illuminated arrangements the Government are putting in place and the principles to which they try to adhere.

I particularly welcome this debate because I so much look forward to the remarks of the noble Viscount, Lord Montgomery. He has had a spirited and long-standing understanding of the implications of Britain's involvement in the world and has followed this with great enthusiasm. We will miss him gravely.

I should declare an interest as a trustee of Saferworld and a lifelong member of the United Nations Association.

These issues once again bring home the underlying truth and reality of total global interdependence. The world now, in almost every way, is interdependent and the first reality of politics is how we relate to that and make a success of our membership of the global community.

We like to talk about values. Values are by definition universal; we cannot dip in and out of them. If our values apply within the United Kingdom, they apply to what we do as members of the global community. John Donne was right:

“No man is an island, entire of itself ... any man’s death diminishes me, because I am involved in mankind ... therefore never send to know for whom the bell tolls; it tolls for thee”.

I believe that, in the times in which we live, the truth and wisdom of that observation have become more telling than ever.

We have to avoid the pitfalls of self-gratification or halo polishing. Saying to the world, “Well, we are concerned and we are going to do this”, is the politics of gesture. Of course, if we are going to intervene, it must be effective. What must be very much there in making the decision are the consequences of intervening. Do we weigh those consequences carefully enough? On the other hand, we must never forget the consequences of not intervening. I will only say that Iraq, Afghanistan and Libya leave an uneasy feeling that perhaps we did not understand the implications of what we were doing quite as deeply as we should have done. I often think that in these evaluations, historians, anthropologists and certainly members of the NGO community, particularly those who have had long-standing commitments to any area, are crucial, because they give an insight into the deeper and complex implications of what is going to be involved.

These matters apply immediately in a bigger setting: Greece. What is going to be the consequence not only for Greece itself and its people but for security in all that region—a crucial region of Europe—of the policies that have been imposed, the way they have been imposed and the language that has been used in doing so? Are we taking that seriously enough? And can we in Britain really say that, because we are not part of the euro, we have not got to face up to what is happening to the Greek people or see what we should be doing to help, not least because of the very significant security considerations?

There is also the Mediterranean situation. The refugees are coming from Syria, Eritrea, Sudan and Gambia, where the human rights situation is dreadful. What specifically are we doing to tackle the issues that are causing people to take terrible risks in trying to escape the reality of their everyday life? There is one big challenge to Europe in all this and to us within the United Kingdom: that whatever the virtues of strong fiscal discipline—and I am not against it—it cannot exist simply in isolation. It immediately raises the issue of what the accompanying social policy and priorities are. It makes that side of the equation more important than ever; otherwise, what insecurity lies ahead?

I think that this applies even within the United Kingdom. A great deal of wisdom, insight and patience will be involved in finding the right solutions for the United Kingdom. We must not allow ourselves to become preoccupied with tactical victories in skirmishes. We must be looking all the time at the long-term strategy. I am not complacent. Ireland is there across the Irish Sea. If we have got it wrong, goodness knows what could begin to happen within the rest of Great Britain.

It also matters in the way we arrange the world economy. If we are disproportionately consuming the resources of the world, it does not really carry much weight when we tell the rest of the world what it must do and how it must behave. If we have not got the commitment of the rest of the world on the social priorities that are essential, what are we going to do about our disproportionate consumption of the resources of the world?

The noble Lord mentioned the Security Council. This is a time when we have to ask: what is security? It brings home that for the Security Council to do its job properly in a modern context it has to have a very wide approach to the social and economic issues that are central to complement the more limited vision of military security, if I may use that term, as it has applied in the past.

I wonder whether we are taking all these matters sufficiently into account in our national security strategy, which was initiated in 2010. We have to become much more alive to the underlying economic and social issues, which, if we do not get them right, are always going to lead to the danger of conflict. But above all, in my older years, I have very firmly concluded that Donne was absolutely right.

12.12 pm

Viscount Montgomery of Alamein (CB) (Valedictory Speech): My Lords, this is the last time the House will hear from me. Many of your Lordships will be very pleased to know that. I speak from the Cross Benches now. When I first came here in 1976 as a hereditary Peer, of course we did not have elections; I just came here and took my seat. I stayed here from 1976 to 1999, when the reform process took place, organised very efficiently, if I may say so, by the noble and learned Lord, Lord Irvine of Lairg. He allowed for the fact that there should be a residual number of hereditary Peers from different parts. I took advantage of that and was duly elected to the Cross Benches, where I have been, very happily, for many years under the auspices of the noble Baroness, Lady D’Souza, and the former Convenor, the noble Lord, Lord Laming, neither of whom is in their seat.

The office of the Convenor of the Cross Benches happens to be located opposite that of the Leader of the Opposition—very fortunately, in my view—which has enabled me to have contact with the Leader of the Opposition, principally the noble Baroness, Lady Royall of Blaisdon, and more recently the noble Baroness, Lady Smith of Basildon.

My principal involvement since I succeeded has been with Latin America. I am very glad that the noble Baroness, Lady Hooper, is here because she has taken my seat on the Inter-Parliamentary Union British Group and is extremely knowledgeable on the subject.

This is a revising Chamber, rapidly growing in size. This question of growth must be addressed. Every time the Government change, needless to say they want a majority, which is quite understandable. We are now up to more than 900. Is it really necessary to have that great number? Something will have to be done about it, because 900 is the same number as speak in the People’s Republic of China, and they have a population

[VISCOUNT MONTGOMERY OF ALAMEIN]
of only 1 billion. The question remains of how to address this problem of numbers—it will have to be dealt with somehow in due course. I do not have an answer, but it is an issue that needs to be addressed by those who follow me.

Ever since I took my seat, my principal involvement has been with Latin America, a continent in which I lived for some six or seven years and which I have subsequently visited many times. I am glad to say that the Latin American lead will be retained by the noble Baroness, Lady Hooper, who is going to speak after me. She is very well qualified to do that, since she knows a great deal about Latin America.

Another institution that I want to mention is Canning House, which is where the UK meets Latin America. All the Latin American ambassadors in London are honorary vice-presidents. It has regular meetings and is a very efficiently run and economical organisation located in Belgrave Square. Apart from me, previous presidents include the noble Lord, Lord Brennan, and the noble Lord, Lord Garel-Jones. The noble Baroness, Lady Hooper, is currently a vice-president.

The other organisation that I want to mention is the Restaurant Association. The noble Baroness, Lady Anelay of St Johns, who unfortunately is not in her seat, is an ex-president, as, many years ago, was I. The Restaurant Association, of course, has to do with good eating, something that we all enjoy. The noble Baroness held her office very well indeed. This was an independent association, but being the efficient lady that she is, she wound it back into the British Hospitality Association, the umbrella organisation. I congratulate her, and hope that she continues with that good work.

Finally, I mention the Inter-Parliamentary Union, which is a very efficient organisation. It is like the United Nations of parliaments—it has regular conferences and bilateral visits, outward and inward. This is a very useful adjunct. It passes resolutions that are not necessarily binding on their Governments, but Governments are recommended to consider them very seriously. Its conferences are very worth while. The noble Baroness, Lady Hooper, attends these functions and represents the House of Lords very well, and the Conservative Party as well.

That is what I need to say. I wish everybody well here in the future as I take my retirement. Thank you.

Noble Lords: Hear, hear.

12.19 pm

Baroness Hooper (Con): My Lords, to be frank, I doubt whether I would have participated in this debate today had it not been the occasion for the valedictory speech of my very good friend, the noble Viscount, Lord Montgomery of Alamein. As he said, I share his interest and involvement in all things Latin American. He will be sorely missed in your Lordships' House for his experience and enthusiasm and for his knowledge of all those countries, stretching from Mexico, through central America and South America, to Patagonia and the very tip of Argentina and Chile. That expertise is unparalleled and respected, and will be much missed. We missed him before of course, after the expulsion of the hereditaries in 1998, but he was one of the comeback

kids. It has been a privilege and a pleasure to work with him ever since in your Lordships' House, in Canning House and in other places. I hope very much that this is not the last that we shall hear from him. We may not see him on the Floor of the House, but I hope we shall often see him sitting on the steps of the Throne and having chats and catch-up talks elsewhere in your Lordships' House.

I very much admire the noble Viscount's ingenuity in bringing his thoughts and comments on Latin America within the Motion before us, but that is typical of his consistent aim to improve and strengthen our understanding of and links with the people of Latin America. In support of everything he said, I would add and underline that there is of course no example of the responsibility to protect principle being brought to bear in relation to any Latin American country. Thank goodness that war crimes, crimes against humanity and ethnic cleansing can be relegated to the history books in that part of the world. However, that is not to say that the United Kingdom—whether through our Ministers, parliamentarians or NGOs—cannot have a useful role in human rights issues, in prioritising support for human rights defenders and, for example, in the ongoing peace process in Colombia.

It is more a question of how we interact with our counterparts in Latin American countries, as well as in other countries throughout the world, whether as Ministers or parliamentarians, in building alliances and in jointly and collectively developing and exercising this responsibility based on the principle of protection, in both the Security Council and other international fora. Other important doctrines of international law have been developed in Latin America—for example, the laws of asylum and the doctrine of hot pursuit. Although I have not in the past discussed the R2P principle with Latin American friends on IPU or other visits, I will certainly make sure that this topic is on the agenda in the future. If my noble friend has any comments in this respect, he can be sure that both I and the noble Viscount, Lord Montgomery, will be listening very attentively.

Turning now to the main theme and the Motion before us, I cannot resist saying that the House of Lords is a wonderful centre for CPD—continuing professional development. Both in preparing my speaking notes and in listening to the contributions so far, I have learned a great deal. The noble Lord, Lord McConnell, is to be congratulated on raising the issue and awareness of it in his comprehensive opening of the debate.

It is perhaps appropriate in this anniversary year that we can look back to 1215, when Magna Carta eroded the absolute sovereignty of the monarch, and compare and contrast that with the development of R2P, which sets limits on the accepted and traditional principle of the absolute sovereignty of states. I am glad that there is cross-party consensus in the United Kingdom on the validity of the concept. Will my noble friend confirm that this Government will continue to consider R2P concerns in our work across conflict, human rights and development and support the European Union and the United Nations in implementing a cohesive approach?

I have no personal or first-hand experience of the atrocities, violence and extreme humanitarian distress, on a large scale, that have been experienced by others who are participating in this debate. The exception was a visit that I made to Bosnia-Herzegovina to monitor elections there, when I heard of the massacre in Srebrenica, which we are all remembering at this moment. Therefore, I can accept that the international law principle of absolute state sovereignty and the primacy of the state should not prevent intervention when those conditions are evident.

Here, new technology enables us to see and judge situations in many parts of the world, and to have contact with people on the ground in a way that would not have been possible 20 years ago, let alone 50 or 100 years ago. As the noble Lord, Lord Judd, said so vividly, we now live in a world that is totally, globally interdependent.

The international community has a responsibility, and cannot avoid the responsibility, to take action once cause has been established and the three aspects, or pillars, which have already been referred to, have been satisfied. The safeguards lie in the need to take joint action, wherever possible under the umbrella of the United Nations, and indeed with the spotlight that debates such as this shine upon the difficult and delicate decisions that have to be made. I trust that my noble friend the Minister will be able to reassure us of this.

12.26 pm

Lord Desai (Lab): My Lords, let me start by paying tribute to the noble Viscount, Lord Montgomery. When I arrived here in 1991, he took me in hand and introduced me to the IPU, and took me to different capitals and educated me in the vital role that the IPU plays. He also taught me a lot about Latin America. We shall miss him, but as the noble Baroness, Lady Hooper, said, we hope that he keeps coming back to tell us about how he is improving the world.

I am somewhat puzzled by this issue. It is not that I am against responsibility to protect, but as the international community is losing its will to protect, it is adding to its agenda more and more responsibilities to protect. Responsibility to protect is actually an admission of a massive failure by the United Nations when it could have done something to prevent massacres in Srebrenica and even more so in Rwanda; we all know that. I am sorry to be cynical, but a typical response by national and international organisations is that, when they fail to do something, they double the ante: the next time, they just raise their targets rather than admit that the targets have not been met. What we have right now is a situation so unlike the one in 1995 or 2005 that it is a puzzle that any of these responsibilities could be fulfilled, given not just the strength we have but the willingness to intervene.

Noble Lords will recall that we were called back for a debate on Syria, when Syria had chemical weapons. I think that I was one of the few people to say that we should intervene, and the question was not if, but when. We did not intervene. A massive assault on human rights has been carried out in the Middle East by Syria, ISIL and whoever else. While we have poked at the margins, we have been reluctant to fight. Our

reluctance to fight is now deep in our Parliament. Parliament will not sanction our interventions. Perhaps it may if they are under a UN flag, but by and large the UN flag is hard to get hold of. The Security Council being what it is, we will not get unanimity among the P5.

So we face the problem that the international order set up and preserved by NATO and the other allied powers is no longer willing to do its task. Therefore, we have an anarchic situation in which, whatever we may say about our need to intervene, given our interdependence and the many problems arising from the violation of human rights, I do not know how we are going to fashion effective strategies. Let us take an example. The European Union, excepting ourselves and France, does not have an army to speak of. We saw that in Afghanistan. The best that the Italians would do was to send a medical supplies corps. The European Union lives in a world in which it believes that wars will not happen and there will be peace for ever. Unfortunately, that is not the world in which we live, as President Putin has shown us.

The question of how we reconstruct the willingness and strength to intervene in many such situations is an urgent problem that has to be tackled before we can deliver on responsibility to protect. This is where the United Nations needs urgent reform. Without reforming the Security Council and the way it works, we will be hobbled. We have not harnessed other nations—the so-called emerging nations—which could help. I know we have often used countries such as India and Indonesia in the UN peacekeeping force, but we have not systematically created a capability within the United Nations to intervene on its own if it needs to. It has to rely on countries, and while those countries may have some forces, they lack popular parliamentary support to intervene.

So we are drifting along, and for the past five years we have seen in the Middle East one of the biggest and most vicious wars among Muslim nations. The Sunnis and the Shias are killing each other. The states themselves—the first pillar, as my noble friend Lord McConnell said—are doing a lot of damage to the human rights of their own citizens. If we cannot stop President Assad or invade the territory ISIL occupies, we will, embarrassingly, just have to sit back and watch human rights being violated.

So we need to ask ourselves, what sort of world order is needed to deliver on responsibility to protect? What sort of world order is needed in this new globalised world? It is not the 1945 order, as is now absolutely clear. I do not think it likely that we can reconstruct the old Anglo-American alliance, because we just do not want to fight. We even had difficulty affirming a 2% share of GDP for our defence budget, and if you are not going to support that, you should not be talking about responsibility to protect. Such considerations are interconnected. We really ought to think about how we can strengthen the United Nations with a better, more representative Security Council in which a single nation's veto will not prevent action being taken, because that is what often cripples the UN. This question has been on the agenda for I do not know how many years. Expert groups have been appointed,

[LORD DESAI]

but mainly they are from inside the United Nations, and nobody from inside the UN ever wants to reform it because they are all very happy with the way it is. Either we expand the Security Council, or we modify the veto rule using the qualified majority voting that the European Union uses.

Something has to be done to reform the United Nations to improve its ability to intervene. We have to equip it with some sort of permanent or semi-permanent armed force, recruited from among its members—voluntarily contributing. That would allow it to intervene on its own, without having to go through the circuit of individual sovereign nations. It is not a question of goading the United Kingdom Government to do more. They may or may not do more, but the United Kingdom is not the country which can alone solve this problem. Our need to establish responsibility to protect on a more solid basis must be accompanied by reform of the United Nations, so that it can become more capable of acting on the responsibilities it keeps adding to its agenda. Either it should stop adding such responsibilities and slim down its goals, or it should strengthen its own ability, reform its structures and practices, and become a seriously effective international organisation that can, rather than “govern”, supervise and monitor the way the international situation is deteriorating.

12.36 pm

Lord Hannay of Chiswick (CB): My Lords, I would like to begin by paying a tribute to my noble friend Lord Montgomery, whose valedictory speech saddens me because we shall not be seeing him in this Chamber. But it gives me great pleasure to be here to have heard his speech and to pay tribute to one part of his work in particular, which was the emphasis he has placed in so many of his contributions to the House’s debates on Latin America. British foreign policy has been pretty forgetful about Latin America over many decades and the noble Viscount has prevented that becoming a complete vacuum. For that we should thank him.

I hope the noble Baroness, Lady Hooper, will forgive me for pointing out that it is not in fact the case that there has never been an instance of the responsibility to protect in Latin America, at least if one expands that phrase to cover the Caribbean, because the UN interventions in Haiti in the 1990s—which was, of course, before the responsibility to protect was called that—were in fact precisely responsibility to protect. When the United Nations moved in to help remove a dictator who was oppressing, torturing and murdering his own citizens, that was a very important step down the road which included also our own involvement in the safe havens for the Kurds in Iraq in 1991. This moved on later to the fully fledged doctrine.

The noble Lord, Lord McConnell, is certainly to be congratulated on securing this debate on what he himself has said is almost the exact 10th anniversary of the endorsement by the Heads of State and Government of all UN member states of what was undoubtedly a ground-breaking new doctrine: the international community’s responsibility to protect those whose Governments were either unwilling or unable to protect their own citizens themselves. I should perhaps declare an interest as having served as a

member of Kofi Annan’s High-level Panel on Threats, Challenges and Change, which put forward that new doctrine. We were between the Canadian panel, which was not a fully fledged UN one, and Kofi Annan’s own championship of the new doctrine and its endorsement by the Heads of Government at the New York summit in September 2005.

Like others who worked on that panel, I was personally strongly motivated and influenced by my experience during the course of two appalling genocidal massacres, which have been mentioned by other speakers—that in Rwanda in 1994, and that in Srebrenica in 1995—and by the pressing need to find a way of preventing any repetition of those terrible events. We have just passed the 20th anniversaries of those massacres, and we surely must not let them fade from our memories. In that respect, I have to say that there have been few Security Council vetoes as shameful as the one wielded last week by Russia when, in what can only be described as genocide denial, it vetoed a resolution to try to draw some lessons from Srebrenica 20 years on.

With the new doctrine available, how sure can we be that the prospect of any repetition of those terrible events is behind us? The honest answer is that we cannot. The potential for genocidal killing exists today in Burundi. Gross abuses of international humanitarian law are being perpetrated against the Muslim inhabitants of Burma. More than 200,000 Syrians have died in a civil war while the UN Security Council has been paralysed by Russian and Chinese vetoes and by the timidity of western Governments. The so-called Islamic State is waging a war that respects none of the international conventions that we had hoped would be universally observed, and which in fact rides roughshod over the Geneva Conventions on the rules of war and over the Universal Declaration of Human Rights.

Still, the responsibility to protect has not been a complete failure. In Libya, it proved possible to protect the population of Benghazi and the rest of western Libya from the vengeance of Colonel Gaddafi, and the subsequent failure of the international community to support sufficiently the transition and the consolidation of the move away from his regime should not obscure the fact that many thousands of lives were saved by that intervention. In Côte d’Ivoire that same year, an attempt to overthrow a democratic election by force and civil war was prevented; the country is now growing at 9% a year and is preparing to hold its next democratic presidential election. In Mali, the Central African Republic and South Sudan, the United Nations and the African Union are protecting many thousands of citizens of those countries whom their own Governments cannot hope to do that for. In Democratic Republic of the Congo, the UN is applying the doctrine of the responsibility to protect, day in and day out, albeit imperfectly. So this is no time to be giving up on the responsibility to protect, unless we wish to see ourselves again cast as helpless spectators of mass killings.

What can and should be done to make the responsibility to protect more effective and less contentious? Here are four suggestions to which I would welcome the reaction of the Minister when he winds up the debate. First, I suggest that we really must rid the public debate of the idea that the responsibility to protect is just shorthand for justifying western

military intervention in a particular country. Both the supporters and the detractors of the responsibility to protect have sometimes fed that misconception. Rather than trying to parse the text that was agreed in 2005 governing the exercise of the responsibility to protect, I suggest that we should strengthen the non-coercive instruments for conflict prevention, and there I join others who have called for that.

Secondly, we should put to better use the UN's Peacebuilding Commission, which, interestingly enough, is also celebrating its 10th anniversary this year. This body has so far been grossly underused and underresourced. I suggest that we remove the constraints that were put on it when it was set up and which limit it to post-conflict peacebuilding, and re-equip it to co-ordinate international efforts at conflict prevention in fragile states. It could do a lot in that field. Thirdly, I suggest we should be promoting the preventive, pre-conflict deployment of peacekeepers, both military and police, and should be ready to contribute ourselves, thus boosting our current, pitifully small contribution to international peacekeeping.

Fourthly, we should surely be supporting the French in their initiative that the five permanent members forswear the use of a veto when instances of genocide or gross abuses of international humanitarian law are at stake. I simply cannot understand why the Government have not given the French full support. Is it even faintly conceivable that Britain would veto a resolution when genocide or humanitarian law was being threatened? Of course the answer is: it is absolutely unthinkable. Then why on earth can we not say so? Why can we not join the French? It may not happen. It may be that the Russians, the Chinese and the Americans will be unwilling to do this, but surely our position should not be ambiguous, as it is now.

Of course, supporting the responsibility to protect does not come cost free in lives or resources, but nor does allowing the responsibility to protect to wither on the vine. Britain, as a middle-ranking power with global interests and a permanent member seat on the Security Council, can influence the way that the doctrine develops. If we turn our backs on it or limit ourselves just to warm words, why on earth should those with less influence and fewer resources than us be willing to make a serious contribution?

I conclude with a somewhat wider observation. It really is important not to regard the responsibility to protect as a stand-alone, solve-every-problem doctrine. It is none of those things. Rather, it must be considered and shaped as an essential part of the UN's toolbox for the future—a tool that must be used sparingly and with great care but one without which that toolbox will be sadly, and perhaps quite disastrously, deficient.

12.46 pm

Earl Attlee (Con): My Lords, I am grateful to the noble Lord, Lord McConnell, for introducing this subject today and I do not think that I have heard anything I disagree with. I strongly believe in the responsibility to protect. In fact, I also think that it is a duty. I have seen what happens when we fail in that duty. I ran an NGO—British Direct Aid—in Rwanda for most of 1995. Our mission was to maintain all UNHCR vehicles and plant operating there. Quite

often an educated Rwandan would come up to me and challenge me with the words, “You are swanning around in your white Land Rover, but where were you when we really needed you?”. In other words, why did the international community not intervene militarily to stop the genocide? Of course, I had no answer to that. One day I was invited to donate my Land Rover to the freelance section of the Rwandan army. My greatest worry was what I would say to the ODA and the noble Baroness, Lady Chalker, to explain how I had lost the Land Rover. Fortunately, I got it back. I pay tribute to my noble friend, who continues to do sterling work in Africa.

In the winter of 1997-98 I served with the British Army in Bosnia as part of SFOR. Nothing gave me and my comrades more confidence that we were doing the right thing than seeing local people putting a roof back on their house. They were doing this because SFOR and NATO, with their overwhelming military superiority, were able to provide the stability and security which are a prerequisite for reconstruction and other desirable post-conflict activities.

Many noble Lords have touched on how the UN and the Security Council decide whether to intervene or not. This is not my area of expertise but, like many noble Lords, I think that we need to find some way in which the international community can sanction an intervention without being vetoed by one or two states which still seem to be comfortable with tolerating crimes against humanity—a point just raised by the noble Lord, Lord Hannay.

I would like to look at the question of whether UK forces are militarily willing and able to intervene as part of a solution and a component of deterring a failure to protect one's own people. However, first, I want to make it clear that I strongly support ring-fencing the international aid budget. If noble Lords imagine looking at the cake of government expenditure, it will make no difference at all whether the very small slice that is international aid is there. The fact is that the first 25% of government expenditure goes on welfare, followed by pensions, health, education, interest payments and then defence. I have no idea why the defence community gets so excited about ring-fencing international development, as we all know perfectly well that hard power on its own has little utility.

The first point to understand is that members of our Armed Forces are indeed very willing to engage in peacekeeping and peace support operations. I have never detected any reluctance on the part of soldiers deploying to Afghanistan, but there is clearly a significant risk of being seriously injured in combat in that type of operation. In operations of the type that we are talking about, you have to be extremely unlucky not to come back intact. In our operations in the Balkans, the vast majority of serious injuries arose from road traffic accidents.

The next question is whether our Armed Forces will be able to engage in these operations. First, we need to be certain that they are capable of successfully engaging in high-intensity operations, because we need to deter interstate conflict. It does not necessarily go away, and just when you think that it has gone away for ever is when it arises. These high-intensity operations are

[EARL ATTLEE]

extremely difficult to undertake and it is essential that training and exercises focus on them. I have a particular concern that we do not undertake exercises involving whole brigades being manoeuvred around the area of operations. This is principally because we do not have the training areas and the resources to do it.

There is a school of thought that says that we should not get involved if our own direct national interests are not engaged. I am not convinced about that. If we want to remain a P5 member, we have to pull our weight. In addition, it is far easier to play the honest broker in a situation if one has little direct interest. Of course, we are very far from being the only country that engages in peace support operations—indeed, numerically we are quite small—but there are very few countries that can deploy at brigade strength out of area. So we ought to get in first and then out fast, having, one hopes, established a UN mandated force. A very good example of this was Rwanda in 1994. When I arrived in January 1995, most of the British forces had already left and there were only one or two staff officers in headquarters.

The good news is that if one has trained for high intensity, peace support operations are relatively easy to conduct, although mistakes are still easily made. One obvious difference is that on a peace support operation one does not normally try to conceal oneself or reduce one's signature—quite the opposite, in fact; you want to be seen. The bad news is this. Until recently, the British Army had been heavily engaged in operations all the time since Dayton in 1995. However, we are now drastically reducing the size of the Regular Army under Army 2020. In future, if we deployed just one brigade of 3,000 to 5,000 troops, I am sure that the staff would make it very clear to the centre of Government that there would be severe difficulties in doing another conventional land operation anywhere else at the same time. In addition, such a deployment would impact on training for high-intensity operations where we are already weak. Furthermore, there are real dangers in deploying our forces at too small a scale of effort after considering the military estimate.

So in future years, when your Lordships see the Government of the day declining to intervene militarily in circumstances where there is surely a moral imperative to do so, it may well be that there is simply not the capacity to undertake the operation without compromising our own security.

12.54 pm

Lord Hylton (CB): My Lords, I thank the noble Lord, Lord McConnell, for introducing this discussion. The debate has naturally concentrated on the collective duty to protect, and to protect whole populations. Obviously, genocide has to be prevented, as does ethnic clearance. Natural disasters have to be coped with. The noble Lords, Lord Desai and Lord Hannay, made valuable contributions on how the United Nations could improve its performance.

I turn, however, to the responsibility and duty to protect individuals. For example, under the UN Convention on Refugees of 1951, states must assess asylum applicants who, by one means or another,

arrive on their territory. They have the duty of care and protection even to those who do not qualify for full refugee status. The UN High Commissioner for Refugees must register genuine refugees and must assist individuals as far as resources allow. The International Organization for Migration is charged with assisting long-term migration and resettlement in third countries.

In Europe, in the past two years, an unprecedented wave of refugees and migrants has arrived. I am told that this year alone some 137,000 have landed. We all know the causes behind this: wars in Syria, Iraq, Afghanistan and at least seven other African countries. This is in addition to the spread of deserts, which has destroyed the livelihoods of many people.

I would like to consider how this country, and the European Union, can contribute to dealing with this wave of people. I suggest first that we in Britain have an opportunity to do something constructive about those refugees and migrants who reach the north of France. I urge the Home Office to work in a far more proactive way than they ever have before. I would like an interviewing point to be opened in or near Calais to help with this mass of people, who are living in deplorable conditions in what has become known as the jungle camp. I would like our interviewers to identify individuals who could qualify to come to this country for the purpose of family reunion because they already have close family relatives living here. The Red Cross has recently published a major report on family reunion, *Not So Straightforward*, and I hope that the Government will take account of it.

There may also be special medical cases in the north of France who could benefit from treatment in this country. There may be people walking about who look quite normal but are suffering the after-effects of the traumas that they have experienced. We in this country have considerable expertise in dealing with that. For example, there is what used to be called the Medical Foundation for the Care of Victims of Torture—I think that it has now changed its name to Freedom from Torture. The Save the Children Fund has drawn attention to unaccompanied children. I do not know whether any of them have got to northern France, but perhaps a few have. There, again, our interviewers could be on the lookout for them.

Secondly, this country, in conjunction with the European Union, ought to be providing help to Greece, Italy and Malta, which have seen so many arrivals, with the assessment and interviewing of individuals. If that could be very much improved at or near the point of first arrival, it would prevent so many people wandering off vaguely northwards, some towards Germany, some towards France. When they reach France, they have just the one idea of trying somehow to cross the Channel. I believe that there is an organisation called the European Asylum Support Office. What is it doing, how is it trying to cope with that influx and can it be geared up a little?

Finally, we need a long-term vision. A week ago, on 9 July, when there was a major debate, at least three speakers proposed protection zones—probably in north Africa, although conceivably elsewhere. That is a very positive idea which deserves urgent study and planning.

It would of course require the consent of the countries where such zones would be located, but if we can work this out, we may see the germ of new city states, remembering how such places as Hong Kong and Singapore have developed from more or less barren islands. Such protected zones, with their potential for development and growth, would be a serious attempt to deal with the deep-rooted causes of migration.

1.03 pm

Lord Alderdice (LD): My Lords, we are all in the debt of the noble Lord, Lord McConnell, not only for bringing this opportunity for us to debate the question of the responsibility to protect and how things have gone in the past 10 years, but for, characteristically, introducing it with a very thoughtful, impressive and passionate speech. He is very committed to these issues, but he is also extremely knowledgeable about them, and he brings creative thinking to our debate on this issue, as on others.

Sometimes when we have a 10th anniversary debate, it is a celebration of how well things have gone. My sense is that the noble Lord has not brought this debate to us today for that reason, but rather because the situation 10 years on, is much worse. Those of us who saw the “Dispatches” programme last night on the situation of the 4 million women living under the aegis of ISIS will have been troubled all night with the thought of what is happening to many young—and, indeed, older—women across the whole of the region, but particularly in the areas controlled by ISIS.

Increasingly over the past few days, we have heard of a worsening situation in Burundi, a part of the world where we had hoped up until a few years ago that things were improving. There are lots of other smaller but chronic problems all around. In your Lordships’ House, we have often looked at the situation of Palestinians, particularly in Gaza. In many such situations, we cannot really look at the last 10 years and say that the situation has improved. Many noble Lords have referred to them, starting with the noble Lord, Lord McConnell, himself. The noble Baroness, Lady Hodgson, referred to the question of sexual violence and the use of rape in the context of war, and the noble Lord, Lord Judd, pointed up to us that we must be not only aware of the importance of intervening but careful that we do not make things worse when we intervene.

As we look back at the question of the responsibility to protect—all of us applaud the work of Kofi Annan and of the International Commission on Intervention and State Sovereignty, which helped to bring all this about—we must ask ourselves whether we have been taking the right line with enough energy. If it is not possible to persuade the United Nations to take full responsibility at the level of the Security Council—the noble Lord, Lord Hannay, with his unparalleled experience of that organisation, has pointed up some of the difficulties there—let us think about how we can approach this question in a more effective way.

First, there has been a tendency to think about the question in the context of international law—a much more uncertain concept than its name suggests. When we think about international law, we think about it as

an international extension of domestic law, where we have courts, the administration of justice, policing, capacity to imprison people who do not obey the criminal law, and so on. Many of those things are only partially effective or simply ineffective at international level. I was happy to see that the noble Lord had couched his Motion in terms of an international norm rather than international law. The noble Lord, Lord Hannay, talked about a doctrine of responsibility to protect. That is important, because, in a sense, we are trying to establish some moral authority and precedent for the approach, rather than thinking about international law.

The second problem is that we have increasingly seen the question in terms of military intervention. It is clear that there are situations where military intervention is appropriate, but right from its beginning, ICISS said that we must be careful about taking such action. First, the intention had to be right, which is not always the case. Secondly, military intervention had to be a last resort, not a first one. The intervention also had to be proportional and have reasonable prospects for success. It is not easy to find that some of the worst problems that we face fulfil all those requirements. That is why the international commission pointed up that there were a number of components to the responsibility to protect. One was the responsibility, in so far as possible, to prevent. Much can be done beyond military intervention to try to prevent some atrocities. Secondly, there is a responsibility to react, but the reaction in terms of military intervention is often limited. Thirdly, there is a responsibility to rebuild. That can be done on a multilateral basis, but it can also be done by an individual country. I want to pick up on some of those issues.

If we take the focus away for the moment from what we can do militarily—the noble Earl, Lord Attlee, has pointed out some of the positives and problems of that—and look at other ways in which we can promote the responsibility to protect, we may come away with more options, rather than simply be depressed about the fact that it has not been very effective over the past 10 years. When we look at situations where it has been invoked and we have engaged, such as in Libya, it is harder by the month to feel that all has worked out well. Of course, as noble Lords have pointed out, it was not just the intervention but the follow-up that was the problem—perhaps more of a problem.

What other possibilities can we see? First, if we are trying to express a doctrine, a norm, a moral imperative, then getting it across to the vast mass of people is very important. We want our young people to grow up with a sense of responsibility to protect others in their community, in the wider country and in the wider world, and to say that, “I am my brother’s keeper. I have a responsibility to people in other places”. This is especially important in the present climate because, with a climate of fear that extends throughout the world, people tend to turn into themselves and say, “We’ll just look after ourselves; the problems out there are too big”.

How do we get across to our young people this moral imperative to be responsible in one’s relationships with other people? It seems to me that we need to

[LORD ALDERDICE]

focus more not just on our ordinary educational involvement but on the use, for example, of social media—engaging young people in debate and discussion on these kinds of questions. How much time, thought and resource are being given by those responsible, particularly in the Foreign Office, for ensuring that our young people are looking at the wider world with a greater sense of how they can be responsible in their attitudes, and that this is being done not just by putting ever more burdens on our teachers but by engaging, for example, in social media?

In passing, I want to refer to the question of Latin America and, of course, as others have done, to the sterling work over many years of the noble Viscount, Lord Montgomery of Alamein, on Latin America and other things. We are sad to see him go but we thank him for his great public service in your Lordships' House and outside. We wish him well in his retirement and in continuing to keep in contact with us. Although the noble Baroness, Lady Hooper, said that this was not so much applicable to Latin America, one of the worrying things for me has been that some of the big countries in Latin America, such as Brazil, have not seen the need to shoulder responsibility to help in the United Nations with promoting the notion of responsibility to protect. It should not just be a reaction; it should be about developing a sense that responsibility to protect is something that as a wider community we should all share. I wonder whether some of the new conflict security fund should perhaps go to help in education.

The responsibility to rebuild seems to me also to involve how we care for the victims who come out of these situations—for example, young people from this country who have foolishly and mistakenly gone to Syria or Iraq and have come back again. My experience is that the security services are more concerned to make sure that these young people are not a danger to us than they have been to care for them and look after them when, in fact, engaging with them in a caring way could well make these young people the best ambassadors against ISIS with the sort of young people who might be most vulnerable. It seems to me that we have been too cautious rather than properly engaging in helping these folk. I know from my own part of the world that the failure to agree some kind of overarching instrument for dealing with the past has meant that we have not dealt properly with the needs of individual people whom we could have helped without any problem politically.

Finally, there is the question of the funding and resourcing of the Foreign Office. It is impossible for us to do the kinds of diplomatic things we need to do and the engagement we need to be involved in if we do not have a properly resourced Foreign Office. I understand entirely the need for efficiency, but we have come to the point where the drive for efficiency has now affected and impacted adversely on the effectiveness of our Foreign Office. Noble Lords often say what a wonderful Rolls-Royce service it is. I increasingly hear from people in other parts of the world that the Foreign Office is no longer able to do the kinds of things that the rest of the world values enormously. If we are not going to focus on military interventions, as

we often should not, we have to provide proper resources not just for DfID, although that is very important, but for the Foreign Office to do the kinds of diplomatic work that we need it to do if we are to be effective in this way.

Again, I thank the noble Lord, Lord McConnell, who has given us an opportunity not only to think in this debate, but to continue to think about the engagement and involvement in our own country and with other countries in exercising our responsibility to protect others.

1.14 pm

Lord Collins of Highbury (Lab): My Lords, I begin by adding my own tribute to the distinguished career of the noble Viscount, Lord Montgomery of Alamein. As we have heard, he has given great service to Parliament in two excellent shifts. His contribution to the success and well-being of our country has not been limited to his work in Parliament; in addition to his business career, he has built close links with Latin America and he has served as a patron and chairman of various Anglo-Latin American organisations. His contribution today is further testimony to his wisdom and insight into Parliament and international affairs. I wish him a very happy and healthy retirement: *feliz jubilación*.

I thank my noble friend Lord McConnell for initiating this important debate. It is important, in the context not only of the world today but of what we have seen in recent times. The genocides in Cambodia and Rwanda and the crimes against humanity in the former Yugoslavia, East Timor, Sri Lanka, Darfur and Syria demonstrate, as we have heard, extreme failures by the international community to respond to the threat of atrocity crimes. We have been confronted by complex choices regarding when and how to protect populations abroad and in living up to the conventions and laws to which we have signed up.

In responsibility to protect, the world community seeks to clarify where responsibility lies and to provide guidance on what sort of action should be taken to prevent these crimes taking place or escalating. My party is fully supportive of RtoP, and in the general election campaign we reaffirmed that in government we would ensure:

“A cross-Whitehall approach will be taken to preventing genocide and mass atrocity will be a priority with a focus on early warning and prevention”.

Ten years on, responsibility to protect has come a long way but, as we have heard in this debate, particularly from the noble Lord, Lord Hannay, the challenge is to put the good words fully into practice. The concrete examples that were highlighted by my noble friend in his introduction, and by other noble Lords, show how co-ordinating intelligence, development and economic and political engagement can be successful in preventing conflict that may lead to genocide.

Speaking in the General Assembly, the noble Lord, Lord Malloch-Brown, the Foreign Office Minister at the time, described RtoP as a “groundbreaking” achievement, of which the UN “should be rightly proud”. It should inform,

“all Member States’ work across the conflict spectrum, as well as on human rights and development”.

The coalition Government echoed the call to construct a “culture of prevention” when Ambassador Wilson of the UK Mission to the UN repeated that responsibility to protect,

“should be an important governing principle of all countries’ work across the conflict spectrum”.

The core principle of this is that all states have a responsibility to protect their populations from RtoP crimes. The responsibility rests first with the state. With RtoP, the international community has a responsibility to assist other countries in upholding their responsibility. Should states be unwilling or unable to protect, the international community should respond and take action to protect. However, as we have heard in this debate, that action is multifaceted. The international community has many different tools at its disposal for upholding its responsibility—diplomatic, humanitarian, and other peaceful means, such as human rights monitors, for example, to protect populations. The noble Baroness, Lady Hodgson, has talked much about the work of human rights protectors in Afghanistan, who are critical to that country’s future. Stronger measures, such as enforced sanctions or the use of military force authorised by the UN Security Council, can also be used if states are clearly failing to protect. We have heard about some of the issues surrounding how they could be used.

The UK has offered more than verbal support. It is a contributor to the pool that funds the joint office of the UN Secretary General’s special advisers on genocide and RtoP. It has also contributed funding to the Global Centre for the Responsibility to Protect, most notably, as we heard in Question Time, its overseas aid policies, which have been guided by the cross-departmental Building Stability Overseas Strategy. However, as we heard, some question the extent to which this addresses the issue of mass atrocity prevention.

In his 2013 article, *Humanitarian Intervention: What Future for the Responsibility to Protect?*, Simon Adams concluded that the UK contribution to RtoP norm promotion was “laudable”. However, he also offered several observations on where he thought the UK could improve its implementation of the norm. One example he gave was the Central African Republic, which has long been high on the watch lists of organisations using a mass atrocity lens but did not even appear on the risk matrix that was published in the stabilisation unit’s business plan of April 2013. However, later in 2013, the UK helped transport a French intervention force that responded to the serious threat of mass atrocity. As a follow on from the Question earlier today, how fit for purpose does the Minister think that the existing strategy is?

Despite the lessons of tragic events in the past, such as the atrocities in Srebrenica 20 years ago that we have heard about from noble Lords, and the positive new approaches such as the Preventing Sexual Violence in Conflict initiative, highlighted by the noble Baroness, Lady Hodgson, there is concern that the UK has not made atrocity prevention a policy priority. As has been raised by my noble friend Lord Desai, we need to consider how the international community builds its capacity to respond, because the relatively small number of states that can take action in certain circumstances acts as a constraint on the Security Council agreeing

that something should be done. As highlighted by my noble friend, that capacity could and should be filled up on a regional basis—for example, by the African Union in Africa.

There are a number of areas that I would appreciate the Minister responding to in his winding-up speech. In particular, if the UK’s current early warning analysis finds that there is a threat of atrocities in a certain country, how does this change the Government’s policy towards that state? Does DfID reconsider its approach to that country? Does it decide to prioritise the prevention of atrocity over something else? Is this a budgetary priority? Do development officers on the ground know that one of their goals is to prevent atrocities in the long term? Have they been trained to catch the warning signs, as we heard about in the debate today? Who has that responsibility? Finally, how do the Government co-ordinate action across departments to prevent atrocities? We have heard about the strategies that have been adopted but how are we going to see those move forward? Development assistance alone is not enough.

1.24 pm

The Earl of Courtown (Con): My Lords, it is with great pleasure that I speak on behalf of the Government in this debate. First, if I may, I take this opportunity to pay tribute to the noble Lord, Lord McConnell of Glenscorrodale, for his work in foreign affairs over the years. It is also an appropriate time for me to pay tribute to the noble Viscount, Lord Montgomery of Alamein. I rather liked my noble friend Lady Hooper’s description of him as the comeback kid. Noble Lords have mentioned his work in various areas in central and South America, but I know the noble Viscount perhaps better from our skiing days in Davos, where we both took part in races against the Swiss parliamentarians. It was not that long ago that we last raced together. I hope that we continue to see him and remain in contact. I know that all our Swiss friends will wish him well in his retirement.

We have heard today of some of the most horrific situations occurring around the world and the tragedies in Syria, Iraq, Rwanda, the Balkans and Sudan, to name just a few. The United Kingdom remains committed to the responsibility to protect. We welcome the fact that international discussion of the concept is now focused squarely on implementation. As the noble Lord, Lord McConnell, said, the development of the three-pillar structure and the level of engagement with this idea from member states at the UN level, as demonstrated through the General Assembly’s informative interactive dialogues on RtoP, illustrate the progress that has already been made. The debate has largely moved on from whether states have a responsibility to protect to how they should act on that responsibility. Despite this progress, many challenges remain—as noble Lords have so eloquently highlighted, mass atrocities continue to be committed around the world. The risks of genocide, war crimes, ethnic cleansing and crimes against humanity are ever present in many internal conflicts, and non-state armed groups pose new threats. The rise of violent extremism across many parts of the world contributes to the risk of atrocity crimes. In addition, high levels of inequality

[THE EARL OF COURTTOWN]

based on systems of ethnicity and religion can lead to communal violence, especially in times of crisis. Better understanding of these dynamics will allow us to focus preventive responses.

As many noble Lords—including the noble Lords, Lord McConnell, Lord Hannay and Lord Hylton—have said, we have heard much about Syria. With over 230,000 dead and 12.2 million people in dire need of humanitarian aid, Syria is one of the most difficult and tragic conflicts of our generation. It is a clear example of a state failing utterly to protect its citizens. All members of the Security Council need to shoulder their responsibility in taking decisive action to compel the Assad regime to cease the violence and engage in a political process. In response to the appalling humanitarian crisis in Syria and the region, the United Kingdom has allocated £900 million and pushed for UN Security Council Resolutions 2165 and 2191 to enable the United Nations to deliver aid across borders.

However, we should not focus exclusively on dealing with crises—prevention is always more effective and much less costly than cure, in terms of both lives and resources. We need to maintain our focus on strengthening national and regional capacity and structures to prevent atrocity crimes. The work of the Global Centre for the Responsibility to Protect and the United Nations joint offices on the prevention of genocide and the responsibility to protect, both supported by the United Kingdom Government, is vital in this regard.

The UK contributes to preventive activity under the responsibility to protect. One area of work involves training militaries in third countries, as was mentioned by other noble Lords, including in the laws of armed conflict. In addition, the United Kingdom funds a wide range of conflict prevention activity that contributes to the prevention of atrocities. We recently introduced the Conflict, Stability and Security Fund, which includes a wide range of activity aimed at conflict prevention and reduction. CSSF projects include work on reducing intergroup tensions, strengthening justice systems and the rule of law, security sector reform, disarmament, demobilisation and reintegration, for we understand that good governance, the rule of law, inclusive and equal societies, and effective judicial and security sectors contribute to an environment in which RtoP crimes are less likely to take place. The United Kingdom is also vocal in lobbying for the inclusion of the “responsibility to protect” language, where relevant, in resolutions at the Security Council and the Human Rights Council—an example of this being the recent Human Rights Council resolution on genocide prevention in March.

The international community also needs to tackle misunderstandings around the responsibility to protect. We need to articulate how preventive actions and activities under the first and second pillars help deliver the responsibility to protect. This will help to undercut the misconception that often emerges that the responsibility to protect is synonymous with military intervention. Overcoming this misperception is important in encouraging states to implement the responsibility to protect.

The international community also needs unity in relation to questions of mass atrocities. As a number of noble Lords have said, we are outraged by the Russian veto of the UN Security Council resolution commemorating all those who died in the Srebrenica genocide. The draft resolution aimed to send a clear message that the Security Council supports further steps towards reconciliation and a brighter future for Bosnia and Herzegovina, while marking the international community’s resolve to prevent such atrocities in the future. It did so without pointing fingers of blame, and without linking the crimes of Srebrenica to the Serb people. Russia’s actions tarnish the memory of all those who died in the Srebrenica genocide. It will have to justify its decision to the families of more than 8,000 people murdered in the worst atrocity in Europe since the Second World War. Russia’s actions in vetoing this resolution show just how difficult it can be to find the unity that we need if we are to promote reconciliation. A number of noble Lords mentioned the recent commemorative event, and I will just mention a point made by a survivor, Adisada Dudic, who, as a child, had to flee her home near Srebrenica. She said so poignantly at the commemorative event last week that,

“denial does not make the facts go away. It does not change the past. And it certainly does not erase memory”.

RtoP should be an important governing principle of all countries’ work on conflict, human rights and development. Conflict disproportionately affects women and children, so we must tailor our prevention efforts accordingly, as mentioned by my noble friend Lady Hodgson and a number of noble Lords, including tackling sexual violence. I am proud of the achievements made to date through the United Kingdom’s Preventing Sexual Violence in Conflict initiative, and we need to continue this. Under the leadership of my noble friend Lady Anelay of St Johns, we are deploying teams of experts to help build state capacity in preventing and responding to sexual violence in conflict, from Mali and the DRC to Bosnia and the Syrian border areas. However, there is still much to do. Ensuring the fair treatment of women, children and civilians in war will help end the cycles of violence that we see around the world and help build more stable societies in the long run. This work is absolutely in line with the ideals enshrined in the responsibility to protect.

The noble Viscount, Lord Montgomery, and my noble friend Lady Hooper spoke of their interest in Latin America. They will be interested to know that some of the UK’s funding goes to support RtoP voices in Latin America, run by the Auschwitz Institute for Peace and Reconciliation. The UK was also proudly represented at the annual meeting of R2P Focal Points in Madrid, jointly hosted by the Government of Chile and attended by the European Union.

The noble Lord, Lord Hannay, mentioned upstream prevention. We agree that we should commit resources to upstream prevention and it is a core principle of the Building Stability Overseas Strategy that the House heard about earlier at Question Time. We also agree on the need for a focus on peacebuilding. The UK continues to contribute significant financial resources to the United Nations Peacebuilding Fund, and until recently we were the greatest financial contributor.

There are actions we can take before a conflict takes place. The United Nations special political missions are an essential political mediation tool, and the UK continues to build up other preventive tools. A number of noble Lords also mentioned the issue related to the French veto proposal. This initiative offers an important contribution to the wider debate on reform of the Security Council, and we welcome the interest that it has generated. The United Kingdom wholeheartedly supports the principle that the Security Council must act to stop mass atrocities and crimes against humanity.

The noble Lord, Lord McConnell, and my noble friend Lady Hodgson asked about long-term resources for state building. I agree, and a significant proportion of the United Kingdom's development assistance is spent on state building in lower-income countries. The Building Stability Overseas Strategy and early-warning conflict prevention and intervention are the driving principles of our development assistance and essential components of atrocity prevention more widely. In addition, the specific suggestions made by the noble Lord for the United Kingdom, including the UN framework and relations across the European Union on RtoP, continue to be considered by the UK's focal point—that is, the director of the multilateral policy in the Foreign Office.

My noble friend Lady Hodgson and the noble Lord, Lord McConnell, also looked at the relationship between RtoP, the Government and structures. The United Kingdom's response to RtoP is within the governance of the Conflict, Stability and Security Fund, overseen by the National Security Council. The CSSF commits funding to support the Global Centre for the Responsibility to Protect and the UN's joint offices for genocide prevention and RtoP. As I said, the United Kingdom has a focal point, the director of the multilateral policy within the Foreign Office, and he is supported by a small team of officials. Our military, mentioned by my noble friend, are trained to the highest standards in international humanitarian law, including the protection of civilians and the prevention of sexual violence in conflict. Our military also train others in international humanitarian law and the laws of armed conflict. Finally, RtoP, like all security policies, will be considered as part of the SDSR.

The noble Lords, Lord McConnell and Lord Collins, also mentioned ways of improving our early-warning system. The United Kingdom early-warning system comprises an annual scan to assess risks of instability, together with a short-term, rising-risk early warning system. The annual scan is primarily of use in helping to determine where upstream conflict prevention resources might be best directed; while the short-term early-warning system is intended to allow the alerting of Ministers and senior officials to potential new or fast-rising risks in a structured way to enable decisions on preventive action or crisis response. Her Majesty's Government recognise that turning early-warning analysis into early action remains challenging. That is why we continue to develop and improve our early-warning systems and support the early-warning systems of our partners in multilateral organisations such as the European Union, the UN and the AU.

My noble friend Lord Attlee spoke of his experiences in Rwanda and Bosnia-Herzegovina and referred to the United Kingdom's willingness and ability to intervene militarily. I am sure noble Lords will agree that the United Kingdom military remains one of the finest in the world. It is in order to maintain the capacity that we need that we have committed to spending 2% of our national income on defence. However, each situation is unique and will require a different response. The United Kingdom and its allies have always demonstrated that we are adaptable and ready to intervene or to support peacekeeping operations as the situation demands, as shown by our support of peacekeeping operations in Sierra Leone, Mali, South Sudan, the Central African Republic, the Democratic Republic of the Congo, the Balkans and other places around the world.

The noble Lord, Lord Judd, mentioned global interdependence, a subject which was also mentioned by my noble friend Lady Hooper. The noble Lord will be aware that that theme has gone through all the debates we have had on these subjects in the past three months. The noble Lord, Lord Desai—in his, as ever, fascinating speech—mentioned strengthening the UN Security Council. I mentioned some aspects of that in answering an earlier question. The noble Lord, Lord Alderdice, asked how the Government can help our young people to engage with the world, for example through social media. This element of work is being led by the Ministry of Justice, the Department for Education and the Home Office, and I understand that it is a priority. The Foreign Office is actively engaged online, using all tools available to pursue our foreign policy.

The noble Lord, Lord Desai, also mentioned United Nations peacekeeping availability. This is delivered by member states for member states in the interests of international peace and security and in accordance with the priorities set by the Security Council. Since its establishment, this has always been done by utilising troops and military capabilities supplied by the membership. While United Nations peacekeeping operations have faced many challenges and have experienced failures in the past, they have also experienced many successes due to the commitment and decisive action of these troops.

The noble Lord, Lord Hylton, asked about the United Kingdom's assistance for dealing with migration issues in Europe. The United Kingdom has deployed more than 20 asylum experts to other EU member states over the past three years under European Asylum Support Office plans. A Home Office asylum expert is currently in Italy and others are due to start secondments to Greece and Bulgaria very shortly. The noble Lord also asked about considering further requests by the European Asylum Support Office to support "hotspot" operations in Italy and Greece. We have made it clear to the countries concerned that we stand ready to offer bilateral assistance, such as the provision of further technical support from experts where this would be helpful.

I think I have responded to most of the queries but will write in greater detail if we find that I have missed any. Copies will be sent to noble Lords and also placed in the Library. To conclude, this Government will be

[THE EARL OF COURTOWN]
 unrelenting in using the United Kingdom's global role to tackle atrocity crimes. The first responsibility of any state is to provide security to its citizens. We will employ a long-term, comprehensive approach using our diplomats, our overseas aid and our world-class Armed Forces to ensure that all people are afforded these basic, fundamental protections. Working with partners, international organisations and NGOs, we will continue the march towards a world free of these horrendous crimes.

1.43 pm

Lord McConnell of Glenscorrodale: My Lords, I thank the noble Earl, Lord Courtown, for his response on behalf of the Government and for the way in which he has tried to deal with almost every point raised in two hours of debate. I think noble Lords who spoke in the debate will be very grateful for that, will study his answers with interest and, I am sure, will discuss many of them on other occasions. I congratulate the noble Viscount, Lord Montgomery of Alamein, on his valedictory speech in your Lordships' House. I will for ever be proud of the fact that he chose this debate in which to make that speech and I wish him very well. Others have congratulated him on his past achievements and I wish him well for what I am sure are achievements and contributions to come in his family life, personal life and perhaps in his public life too. I thank the noble Viscount very much for his contribution.

I have enjoyed very much all the contributions from noble Lords to this debate. I hope others will forgive me if I mention the noble Baroness, Lady Hodgson, who joined me in New York and Washington in March and I thought spoke very passionately about issues close to her heart, particularly on the very important topics of sexual violence and conflict, as well as the importance of diplomacy and investment in many of those aspects of conflict prevention. The noble Lord, Lord Hannay, brings enormous experience to these debates as well as great passion and clarity, particularly in this case because of his role on the high-level panel that helped inform the development of RtoP a decade ago. I thought his contribution, particularly on the Russian veto last week, was very welcome.

My noble friend Lord Judd highlighted the interdependence of the world today, which was particularly appropriate in this debate. It seems that in every individual instance there is the potential for us to criticise the application, or otherwise, of the responsibility to protect doctrine or norm. It does not take away from the fact that the three pillars, the three principles, of the doctrine or the norm, are right for our age. They have redefined state sovereignty in cases where mass atrocities are threatened and they give us an opportunity, if we exercise them properly, to avoid some of those atrocities in the future. We have a particular opportunity this year, with the new sustainable development goals to be agreed at the United Nations, to take forward investment in the second pillar and principle and building state capacity to help preserve and enhance opportunities for peace.

There have been many wise words from Kofi Annan over the years on this particular topic. One quote from him has always stuck in my mind and I will finish on

this point. He published a document in March 2000 that looked at the role of the United Nations in the 21st century. He said:

"The fact that we cannot protect people everywhere is no reason for doing nothing when we can".

If we will ourselves to pursue that as a principle and an objective, then at least we will do more than has been done in the past.

Motion agreed.

NHS: Reform

Statement

1.47 pm

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): My Lords, with the leave of the House, I will now repeat a Statement made in another place by my right honourable friend the Secretary of State for Health. The Statement is as follows.

"With permission, Mr Speaker, I would like to make a Statement on measures to improve the safety culture in the NHS and further strengthen its transition to a modern, patient-centric healthcare system. The failings at Mid Staffs detailed in the Francis report were not 'isolated local failures'. Facing up to widespread problems with the safety and quality of NHS care and learning the appropriate lessons has been a mission which the Government and the NHS have shared, with a common belief that the best way to deal with problems is to face up to them, rather than wish they did not exist.

Measures taken in the last Parliament include introducing the toughest independent inspection regime in the world, more transparency on performance and outcomes than any other major healthcare system, new fundamental standards, a duty of candour and the excellent recommendations made by Sir Robert Francis QC. But because the change we need is essentially cultural, a long journey still remains ahead. The Department of Health was described during the Mid Staffs era as a 'denial machine'. We therefore have much work to do if we are to complete the transformation of the NHS from a closed system to an open one, from one where staff are bullied to one where they are supported, and from one where patients are not ignored but listened to.

So today I am announcing some important new steps, including our official response to Sir Robert Francis's second report, *Freedom to Speak Up*; our response to the Public Administration Committee report, *Investigating Clinical Incidents in the NHS*; and our response to the Morecambe Bay investigation. I am also publishing the report of the noble Lord, Lord Rose, into leadership in the NHS—a key part of the way we will prevent these tragedies happening again. I would like to thank everyone involved in writing those reports for their excellent work.

In his report, *Freedom to Speak Up*, Sir Robert Francis QC made a number of recommendations to support this cultural change. All NHS trusts will appoint someone whose job is to be there when front-line doctors and nurses need someone to turn to with

concerns about patient care that they feel unable to raise with their immediate line manager. We will also appoint an independent national officer, located at the Care Quality Commission, to make sure all trusts have proper processes in place to listen to the concerns of staff, before they feel the need to become whistleblowers. Other changes will include information about raising concerns as part of the training for healthcare professionals and curriculum for medical students, as well as a greater focus on learning from reflective practice in staff development.

Dr Bill Kirkup's report into Morecambe Bay brought home to this House that there can be no greater pain than for a parent to lose a child and then find that pain compounded when medical mistakes are covered up. We will accept all of the recommendations in this report, including removing the Nursing and Midwifery Council's current responsibility and accountability for statutory supervision of midwives in the United Kingdom and bringing the regulation of midwives into line with the arrangements for other regulated professions.

Likewise, we agree with the vast majority of the recommendations of the excellent report of the Select Committee on Public Administration into clinical incident investigations. In particular, we will set up a new independent patient safety investigation service by April 2016, based on the success of the 'no blame' approach used by the Air Accidents Investigation Branch in the airline industry. It will be housed at Monitor and the TDA, which have the important responsibility of promulgating a learning culture throughout the NHS. Monitor and the TDA will operate under the name 'NHS Improvement' and Ed Smith, currently a non-executive board member of NHS England, will become the new chair, with a brief to appoint a new chief executive by the end of September.

For NHS managers, the report of the noble Lord, Lord Rose, *Better Leadership for Tomorrow*, makes vital recommendations to join up the support offered to NHS managers, to improve training and performance management and to reduce bureaucracy. He extended his remit to cover the work of clinical commissioning groups, which play a key role in the NHS, and today I am accepting all 19 of his recommendations in principle, including moving responsibility for the NHS Leadership Academy from NHS England to Health Education England.

These are important recommendations, which, in the end, all share one common thread: the most powerful people in our NHS should not be politicians, managers, or even doctors and nurses—they should be the patients who use it. Using the power of intelligent transparency and new technology, we now have the opportunity to put behind us a service where you 'get what you are given', and to move to a modern NHS where what is right for the service is always what is right for the patient.

A litmus test of this is our approach to weekend services. Around 6,000 people lose their lives every year because we do not have a proper seven-day service in hospitals. You are 15% more likely to die if you are admitted on a Sunday, compared with being admitted on a Wednesday. This is unacceptable to doctors as well as patients. In 2003-4, the then Government gave GPs and consultants the right to opt out of out-of-hours and weekend work, at the same time as offering significant

pay increases. The result was a 'Monday-to-Friday' culture in many parts of the NHS, with catastrophic consequences for patient safety. In our manifesto this year, the Conservative Party pledged to put this right, as a clinical and a moral priority.

So, I am today publishing the observations on seven-day contract reform for directly employed NHS staff in England by the Review Body on Doctors' and Dentists' Remuneration and the NHS Pay Review Body. They observe that some trusts are already delivering services across seven days, but this is far from universal. According to the DDRB, a major barrier to wider implementation is the contractual right of consultants to opt out of non-emergency work in the evenings and at weekends, which reduces weekend cover by senior clinical decision-makers and puts the sickest patients at unacceptable risk. The DDRB recommends the early removal of the consultant weekend opt-out, so today I am announcing that we intend to negotiate the removal of the consultant opt-out and the early implementation of revised terms for new consultants from April 2016. There will now be six weeks to work with the BMA union negotiators, before a September decision point. We hope we can find a negotiated solution, but are prepared to impose a new contract if necessary. To further ensure a patient-focused pay system, we will also introduce a new performance pay scheme, replacing the outdated local clinical excellence awards, to reward those doctors making the greatest contribution to patient care.

I am also announcing other measures today to make the NHS more responsive to patients. These include making sure patients are told about CQC quality ratings, as well as waiting times, before they are referred to hospitals, so that they are able to make an informed decision about the best place to receive their care. NHS England will also develop plans to expand control to patients over decisions made in maternity, end-of-life care and long-term condition management, which I will report in more detail subsequently to the House. Finally, because the role of technology is so important in strengthening patient power, we must ensure no patient is left behind in the digital health revolution. I have therefore asked the noble Baroness, Lady Lane-Fox, formerly the Government's Digital Champion, to develop practical proposals for the NHS National Information Board on how we can ensure increased take-up of new digital innovations in health by those who will benefit from them the most.

When we first introduced transparency into the system to strengthen the voice of patients, some called it 'running down the NHS'. In fact, since then public confidence in the NHS in England has risen 5 percentage points. By contrast, Wales, which resisted this transparency, saw public satisfaction fall by 3 percentage points. Over the last Parliament, the proportion of people who think the NHS in England is among the best healthcare systems in the world increased by 7 percentage points; those who think NHS care is safe increased by 7 percentage points; and those who think they are treated with dignity and respect increased by 13 percentage points. This demonstrates beyond doubt the benefits of an open, confident NHS, truly focused on learning and continuous improvement.

[LORD PRIOR OF BRAMPTON]

But as we make progress in this journey, we must never forget the families who have suffered when things have gone wrong—in particular, the families and patients at Morecambe Bay and Mid Staffs, the whistleblowers who contributed to Sir Robert Francis's work and everyone who has had the courage to come forward in recent years to help reshape the culture of the NHS. Without their bravery and determination, we would not have faced up to the failures of the past, nor been able to construct a shared vision for the future. We are all massively in their debt; this Statement remains their legacy and I commend it to the House".

My Lords, that concludes the Statement.

1.58 pm

Lord Hunt of Kings Heath (Lab): My Lords, I thank the Minister for his Statement. The Opposition support much of what he had to say. I will focus my remarks on the plan for seven-day working and then touch on a number of the other issues that he raised.

Ensuring our health services are there for everyone whenever they are needed, be it a weekday or a weekend, is essential to keeping people well and making the NHS sustainable. Of course the Opposition support the principle of what the Government are trying to achieve with seven-day working, and we will certainly work with them on making that possible. Where I urge some caution is in the manner in which the Government are attempting to achieve those changes.

The Minister will be aware that the NHS is in a rather fragile state at the moment. A&E performance has been very disappointing in the face of enormous pressures. He will know that primary care services are overwhelmed. We discussed in Oral Questions the failure of some ambulance services to meet their performance targets. We talked particularly about the London Ambulance Service. There is a shortage of staff and an overreliance on agency workers and undoubtedly patients are suffering as a result—on this Government's watch. Staff are feeling pretty demoralised and rather unloved by the Government. It is important that the way the Government approach seven-day working does not make matters worse.

I am entirely unclear as to how seven-day working is to be achieved without significantly impacting the rest of the NHS. The real danger here, given the way the NHS will approach this kind of target, is that more staff will be produced at the weekend by cutting staff during the week. The Minister will be aware of the study published in *Health Economics*, which concluded:

"There is as yet no clear evidence that 7-day services will reduce weekend deaths or can be achieved without increasing weekday deaths".

Clearly, it would be an absolute nonsense if we reduced weekend deaths but the price was an increase in weekday deaths.

The Government have produced no facts or evidence for the assertions they are making. If we are to take this seriously, we need to know a bit more about how the resources challenge and the current acute shortages in many staffing areas are going to be met—bearing in mind that the Government are cracking down on the use of agency workers; the ludicrous 2012 Immigration

Rules, which mean that nursing staff who are not earning £35,000 a year after six years will be sent back to their country of origin; and the serious issue of staff morale.

The Minister mentioned the 2003 contract but will he confirm that the contract negotiated then was actually very largely based on the one negotiated by the previous Conservative Government in the 1990s? How does he think the Government intend to work in partnership with NHS staff to make those changes? The briefing from his department—phrases such as “declaring war on NHS staff”—does not seem to have got this policy off to the right start. The kind of provocative statements that are currently emanating from his department, no doubt under the authority of the Secretary of State, do nothing to create the conditions in which people in the NHS will actually want to work with the Government on developing these policies.

I also want to mention the impact of another five years of, in effect, real-terms pay cuts. What impact does the Minister think the Chancellor's announcement on pay will have on future staff numbers and retention? I want to raise one issue with him, which is the subject of a statutory instrument in your Lordships' House. If the pay of NHS staff is to be held down, how can he justify the 12% increase in fees by the HCPC, one of the key staff regulators for the healthcare profession? Will he withdraw this regulation? Does he not agree that it is absolutely disgraceful that staff are being asked to pay more money by what essentially is a government-owned quango when their own pay is being held down? It is utterly unacceptable.

Can the Minister tell me how this is going to be funded? Either the staff are going to be thinned out during the week or extra staff will have to be found. It is not just consultants and nursing staff; it has to be the whole infrastructure to make this work, including community services and primary services, and there will be a knock-on impact on social care costs. How is this going to be paid for? If he says that the Government are giving £8 billion to the health service overall, he knows that is dishonest. We know that that will probably be paid in 2021, according to the Treasury briefing. We also know that £30 billion per annum will be needed by then. Nobody I know in the health service thinks that it has any chance at all of closing that gap because the kind of efficiency saving required has never been achieved in this or any other health service. The excellent report on efficiencies by the noble Lord, Lord Carter, in itself will produce only £5 billion by 2017-18.

On whistleblowing, I welcome the *Freedom to Speak Up* report, which contained a number of important recommendations to foster a more open culture. The Minister will know that in recent years there have been a number of other examples of appalling care in social care settings, including Orchard View, Oban House and, of course, Winterbourne View. Many of those scandals were exposed only once undercover reporters infiltrated the care home. Of course, we welcome the action the Government are taking, but does the Minister agree with the point I have made to him previously: that if the Government really want an open culture in which people can raise their concerns, that has to apply right up the line, meaning that the leaders of

NHS organisations can speak openly about their own concerns about the direction of policy and the actions of Ministers? He will know that at the moment those people are slapped down if they make any criticism at all of the Government. You will not get an open culture until everyone in the system feels that they can be open. At the moment they cannot.

We support the steps in the Kirkup report to improve the regulation of midwives but if the Government are so concerned about modernising regulation, why have we not had the Law Commission Bill containing a comprehensive approach to the modernisation of health regulation for individual professionals? Why are we carrying on with this antiquated approach and these wretched Section 60 orders, which cause a lot more expense and delay in the Minister's department? Why has the new speeded-up system of dealing with regulation, for regulators such as the Nursing and Midwifery Council, been held up for many months now? Of course, one of the reasons why it has had to increase its fees is that the Government will not agree to this legislation coming before Parliament to streamline its proposals.

It is pretty disgraceful that the Rose report, which was mentioned, was not published alongside the Statement. Why are we having to wait until after this Statement to look at it? The noble Lord knows that Ministers received it months ago. What is in the report that they do not want the public to see?

On the merger of Monitor and the NHS Trust Development Authority, I welcome the appointment of Mr Ed Smith, who is a high-calibre chair. He is also pro-chancellor of Birmingham University, which is a very strong recommendation. I also like the name "NHS Improvement". But how many staff in Monitor and the NHS Trust Development Authority have any concept of improvement, given their current record of bullying, hectoring and intimidating the agencies they are responsible for? Can I assume that there is going to be a drastic change of personnel in that combined organisation? Will the Minister confirm that no one employed in that organisation will earn more money than the Prime Minister, given that the Government have chosen to attack NHS chief executives in relation to their salaries? Will he also confirm that they will not use agency staff? Does he not find it rather ironic that Monitor, in order to instruct NHS bodies not to use agency staff, has employed temporary staff? What is sauce for the goose is sauce for the gander.

There is a dangerous gap between the kind of fantasy land that Ministers talk about in the health service and the reality of life on the ground. On the ground, people are struggling every day to meet the pressures with limited money and no support from the Government. The health service is in real danger of falling over. The Government should stop blaming the NHS and take responsibility.

Baroness Walmsley (LD): My Lords, I, too, thank the Minister for repeating the Statement. It reflected much of what I heard this morning from the Secretary of State at the King's Fund. It is a brave and realistic approach but there are some yawning gaps in it compared to what I should have expected in a major statement about NHS reform. However, I welcome several points.

The focus on culture change and nurturing staff is absolutely right. The NHS is the best and most cost-effective service in the world only because of the skills and commitment of its staff, yet we are told that in some places staff morale is poor. This is very sad to hear. It was good to hear earlier this morning about the beneficial effect on morale in those hospitals that are responding positively to being put in special measures.

I welcome the new personnel, processes and training that are being put in place to ensure that staff can safely express concerns about the quality of care, so that each member of staff can take part meaningfully in the improvement pathway of his organisation. We could do with ditching for all time the expression "whistleblower" with all its negative connotations. I welcome what the Secretary of State called "intelligent transparency", a no-blame focus on what went wrong and how to put it right. In common with the noble Lord, Lord Hunt of Kings Heath, I think that merging the TDA and Monitor could be a good thing, with this focus on no-blame improvement. That should help, but we still need more signposting for patients and service users about how and where to complain if they have poor care in what is a very complex system.

I of course welcome the focus on better data-gathering, especially in the field of mental health, where we are rather short of it. Managers cannot make good financial decisions without the facts about what everything costs. Businesses could not survive like that and neither can the NHS.

I welcome the long-awaited publication of the Rose report and the acceptance of its recommendations. I look forward to seeing what they are. We need a new focus on the quality of NHS management. If we are to rise to the challenge of the £22 billion of efficiency savings, we need excellent managers and finance directors as well as excellent doctors and nurses. I welcome the fact that the noble Lord, Lord Rose, extended his remit to CCGs.

I also welcome the new requirement for hospitals and groups of doctors to provide a seven-day service but I share some of the concerns of the noble Lord, Lord Hunt, about how it will be delivered. People do not get sick to order just on weekdays, so that is important. I should, however, like assurance that this does not necessarily mean putting any further burden on individual hard-working doctors, nurses and laboratory staff. Good planning is needed to avoid further burdens. However, this will certainly mean the recruitment of more trained staff. We need assurance that they are in the pipeline. Can the Minister say, for example, what the Government are doing to stem the flow of staff, trained by the NHS at a cost to the taxpayer, who leave the country as soon as they qualify?

What was missing from the Statement and the speech this morning was context and understanding that filling the £30 billion black hole in the NHS requires a whole-Government response. If patients are to be in charge, they need good health education so that they know what a healthy lifestyle means. They need access to sports and leisure facilities and nutritious food, and they need warm, dry homes. Integration needs to be a lot broader than just integration between health and social care. Unless social care is properly

[BARONESS WALMSLEY]

funded, the NHS will not be able to find its expected £22 billion of efficiency savings while making the improvements outlined in the Statement because of the knock-on effect on acute hospital beds. Yet while there has been more money for the health service, there has been nothing but cuts in social care.

The thrust of the Statement was about getting it right first time and, if not getting it right the first time, then certainly the second and subsequent times. This has to be right for patient safety and confidence but also for cost-effectiveness. If we are to rise to the increasing demand on the health service, we must get it right as near as possible every time and we must support the staff in doing so.

Lord Prior of Brampton: My Lords, I thank the noble Lord and the noble Baroness for their comments. I was quite depressed listening to the noble Lord opposite. We had a debate in this House last week and we talked about a sense of political consensus on the NHS. I start by saying—rather personally—that, having listened briefly this morning to his right honourable friend Andy Burnham in the other place misquote me out of context from the debate that we had last week, I thought that there was no hope of a non-partisan approach to the NHS. For the avoidance of any doubt from anybody, and as I think I made pretty clear in last week's debate, I believe fundamentally and passionately in a universal, tax-funded healthcare system—the NHS—that is free at the point of delivery and based on clinical need, not ability to pay. Having looked back on it, I do not remember uttering a word in that debate that would question that statement. Therefore, I hope the noble Lord opposite might have a word with his right honourable friend in the other place to make it absolutely clear that playing cheap party politics has no place in our discussions about the NHS.

Turning to the comments about my right honourable friend the Secretary of State for Health's Statement today, seven-day services are in many ways at the heart of it. Thousands of people are dying because we do not provide seven-day services in hospitals. We cannot carry on with a system with thousands of people dying. It is not just that thousands of people are dying. The health of thousands of people is deteriorating in our hospitals over the weekend.

This is an anecdote, which may be unfair. However, two years ago, I met a radiologist walking down the corridor in an NHS hospital on a Friday morning. His wife had been admitted through A&E. She had abdominal pains. He could not get her a scan. She was going to have to wait in that hospital until Monday. Had it been a bank holiday, she would have had to wait in that hospital until the following Tuesday before she had that scan. That is an anecdote, but we know that it is happening all the time. It is unacceptable.

So I ask the noble Lord opposite to be more enthusiastic about this. Of course it will be difficult. This Government are putting in £8 billion of new money. This is more money than his party was prepared to offer before the election. It is the same amount of money that the noble Baroness's party was offering to put in. This is £8 billion of additional money that we

are putting into the NHS. It is a critical part of our strategy. It was laid out in our manifesto and is in the *NHS Five Year Forward View* that we would make seven-day services a main plank of these reforms. For those people who think that this cannot be afforded, put yourself in the position of a chief executive of an NHS hospital that works four and a half days a week because theatres stop work at lunchtime on Friday. Often, they do not start again until Monday lunchtime because every bed is taken up when they come in to work on Monday morning. Across the country, thousands of consultant surgeons, theatre staff and anaesthetists are hanging about on Mondays because they cannot start their work. This is because there is not a bed in the hospital because the flow of patients through that hospital came to a grinding halt on Friday. The noble Baroness is right that this is not just a hospital issue but about joined-up care. You cannot get the discharges out of the hospital unless social care, the physios and the OTs are working—the whole system needs to be working. Seven-day working is not only right for patients but will enable our hospitals to work much more efficiently.

I will pick up a few other issues. I remember when the 2003 contract was voted on by consultants. In my view, it was a disastrous contract, which deprofessionalised many professional consultants. They voted against it the first time and voted for it, grudgingly, only the second time. They voted for it because their pay went up by 28% as a result of it and they could opt out of providing care over weekends and outside normal hours—of course they voted for it. Looking back on it, some of the noble Lords and Baronesses opposite will maybe accept that it was a disastrous contract. It deprofessionalised a deeply vocational profession and fundamentally changed the culture of the NHS—a culture that we are now trying to change once again.

I welcome the comments of the noble Lord and the noble Baroness about Sir Robert Francis's report on whistleblowing. We want an open culture, in which whistleblowing is a thing of the past. I agree with the noble Baroness that whistleblowing is not a great name. It would be great if we never heard about whistleblowing ever again because people felt able to raise their concerns in a proper, central and safe way and knew they could raise them without fear of any detriment to their employment prospects. The proposals put forward by the Public Administration Select Committee, which have been taken up by the Secretary of State for Health, are absolutely right. We need a safe place for when things go wrong.

I turn to the Rose report. Leadership is fundamental. Around a hospital, one ward will be doing well and one will not because there is a good ward sister in the first one; one hospital will be doing well and one will not because of good local leadership in the former. Leadership is absolutely fundamental, and I subscribe to all the comments that my noble friend Lord Rose has made in his report.

The noble Lord's comments about the TDA and Monitor are harsh. David Bennett and others in those organisations have done a very good job in very difficult circumstances. We are fundamentally changing the roles of TDA and Monitor. Together, they are now, as

the name suggests, an improvement agency first and a regulator second. The new role of the TDA and Monitor in NHS improvement will fundamentally change the way we approach performance management and improvement. The Secretary of State for Health alluded to the contract that the TDA recently signed with Virginia Mason, one of the safest hospitals in the world, which is one way of bringing best world practice into the NHS.

I will conclude on the context. Times are difficult in the NHS and we should not pretend differently. This Government are absolutely committed to seeing this transformation programme through. The noble Lord opposite said he did not know anybody who thought that we could achieve the £22 billion in savings that are set out in the *NHS Five Year Forward View*—he knows me.

2.23 pm

Baroness Blackstone (Lab): My Lords, I declare an interest as the chairman of the Great Ormond Street Hospital Foundation Trust. Before I put my questions to the Minister, I will just make one brief comment on his remarks about the Opposition. I have no idea what the shadow Secretary of State for Health said in another place, but I will defend what my noble friend Lord Hunt has just said. He said that he agreed in principle with a great deal of the Statement, but it is legitimate for the Opposition to ask questions about how a Statement of this sort might be implemented, which is what he was doing.

I have two questions, the first about bureaucracy. The Minister said that he wished to see a reduction in bureaucracy. As a chairman of a trust, I entirely identify with that. However, some of the bureaucracy is in the regulators, and I hope that his attack on bureaucracy will cover the regulators. The Government are about to set up another outside agency, which will put further bureaucratic pressure on those who are delivering services upfront. Anything he can do to try to reduce that would be helpful.

My other question concerns seven-day services. Again, I entirely endorse what the Government wish to do with respect to seven-day services—if anything, they are overdue—but there are questions to be asked. What is the timetable for this, if it is only going to apply to new consultants? It will take a very long time to introduce seven-day services if only new consultants are going to go on to the new contract requiring them to work at weekends. I understand why the Government are doing that, but it will make for a very long delay. What steps will the Government take to try to encourage existing consultants, who will be far greater in number than the flow of new consultants, to adjust to a new approach where seven-day services are introduced in the interests of patients?

Lord Prior of Brampton: I can only agree with the noble Baroness on bureaucracy. The new body that we are setting up to look at incident reporting, as recommended by the PAC, will only look at big incidents so will not be an added bureaucracy for the day-to-day running of a trust. I am always struck by the figure that nurses spend only between 70% and 80% of their time dealing directly with patients because they are

dealing with bureaucracy. The bureaucracy argument falls into two parts: it is partly about the way hospitals run their affairs and partly about external regulators. We believe fundamentally in intelligent transparency. I see the CQC, for example, as less a regulator and more a means of providing intelligent information to boards of hospitals and to patients. But I take on board what the noble Baroness says. We will do everything we can to reduce the level of bureaucracy.

As far as the timetable is concerned, junior doctors will switch over much more quickly than consultants, because they turn over much more quickly. It will take time for consultants to move over to the new contract, but we hope that we can make it more attractive to consultants and that it will be more of what I would call a professional contract, so that existing consultants will switch over to it as well as new consultants. We will have to watch that very carefully.

Baroness Finlay of Llandaff (CB): The way that the Minister has been speaking has made it sound as if the majority of consultants do not work on weekends, and I question the validity of that. The consultants who are on and on call are dealing with emergencies at the weekend and are very often in. However, without diagnostic back-up, without physiotherapy and occupational therapy, without specialist nurses and without community services to which they can discharge patients, they effectively have to function with one hand tied behind their back—sometimes both. You cannot provide modern medicine without that broader team. If you are going to free up hospital beds, you have to be able to discharge patients safely, knowing that they will have the care they need. The 24 hours post-discharge is when patients are at their most vulnerable.

I will question one thing the Minister said. He gave a six-week timeframe for the BMA. Does that also apply to the NHS Pay Review Body negotiations? What will be done to make sure that all the other staff also move on to contracts that will provide that infrastructure, right through from operating department staff to, as I said, allied healthcare professionals and so on?

The Statement referred to end-of-life care. Could the Minister inform the House when there will be a response to the report *What's Important to Me. A Review of Choice in End of Life Care*, which was undertaken for the National Council for Palliative Care? I declare an interest as its incoming chairman. It has been submitted to the Department of Health, but there has still not been a response to it, even though it has been universally welcomed by both providers and patient groups.

My last question relates to digital innovation. I welcome the fact that the noble Baroness, Lady Lane-Fox, with her tremendous skills, will be brought in. What are the Government's targets and how rapidly are they planning to roll out digital innovations? Will they undertake in the process to decrease the paper-load bureaucracy, so that staff can be freed up to deliver front-line patient care, and are not caught by risk-averse processes and procedures that force them to spend a lot of time in documenting or double-checking, when the evidence base for that improving patient care is extremely thin?

Lord Prior of Brampton: The noble Baroness raises a number of points. Of course, she is right that it is no good just having senior doctors in a hospital without the right back-up, particularly diagnostic specialist nursing. She has just mentioned OTs and physios, and I agree with her completely there.

The noble Baroness mentioned the NHS pay review. There is not an opt-out clause in the Agenda for Change contract. Discussions will be taking place with the RCN and other trade unions later this year. I will have to write to her about the timing of the response on the end-of-life care point that she raised; I do not know it offhand. Digital information will be rolling out progressively over the next five years. I certainly hope that we will have electronic patient record in place for the vast majority of patients over the lifetime of this Government.

Baroness Browning (Con): I welcome my noble friend's announcement—I hope that he will take some cheer from that. I have too often been an emergency admission at a weekend and know only too well that if you have to wait to see the consultant on Monday you simply end up bed-and-breakfasting for two or three nights in hospitals. I hope that my noble friend will take into account how having a consultant available for those sorts of patient would save a lot of money, free up a lot of beds and achieve what he is describing.

I know that Ministers do not like to micromanage what goes on in hospitals, but with the transition to new contracts for new consultants, I hope that my noble friend will find a way to identify those particular disciplines in hospitals where there are more deaths—he mentioned this—so that attention can be given to consultants with new contracts in those disciplines. An aortic aneurysm needs a consultant standing by the patient, but with other easily identifiable conditions it would be good if the Government could make sure that hospitals proactively recruit consultants on new contracts to ensure that the 6,000 deaths that he mentioned come down as rapidly as possible.

Lord Prior of Brampton: I was interested by my noble friend's comments about waiting until the following Monday when she has been in hospital. That is a good illustration of why we want to bring in seven-day services. My noble friend might be interested to read the report in *Future Hospital*, written by the Royal College of Physicians, that came out a year ago. I think that we will see over the next few years a significant change in the way that our hospital consultants are trained and deployed, and more generally what is called in America hospitalists, who can have a broader range of disciplines.

When it comes in, the new contract will enable us to differentiate payment for those consultants who are working more anti-social hours, such as A&E consultants who will have to work much more regularly out of hours than others. It will enable us to identify those consultants who may be on call but are more likely to be summoned in, like those that my noble friend just mentioned, at short notice. Depending on the surgical specialty, the on-call requirements can be much more demanding than others. For example, this is more the

case if you are a vascular surgeon than if you are a dermatologist, who do most of their work in normal time. I take on board what my noble friend says.

Lord MacKenzie of Culkein (Lab): My Lords, no one will disagree with the concept of a seven-day-week health service. I was at the wrong end of a catastrophic surgical error that meant instead of one night in hospital I was there for six months. I dreaded weekends, and I dreaded them even more if there was a bank holiday attached, as has already been mentioned.

If we want to deal with party politics, can I explode the myth that has been peddled that the Labour Government were responsible for the five-day-week approach, because of the consultant contract? For many years I was a theatre nurse. I never scrubbed on a Saturday or a Sunday in the 1960s or 1970s. Hospitals ran on a five-day-week then, so it is quite wrong to suggest that this is all the fault of the consultant contract a few years ago.

I agree with my noble friend Lord Hunt of Kings Heath. If we want to have endoscopy suites open, radiography, radiologists, and nurses manning theatres and recovery rooms on Saturdays and Sundays, we must have more of these professions. If we do not, we shall diminish them on Mondays, Tuesdays and Wednesdays, and we will not be much further forward. Will the Government commit to increasing training places for all of these professions, together with consultants such as radiologists, as I suspect that we have many fewer of those than in most other developed countries?

Lord Prior of Brampton: Interestingly, the number of consultants has increased very significantly over the past 15 years across not all but most specialities. The noble Lord refers to dreadful weekends, and how he dreaded them, particularly bank holidays. That is really why we are here today, so that in future patients like him do not dread them.

If I indicated earlier on that I blame the 2003 contract for the difference between five days' and seven days' working, and if that was the implication of what I said, I withdraw it. What I meant to say was that I felt that that contract to some extent de-professionalised the profession.

Lord Brooke of Alverthorpe (Lab): My Lords, most people will welcome much of what is in the Statement.

I would like to come back to the issue of seven-day working that in principle this side supports and accepts. Some of the problems that we have at the moment in the NHS are the top issues with patients. We keep talking about patients being "top of the tree" and being in charge. Can the Minister tell the House what issue about NHS performance at the moment disturbs patients most of all? We have a list of issues where we are doing well: tell us what is worst.

The worst is the inability to access a GP, on a timely basis, five days a week, not seven days a week. This is not new. The position was bad in 2010, when Labour, my party, was in power, but it deteriorated while the Lib Dems and the Conservatives were in the coalition. I can point to Questions in *Hansard* raised in 2012, when we were promised by the noble Earl, Lord Howe, that discussions were taking place in the

profession about trying to improve access to GPs, particularly where there were problems in London. I speak as a patient with a GP in London, who asks how he is to provide a seven-day week service when he cannot get the GPs and does not have the money to do it.

My noble friend Lord Hunt asked a basic question which is of prime concern to people, particularly in London. Will spreading this over seven days until such time as you can provide the 5,000 trained GPs who were promised, which will be seven years down the road, lead to a further deterioration in the ability to access a GP during the week?

Lord Prior of Brampton: There is no doubt that, looking forward over the next five years, the resource to be put into primary care will be greater, relatively, than it has been in the past. We wish to deliver more care outside hospital. That is why we are committed to training and having in place 5,000 more doctors in general practice by the end of this Parliament—not just GPs, but others who will support GPs.

The model of primary care will change significantly over the next five years, and it is fundamental to the five-year forward view that we reduce the number of people going into acute hospitals and that we discharge people at the other end of their journey through an acute hospital much quicker.

Baroness Tyler of Enfield (LD): My Lords, I welcome the principle of working towards a weekend service—indeed, I think it is hard not to—but I certainly do not underestimate the difficulty of achieving it, particularly in a fully joined-up way. This morning, I attended a meeting with many children and young people who had experienced a serious mental health crisis at the weekend and had real difficulty accessing the treatment they needed. Indeed, some of them had turned up at A&E but there had simply been no mental health services available for them. In the light of that, will the Minister reassure me that the principle of seven-day working will apply to consultants from mental health disciplines, particularly those treating children and young people whose access to those services seems to be even harder to secure than it is for adults? Secondly, the Statement talked about CQC quality ratings as well as waiting times being made accessible to patients. Will he confirm that these will include waiting times for mental health services?

Lord Prior of Brampton: The Government are committed to parity of esteem, and if we are truly committed to parity of esteem the answer to both the noble Baroness's questions must be yes. We must have the same standards for physical health as we have for mental health. If someone has a psychotic crisis on a Friday afternoon and they cannot get access to any help until the following Monday, that is clearly extremely poor care. If they end up in an A&E department being looked after by people who have no experience of dealing with mental health problems, it is a very poor environment to be in, so I agree entirely with the noble Baroness.

Lord Turnberg (Lab): My Lords, I, too, welcome the Statement and many of the things in it. We accept that higher mortality rates at weekends in hospital are unacceptable, so we have to try to think of ways of reducing them. Seven-day working for consultants is just one element. Consultants are important, of course. The Minister is probably aware of Brian Jarman's publication some years ago which showed that there was an inverse correlation between the number of doctors in a hospital and the mortality rate; that is, a hospital with more doctors had a lower mortality rate. There are lessons to be learned there, especially as we in the UK seem to have fewer doctors per head of population than almost any other OECD country, and fewer beds come to that—so we are starting from a low ebb, and the points made by noble Lords about where we are going to get the extra people from are important.

However, the consultant element is just one part. The noble Baroness, Lady Finlay, made a very good point about the need for radiologists, physiotherapists and pathology laboratories. All the machinery of the hospital has to be there. Equally, there is the whole business of general practice and community care. Primary care at the weekend is poor, by and large; that is one of the major problems. Patients are not getting into hospital until they are in greater extremis, so they are more ill when they get there: then they require more service, and once they are there, they cannot get home because there is no one to see them home. Concentrating on consultants is just one element. What is the Minister's response?

Lord Prior of Brampton: The noble Lord, Lord Turnberg, knows the situation on the ground as well as anybody in this House and, of course, he and the noble Baroness, Lady Finlay, are absolutely right that this will not be solved just by having more consultants in acute hospitals. We have to look right the way across social care, primary care, community care, mental health care and acute care. We are talking about a system. In many ways, one of the reasons why we find ourselves in the position we find ourselves in today is that we have not had a system for some time. We have deliberately broken up the system for good reason.

I was very much in favour of foundation trusts having their own balance sheet and their own profit and loss account because of increased accountability, but disadvantages have flowed from that. Chief executives in acute hospitals look after their own. They have treated themselves as an island. We are not part of an island. Rebuilding the system will take some time. It is not going to happen tomorrow, and there is no silver bullet. All I can say is that the Government are committed to the five-year forward view, the new models of care and joined-up care. We are committed to experimenting with accountable care organisations, integrated care organisations and all kinds of joined-up models. We are seeing exciting developments in Manchester and possibly, in time to come, in Cornwall and other parts of the country where we will have pooled budgets between social care and healthcare. I am confident that over the next five years we will if not solve these problems, at least go a long way to doing so.

BBC Charter Review

Statement

2.46 pm

The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills and Department for Culture, Media and Sport (Baroness Neville-Rolfe) (Con): My Lords, with the leave of the House, I shall repeat a Statement read earlier in the other place by my right honourable friend the Secretary of State for Culture, Media and Sport.

“I have today laid before Parliament a BBC charter review consultation paper, copies of which are being deposited in the House Libraries.

The British Broadcasting Corporation is cherished and admired not only in this country but around the world. At its best, the BBC sets international standards of quality. Even in a multimedia age, its most popular programmes continue to draw the country together in a shared experience, as with the London Olympics and world-beating dramas such as ‘Sherlock’ and ‘Doctor Who’. The BBC reaches 97% of the UK population every week, and it has a pivotal role in helping the United Kingdom to reach every corner of the globe, as reflected in a recent report that found that the UK leads the world in terms of soft power.

The BBC is almost 100 years old. There have been many changes in this time, but the scale of change in the media sector over the last decade has been unprecedented. People are consuming a vast array of content from multiple sources, using technology that either did not exist or was in its infancy 10 years ago. Ten years ago, when a Government last conducted a charter review, millions of households still received just five television channels. Much of the social media that is now ubiquitous was, at most, at an embryonic stage, and few of us owned the sort of devices that colleagues use daily, including in this Chamber.

One of the few things that is certain about the media landscape of the future is that we cannot be sure how it will look, not least because we cannot predict how much will stay the same. Predictions about the demise of television have proven premature, undoubtedly in part because technology has evolved, but also because many people still enjoy sitting down to watch TV in their living room. Radio also retains an important place in people’s daily lives.

The current BBC royal charter will expire at the end of 2016. This paper launches the Government’s consultation, which will inform a number of decisions that we need to take about the future of the BBC. The BBC Trust will play an integral role in the process by running a series of public seminars and events. Fundamentally, we need to consider four questions. What is the overall purpose of the BBC? What services and content should the BBC provide? How should the BBC be funded? How should the BBC be governed and regulated?

First, on the BBC’s mission, purpose and values, the BBC has six public purposes, which were set out at the last charter review. They are: sustaining citizenship and civil society; promoting education and learning; stimulating creativity and cultural excellence; representing

the UK, its nations, regions and communities; bringing the UK to the world and the world to the UK; and delivering to the public the benefit of emerging communications. We need to ask whether these purposes are relevant and right.

One key task is to assess whether the idea of universality still holds water. With so much more choice in what to consume and how to consume it, we must at least question whether the BBC should try to be all things to all people—to serve everyone across every platform—or if it should have a more precisely targeted mission.

Along with considering the mission and purpose of the BBC, we will consider whether the Charter should also define its values—and what those values should be.

Secondly, on the BBC’s scale and scope, the public purposes set the framework for what the BBC should be seeking to achieve, and the charter and supporting framework agreement articulate what activities it should undertake to accomplish this. The upcoming charter review will look at whether the scale and scope of the BBC is right for the current and future media environment and delivers what audiences are willing to pay for.

Twenty years ago the BBC had two television channels, five national radio stations and a local radio presence. It is now the largest public service broadcaster in the world, with nine television channels, five UK-wide radio stations, six radio stations that reach one of the home nations, 40 local radio stations and a vast online presence. This charter review will look at whether this particular range of services best serves licence fee payers. It will also assess what impact the BBC has on the commercial sector. There is evidence that the BBC helps to drive up standards and boosts investment, but also concern that public funding should not undermine commercial business models for TV, radio and online.

The BBC is highly used and valued by the majority of people in this country. But variations exist, and there are particular challenges in reaching people from certain ethnic minority backgrounds and in meeting the needs of younger people, who increasingly access content online. Variations exist among the different nations and regions, too. These are issues which we will need to take into account throughout the process of the charter review.

The BBC’s global reputation is second to none and the BBC has a central role in determining how the UK is perceived internationally. Each week, BBC services reach more than 300 million people across the world, and the director-general has set a target of 500 million.

The charter review also gives us an opportunity to look at the content the BBC provides, both in terms of the mixture of that content and its quality. We will analyse the way that the BBC’s content is produced. This is essentially shaped by two main elements: the broader regulatory framework, including the terms of trade which set out how the BBC and other broadcasters work with independent producers, and the BBC’s quota systems.

The BBC executive has made some radical proposals that would remove quotas and turn the BBC’s production arm into a commercial subsidiary. These and other reform options will need to be considered as part of

the charter review. We will also look at BBC Worldwide, which contributes a substantial amount of additional income to the BBC.

I turn now to the third question—BBC funding—a subject on which I know that many honourable and right honourable Members in the other place hold strong views. The licence fee has proven to be a very resilient income stream for the BBC, bringing in £3.7 billion last year, but it is not without its challenges.

There is no easy solution to the broad question of how the BBC should be funded. The licence fee is levied at a flat rate, meaning that it is regressive. A subscription model could well be an option in the longer term, but cannot work in the short term because the technology is not yet in every home to control access. Therefore, the three options for change that are viable in the shorter term are: a reformed licence fee, a household levy, or a hybrid funding model. In the longer term we should consider whether there is a case for moving to a full subscription model. All have advantages and disadvantages.

There are a number of other funding issues that the charter review will cover. We have already announced that the BBC, rather than taxpayers, will meet the cost of free TV licences for over-75 year-olds. This will be phased in from 2018-19, with the BBC taking on the full costs from 2020-21. We also anticipate that the licence fee will rise in line with the consumer prices index over the next charter review period, but this is dependent on the BBC keeping pace with efficiency savings elsewhere in the public sector and it is also subject to whatever conclusions are drawn from the charter review about the BBC's scope and purpose.

I am grateful to David Perry QC, who has conducted an independent review of the sanctions appropriate for non-payment of the licence fee. The TV licence fee enforcement review, which is being published today, has concluded that decriminalisation would not be appropriate under the current funding model. The Government will now consider the case for decriminalisation as part of the charter review. I am today laying before Parliament the TV licence fee enforcement review and placing copies in the House Libraries.

More people, especially younger people, now access catch-up television exclusively online and without a licence. This is perfectly legal, as the existing legislation was drawn up when the iPlayer did not even exist. The Government have committed to updating the legislation.

We will also analyse the merits of a contestable public service funding pot that would not be limited just to the BBC, and we will look again at what areas and activities should have their funding protected in future. Broadband rollout, digital switchover, local television, the World Service and the Welsh language channel S4C were protected in the last charter period. As I announced the other day, the broadband ring-fence is to be phased out by 2020-21, and S4C will be expected to find similar savings to those in the BBC.

Finally, there is the matter of how the BBC is governed and regulated. Any organisation as large as the BBC needs effective governance and regulation. There have been occasions when the BBC has fallen well short of the standards that we expect of it.

Editorial failures in the light of the Jimmy Savile revelations, the aborted digital media initiative, and the level of salaries and severance payments are among the issues that have caused disquiet. A lack of clarity in the BBC's governance structures has contributed to these failures.

The last charter brought in a new regulatory model, creating the BBC Trust, which exists to represent licence fee payers and hold the BBC to account. This structure has been widely criticised and the chair of the BBC Trust herself has called for reform. There are three broad options: reforming the Trust model, creating a unitary board and a new stand-alone oversight body or moving external regulation wholesale to Ofcom. As with funding options, each of these has pros and cons.

While the BBC's editorial independence must not be compromised, that does not mean that we are not entitled to ask whether the BBC could be more transparent and to scrutinise how the BBC relates to the public, to Parliament and to government. Any public body should be fully accountable to the public. People should be able to give voice to how well they think the BBC spends public money—some £30 billion over the current charter period—and how well it meets its myriad other responsibilities.

The British Broadcasting Corporation is part of the fabric of this country, and a source of great pride. We want it to thrive in the years to come. This consultation paper sets out the framework for what I hope will be a wide-ranging and informative national debate about the future of the BBC. I commend this Statement to the House".

My Lords, that concludes the Statement.

2.58 pm

Lord Stevenson of Balmacara (Lab): My Lords, I am grateful to the noble Baroness for repeating the Statement given by the Secretary of State for Culture, Media and Sport in the other place.

However, we now know for certain that, as part of their zealous drive to destroy the public realm in this country, this Government have the BBC in their sights. Those who care about these matters, who—from the evidence of recent debates in your Lordships' House—are to be found in every party, all around the Chamber and are in a majority, certainly know that we now have a fight on our hands.

The BBC is established by royal charter, and has been so from the very early days of its existence. The first charter ran from 1 January 1927 to 31 December 1936, and we are now approaching the end of the ninth charter. You would have thought that running a process for the 10th time would mean we had developed a standardised approach; and that certain questions about the BBC's role, functions and structure would have been agreed as settled business. There is surely a need for stability and security in all organisations if they are to thrive and deliver their best. So my first question is: why is the current charter review so different from its predecessors?

Compare where we are today with what happened last time, when the Government published a similar Green Paper entitled—and perhaps this should be noted—*A Strong BBC, Independent of Government*.

[LORD STEVENSON OF BALMACARA]

Then, the review process involved significant public engagement, including a range of events, consultation, research and focused analysis. What public engagement preceded this Green Paper? How many people responded, and will the evidence from that engagement be published? Then, the department's work was closely informed by the work of an expert panel. There is a panel this time, but has it met yet? What will its role be? It was not even mentioned in the Statement. Will the Minister please elaborate on this?

Then, the Government conducted a major programme of survey research, to support and inform the consultation proposed in the Green Paper and ensure that it reflected the views of all sections of the population. This programme encompassed qualitative, deliberative and quantitative survey research, and was published. Has the department done the same this year, and will this be published?

Then, the department also conducted four independent reviews of the BBC's services, which fed into the Green Paper. The Statement makes a lot of noise about the technical uncertainties faced by the BBC and makes a number of unsupported judgments about issues that it may be facing, but has the department carried out reviews comparable to the Lambert review of BBC News, the Graf review of BBC Online, the Barwise review of the BBC's digital television services and the Gardam review of the BBC's digital radio services? If not, what evidence have the Government relied on to make these judgments, and will that evidence be published?

Then, the independent panel chaired by the noble Lord, Lord Burns, held a series of 11 seminars looking in detail at all aspects of the BBC, from funding and governance to educational and international issues. The panel published its conclusions. Will the new panel follow suit, what will the timescale be and will it publish its conclusions? The Green Paper invites comments between now and October, but certain decisions have already been taken so it is not really comparable with what happened in 2005-06.

My second question is whether the Government really understand, or want to understand, what the BBC is for. In the Statement, the Secretary of State merely says:

"The British Broadcasting Corporation is cherished and admired, not only in this country but around the world. At its best, the BBC sets international standards of quality".

In a debate earlier this week, the Minister said:

"The BBC is a world-renowned institution ... It retains a unique importance in the UK's broadcasting industry and in our collective sense of identity, and it is a brand that is respected and valued around the world—a world beater, indeed".

That is certainly better, but talk about damning with faint praise. I put it to her that it would make a huge difference to the tone of the forthcoming review and the debates that it will engender if she would at the very least associate herself with the words that I and others used during the QSD of the noble Lord, Lord Fowler, this week. In case she does not have the reference to hand, I remind her that I said that the BBC is,

"the cornerstone of the sort of open and accountable society that we want in this country, the gold standard for other broadcasters, the fulcrum for a competition for quality in broadcasting, and the guarantee of impartiality and fair coverage throughout the United Kingdom".—[*Official Report*, 14/7/15; col. 533.]

Could she please respond to the House on whether she agrees with this?

I am sure that others will want to make detailed points and ask questions, including about protection for the World Service and S4C, as well as more generally on the charter review announced today, but there are three or four points that I ask the Minister to respond to particularly. Could she say more about how the Government are to deal with the question of universality? Does this imply that the Government no longer accept the formulation, which has stood the test of time, that the BBC should be big enough to deliver the service that audiences demand but as small as its mission allows? If not, does she have an alternative plan for how the broadcasting system is to sustain, for example, its contribution to the health of the creative economy by research, training and production?

Could she say more about how the Government intend to assess the distinctiveness of BBC output? In the past, it has been broadly accepted that the BBC should remain a cultural institution of real size and scope and not only be a broadcaster of minority-interest programming. It should provide a wide range of different programmes to a wide range of different audiences, and only with this scale and scope can the BBC meet the public purposes that were set for it. I hope that the Government will continue to continue to accept these, as the people of this country certainly seem to. What evidence does she have to suggest that people no longer support the current range of BBC services? Can she confirm in particular that when it finishes the charter review, the Government will not require the BBC to shut down or privatise any of its current services?

The Statement outlines only three scenarios for dealing with governance issues, which I agree need to be addressed. Have other options in effect now been ruled out? In response to a question asked by my right honourable friend the shadow Secretary of State in the other place, the Secretary of State implied that the question of changing to a subscription model to replace the BBC licence fee was only a matter of not having the right technology. Is that right? Have the Government already decided in principle that they will change to subscription? If that is the case, can she reassure us that the licence fee is to be retained for the whole of the next charter period?

Given that the TV licence fee enforcement review has recommended that while the current licence fee collection system is in operation the current system of criminal deterrence and prosecution should be maintained, will the Minister elaborate on what was meant by the comment in the Statement that:

"The Government will now consider the case for decriminalisation as part of the Charter Review"?

That sounds to me as if the excellent report by David Perry QC—and it is extremely good—has been rejected. Has it?

We are at the beginning of what looks like a quick and dirty charter review process, one that is not worthy of the sort of concern and interest that every Government should have in one of their principal public institutions. As I have indicated, we on this side are concerned about the general approach being taken, the tone of the public consultation document and the sense that, taken along with the recent Budget decisions, the Government have already decided to cut the BBC “down to size”. As the BBC itself has said today, “this Green Paper would appear to herald a much diminished, less popular BBC”.

We welcome the opportunity to contribute to the debate on what should happen to the BBC over the next charter period, albeit at the same time worrying that most of the decisions have in effect already been taken and will not be in the interests of Britain. As I said in the earlier debate, the biggest tragedy in all this is that at a time when we should all be thinking of ways to improve the BBC, many of us will be forced to defend it, warts and all.

Baroness Greder (LD): My Lords, I thank the Minister for repeating the Statement. No one could be more splenetic about the BBC’s coverage during the election than our party. Its appalling coverage of the Liberal Democrats’ absence from one of the leader debates, due entirely to the BBC’s own negotiating failures, will live with me for some time to come. However, this party and these Benches will not succumb to venom where vision is required. Whatever the Prime Minister or the Chancellor of the Exchequer’s personal views, this is the time for the bigger picture.

The BBC is a world leader in soft power, as we learnt this week. One has only to listen to the now entirely BBC-funded World Service and its interviews from Iran on the new nuclear settlement to understand the unique place that it has in the world. It is a major player in the creative industries, which are the fastest-growing sector of the economy. The Statement rightly acknowledges the challenges of reaching younger people and people from ethnic minority backgrounds. It is worth noting that “The Voice” alone has a more diverse audience than other outlets or programmes. However, the Green Paper suggests that it is too costly. I seek reassurance from the Minister that such programmes will not be discouraged, as suggested in the *Sunday Times*. I heard the Secretary of State compare that weekend article to Booker Prize fiction, so I ask the Minister whether the journalist, Tim Shipman, is accurate when he says that the Government question whether the BBC,

“should stop chasing viewers and provide more public service programmes”.

Which is it—fact or fiction?

The Statement asks for greater transparency from the BBC. I am sure that the Minister would like to match that by making available the processes by which the new advisory panel was recruited. Formal or informal, it provides a clear signal about past opinions that the new Secretary of State has given on the BBC. Perhaps she could make available to us in this House the process by which the panel was recruited and the rationale for each of its members’ appointments. Is there an intention—it is already possible to infer this from the Green Paper—to make the BBC smaller?

Does any evidence therefore currently exist that licence fee payers are asking for less, rather than more, from their BBC?

Lastly, the chair of the BBC Trust seems to be under the impression that she has the Chancellor’s word that, unless there is a massive change, the licence fee will rise by CPI in the first five years of the charter. Does the Minister believe that she is right to have that impression?

Baroness Neville-Rolfe: My Lords, the BBC is not in our sights. We want it to flourish and we want it to change. Actually, I detect the forces of conservatism on the other Benches. We need to keep up to date. Technology is changing and it is right that at this time we have an 18-month review of all aspects of the BBC. I welcome this and very much hope that others will engage in it and give us the benefit of their experience and views. This is very important. This is the start of the process. That is the answer to the parallel that the noble Lord, Lord Stevenson, has sought to bring.

The noble Lord also asked how the public engagement will work. There will be a panel, which I will come on to in a minute. There will also be a process of public engagement which the BBC Trust has agreed to lead, events and public consultations, and the opportunity to write in and to submit views online. We really care about what the public think about this great institution and will be listening to them during the consultation process.

The noble Lord, Lord Stevenson, asked a number of questions, and for most of them the answer is that these are exactly the kind of issues that will be addressed during the review, but I will touch on one or two. He will know that we share a huge passion for keeping the creative industries healthy and growing. Our musicians, writers and television producers are a special part of Britain and, of course, are helped by the demand that the BBC provides.

We have indeed set out the governance models we are looking at, and I think it is helpful to set out options so that we can get comments in during the consultation period. Of course, in a review process people can make other proposals and they will also be looked at.

We have explained that, as I said in the Statement, moving to a subscription model cannot happen straightaway because the technology does not exist. Again, we are going to look at options for the best way to fund the BBC and to bring in public broadcasting catch-up TV. That is one of the big changes and an essential part of the agreement between the Government and the BBC on the whole question of funding, which I believe gives a useful envelope for the future discussions to take place.

As noble Lords will note from the consultation, we have also set out specific questions on universality and the BBC’s content and services. We have not ruled any options in or out because this is the start of the process. The noble Baroness, Lady Greder, sought to tweak my tail about the *Sunday Times*. We cannot be responsible for what is written in the *Sunday Times*, the *Daily Mail* or any of the other great papers. I am a strong believer in the freedom of the press but this has other aspects to it and it is often not clear whether

[BARONESS NEVILLE-ROLFE]

things are fact or fiction. We have published the Green Paper. We are making a full Statement. We wish to consult the nation, both Houses of Parliament and indeed our specialist panel about the right way ahead. I was trying, as you can imagine, to keep the Statement as succinct as possible. We will certainly write with a full list of the members of the panel. We have issued a press release on that, and the expertise varies from ex-members of the BBC to people who are expert in internet issues. It is an advisory panel. The decision on the future is obviously for the Government.

3.14 pm

Lord Fowler (Con): My Lords, I hope the Minister will note that if, back in 2006, the then Government had listened to the Lords Select Committee on Communications, we would not have had the BBC Trust in the first place. Perhaps the lesson there is that Governments might do better to listen to parliamentary committees rather than committees of so-called outside experts.

Do not two points come out of this Statement? First, is it not clear from everything the Secretary of State said in the paper and in Questions that his eventual aim is a subscription model for the BBC? That is a profound change, particularly for an organisation which the Secretary of State himself says is part of the fabric of this country. Though it will doubtless be welcomed by advisers with their special interests, it will be strongly opposed by many of the public.

Secondly, there was much talk prior to this paper that the BBC was guilty of biased reporting. As far as I can see, there is little or nothing in the paper on that. Does that mean that the Government have now dropped that foolish charge? Does it mean that they now agree that the BBC's standards of journalism are exceptionally high, and that this is a strong argument for preserving its news services as they currently stand?

Baroness Neville-Rolfe: My Lords, I agree that we should listen to parliamentary committees, especially ones in this House, which often bring a great deal of expertise. The point about looking forward Cassandra-like at the BBC Trust was a point well made. We have made it clear that we are now looking at options for governance, and the chair of the BBC Trust has obviously raised questions about the way the trust works.

On subscription, the Green Paper asks an open question about how the BBC should be funded. We want to engage with the public on whether the licence fee only continues to be the right model or whether it makes sense to have a more mixed economy. The BBC already has a certain amount of commercial income and that has improved in recent years. We would like to see more of that, provided it fits in with the total broadcasting landscape and continues to encourage the creativity and independence of the supply chain that we so much want. Subscription is one of several options we are asking for views on. No decisions have been made. The Secretary of State has a great background because of his previous chairmanship of the DCMS Committee in the other place. He knows that subscription

is one of the things we need to look at, but just looking at them does not mean we have come to a particular conclusion.

Objectivity and impartiality are very important features of the BBC. There has to be a system that keeps an eagle eye on them at all times. I have been frustrated sometimes at what the BBC says and does, despite my passion for the freedom of the press, which I certainly apply to it. We will, of course, be looking at that aspect in the charter review. However, as my noble friend says, it is not huge and in lights, in the way that perhaps you might have expected from some of the previous comments.

Lord Birt (CB): My Lords, charter review is a proper, healthy and entirely necessary process. It is entirely right that from time to time we look at the scale, scope, purpose and governance of the BBC. I have just had a very quick skim read of the Green Paper. It appears to be characterised by a certain lack of generosity of spirit about the BBC, but more importantly—unless I have simply missed it—there is a hugely important issue missing from the paper: UK original production. I refer the Minister to Ofcom's analysis, with which I am sure she is very familiar, of the scale of UK original production not only in the BBC but among public service broadcasters at large. It is a scary picture: over the last six years we have seen a drop of something like a sixth. Will this issue be put on the table during the charter review process, looking at what sort of scale is justified in this context to maintain the long and valued tradition of UK original production?

Baroness Neville-Rolfe: My Lords, we want the BBC to support the UK creative industries. As I have already said, they are a proving ground for those industries, and this will be studied in the charter review. More than half of PSB investment in original content is BBC expenditure.

Lord Soley (Lab): The Minister said, rightly, that the BBC is immensely popular with the public throughout the United Kingdom. Bearing that in mind, can she tell us how the Government plan to consult the wider public, given the profound importance of the changes that are being discussed?

Baroness Neville-Rolfe: My Lords, as I have already explained, a programme of public consultation will begin shortly and last right through the summer. The BBC Trust will be putting forward a plan. I am sure that, as that gets communicated to the public at large, we can provide fuller information to Members of this House with an interest, and I am sure that there will be full details on our websites. We want to hear the public's views on the scale and scope of the BBC, what people like about it and what they like less. That is an absolutely prime objective of the consultation.

Lord Maclellan of Rogart (LD): Since the ministerial Statement indicated that 97% of the UK population is reached by the BBC every week, why are the Government proposing to question the idea of universality? Are the Government able to say what the scale of public representation has been at this stage regarding the

licence fee system of raising funds? Why have they put forward three alternatives when, for so long, the licence fee has commended itself to the public?

Baroness Neville-Rolfe: The noble Lord makes a good point but the world is changing. The whole television, radio and online world is changing, and online is part of this review. We need to look at models and ways in which income might be raised as well as by the licence fee. This is an open review and there are different views. I remind noble Lords that the BBC has a 35% market share of the TV audience. In March, the top 10 most popular programmes were BBC programmes, although I think that that is partly down to the “Poldark” effect. However, we have a big responsibility to make sure that money is provided in the right way for the BBC and that it is spent in the right way.

Lord Hamilton of Epsom (Con): My Lords, before the Green Paper came out, the idea was floated that it might be a good idea to pool the licence fee and for the BBC and other television production companies to bid for parts of it so that they could make quality public-interest programmes. Is that option still a runner?

Baroness Neville-Rolfe: My noble friend will be interested to know that I made a brief reference to that in the Statement. I think it is called contestable funding. It is part of the consultation and it would in principle allow new entrants, such as small Welsh production companies, to play a greater part in the creation of TV and radio programmes and online content in the future.

Lord Puttnam (Lab): My Lords, the noble Baroness is quite right: the world is changing rapidly. Somewhat to my surprise, it has been very widely reported this week that the UK has come top in the world for its use of, and reputation for, soft power. Would she like to suggest any other organisation in this country that contributes more to that reputation than the BBC?

Baroness Neville-Rolfe: The simple answer is no. I think that the existence of the BBC World Service and all that it does was absolutely key to that assessment.

Lord Wrigglesworth (LD): My Lords, the Minister will be aware that this review is taking place against a background of persistent attacks upon the BBC from Conservative Members of Parliament and from some on the Benches opposite, as well as from commercial interests that support the Conservative Party. Can she therefore reassure the House that the outcome of this review will be based on the evidence given to the review and not on the prejudice of those in the Conservative Party who are antagonistic towards the BBC or of the commercial interests that support them?

Baroness Neville-Rolfe: I assure the noble Lord that evidence will be looked at—the review will be evidence-based. We will also take account of what the public think—a point that I have sought to emphasise—as well as taking account of the very important expert advisory panel, whose members are a challenging lot and who will, I think, enable us to ask better questions during the consultation process. However, there have been some difficult issues in the BBC in recent years—

Savile, pay-offs for senior executives, the digital media initiative and so on—and one needs to look at these as well as at the very strong, wonderful things about the BBC in considering what the right framework is for the future, including the BBC’s governance and regulation.

Lord Elystan-Morgan (CB): My Lords, the Minister read out the reference in the Statement to S4C, the Welsh language broadcaster. Does she appreciate that that body holds a very particular commission, given to it in the first instance by Her Majesty’s Government when it was created—namely, to be responsible for the future and welfare of the Welsh language? It is therefore imperative that its viability in a financial context should be safeguarded and its independence preserved. In the circumstances, would Her Majesty’s Government be prepared to say in principle that a niche should be found in the new charter clearly setting out these entrenched rights, unless of course some other, more appropriate locale of a statutory nature can be discovered?

Baroness Neville-Rolfe: I am grateful to the noble Lord, Lord Elystan-Morgan, for providing that history, which I was not aware of. We are committed to the provision of minority language broadcasting, including S4C, and that is a key part of the charter review. The Secretary of State spoke to S4C ahead of today’s Statement and is planning to talk to the Welsh Office. I think that our determination is demonstrated by the £7 million of direct funding that we currently provide for S4C. Our firm but fair agreement means that we have to make some choices about how the licence fee is spent. Of course, S4C has to be part of that process but Welsh language broadcasting is incredibly important for exactly the reasons stated by the noble Lord.

Lord Low of Dalston (CB): My Lords, I am sure that the Minister will have seen the comment to the effect that the advisory panel, to which she referred just now, is just as stacked against the BBC as the other interests which the noble Lord mentioned earlier—people with ideological and commercial grudges against the BBC. Can the Minister give us more reassurance about the impartial nature of the advisory panel?

Baroness Neville-Rolfe: My Lords, I do not agree. The panel includes a former board member of the BBC and I think that one or two of the other members have links. It is drawn from the media industry, where there is quite a lot of circulation of talent. However, it is an advisory group—as I have already explained, it is advising the Secretary of State on the consultation process. We are also looking at other sources of advice, including your Lordships, as well as, fundamentally and very importantly, the British public, who pay for the BBC through the licence fee.

Lord Sherbourne of Didsbury (Con): My Lords, in responding to those in this House who think that the Green Paper has been motivated by hostility, is my noble friend the Minister aware that on the BBC “One O’Clock News” today the BBC media correspondent Mark Easton said specifically that the BBC did not regard the Green Paper as hostile?

Baroness Neville-Rolfe: My Lords, I was not aware of that, but it is clearly very good news. I know that the chairman of the BBC Trust said that the Green Paper recognised the enormous contribution that the BBC had made, that she valued that and that there would be a wide debate involving the public. These are all important points that we must not lose sight of because of concern about a particular paragraph or figure.

Lord Stevenson of Balmacara: I hesitate to interrupt but I want to correct what has just been said. In front of me—thanks to the iPad and other new technologies—I have the statement from the BBC. It says:

“We believe that this Green Paper would appear to herald a much diminished, less popular BBC. That would be bad for Britain and would not be the BBC that the public has known and loved for over 90 years”.

I do not think that that squares well with what was said.

Lord Hannay of Chiswick (CB): Does the Minister recognise that all around the House—and in the Statement itself—there is recognition that the World Service and the vernacular programmes are hugely important to this country and its soft power. However, what I am missing is any indication of how the Government are going to protect those services from being squeezed if there is a reduction in resources, or some change in the mandate, for the rest of the BBC. I would welcome the Minister’s response as to whether those outside these shores will also be consulted.

Baroness Neville-Rolfe: My Lords, asking overseas listeners is an interesting idea, and one I will feed into the process. I have already said that the BBC World Service is a key priority. We cannot prejudge the review, as I have said on every other question. However, I can assure noble Lords that this soft power role that we were congratulating the BBC on earlier is a vital part, and comes through the existing objectives, which we are looking at and can be reiterated in whole or in part.

Baroness Symons of Vernham Dean (Lab): My Lords, the Statement says that the review will also look at the impact the BBC has on the commercial sector. It goes on to say, however, that there is evidence that the BBC helps drive up standards and boost investment, but also concern that public funding does not undermine commercial business. On the one hand we have evidence and on the other concerns. Can the noble Baroness tell us who has these concerns, other than the commercial business models for TV, radio and online, and how will they be tested?

Baroness Neville-Rolfe: This point will, I am sure, be closely scrutinised by the review process. It is at the heart of the issue. The BBC is large, and that brings responsibility. There is evidence on the positive side and there is evidence on the other side. Some of it will come from the commercial operators; that is entirely right. When considering industry policy and competition policy in our country we try to look not only at—in this case—the BBC, but at how that affects the whole infrastructure, the talent and the way things feed in.

This seems an entirely appropriate question for the review to consider. However, I note the noble Baroness’s concern and I thank her for the question.

Lord Dubs (Lab): My Lords, there is a perception that some recent decisions about the BBC, such as the one about licences for the over-75s, did not come from DCMS but from the Treasury. Can we have an assurance that there will be a proper basis for moving forward with the BBC without pressure from the Treasury, with saving money being the dominant factor?

Baroness Neville-Rolfe: The Government will conduct the review and will come to their conclusions in an entirely proper way. Funding and matters of value for money are important issues. As I was saying earlier, there is some advantage in having an understanding of the financial envelope in which the charter review can be looked at. There are some positives for the BBC. I have talked to their executives about some of the positives that have come out of the deal that has been done: the change to broadband funding, the CPI—which was mentioned earlier—and this vital point about taking account of changes in new technology and finding a way of bringing in the catch-up market which, as we know from our children, is set to mushroom very rapidly.

English Votes for English Laws

Question for Short Debate

3.35 pm

Asked by **Lord Butler of Brockwell**

To ask Her Majesty’s Government whether they plan to consider alternatives to their proposals for English votes for English laws.

Lord Butler of Brockwell (CB): My Lords, I am very grateful that so many Members of your Lordships’ House will speak in this short debate. I am also grateful to the noble Baroness the Leader of the House for being willing to answer it. The fact that so many Members have put down their names to speak in this debate indicates and strongly reinforces the case for this House taking an effective part in the debate on what is certainly a constitutional issue. This debate does not constitute such an opportunity: much more is needed, and I will return to that at the end of my remarks.

I want to put four points to the Leader. First, the Green Paper presented by Mr William Hague in December 2014 entitled *The Implications of Devolution for England* said unequivocally, on behalf of the Conservative Party:

“We therefore believe the arrangements for England or for England and Wales should also be put on a statutory footing, even if they are implemented in the first instance through changes to Standing Orders in the House of Commons”.

It appears that the Government are retreating from that approach, and that the reason is that they fear that the statutory route may be justiciable. Is it the Government’s view that the fact that the legislation

might be justiciable is a satisfactory reason for not making these important constitutional changes in the proper way?

Secondly, in questions following the Statement that the noble Baroness repeated to the House on 2 July, she said:

“It is important to understand that English MPs cannot overrule the whole House, and the whole House cannot overrule English MPs”.—[*Official Report*, 2/7/15; col. 2218.]

In reply to a question I asked, she said:

“It is not about having a veto. It is about trying to find the right way forward”.—[*Official Report*, 2/7/15; col. 2220.]

Yet the Government’s Statement said:

“Our plans provide for an English veto at different stages of the process”.

Will the noble Baroness now acknowledge that the Government’s proposals do indeed provide for a veto for the first time by a restricted group of Members of Parliament?

Thirdly, Mr Hague’s Green Paper listed three options for approaching this issue. The second was the proposal of the 2008 democracy task force, chaired by the right honourable Kenneth Clarke, which recommended that stages at which English, or English and Welsh, Bills could be amended should be confined to English, or English and Welsh, MPs, but that the whole House would vote on Third Reading. The Mackay commission included a similar option. Yet the Government have rejected that. Why have these simpler proposals, which do not involve a veto, been rejected by the Government? So far they have given no explanation.

Finally, it must have become absolutely clear from the attention that these proposals have received, and the debates on them that have taken place, that this is an important constitutional issue. It is not just a simple matter of technical changes to Standing Orders in the House of Commons. Is it not the duty of the Leader to ensure that your Lordships’ House can make a proper contribution on these constitutional matters?

Yesterday, the opposition spokesman in another place suggested a Joint Committee of both Houses. That would be a good way in which this House could make its contribution on these issues. I do not expect that the Leader will be able to give the Government’s response to that proposal today—although it would be welcome if she could do so. If she cannot, I give notice that I propose to table a Motion for debate before the Recess that would give your Lordships’ House an opportunity to vote on whether this House would wish to take part in such a Joint Committee.

3.39 pm

Lord Norton of Louth (Con): My Lords, I commend the noble Lord, Lord Butler, for initiating this debate. Seeking answers to what we now call the West Lothian question is nothing new. The Government of Ireland Bill of 1893, the so-called “In and Out Bill”, provided that Irish MPs would vote only on “imperial” legislation. The Speaker’s Conference on Devolution in 1919 proposed that grand councils of MPs from England, Scotland and Wales should consider Bills that affected their particular part of the United Kingdom. Harold Wilson in 1964 raised the issue in respect of Northern Ireland. He queried the logic of Northern Irish MPs voting on

legislation where Stormont held concurrent powers; and he asked the Attorney-General, Sir Frederick Elwyn Jones, to devise an “in and out” solution.

The attempts normally flounder when it comes to devising an effective means of implementation. There are problems of definition and process. I make two points. First, the Government’s proposals do not provide for English votes for English laws. As the noble Lord, Lord Butler, said, they provide for an English veto of English laws. Secondly, context is important. Given other constitutional changes, implemented or proposed, there may be a case for looking at the proposals as part of a constitutional convention—I would argue for a convocation—looking at, and ensuring that they fit with, what is happening to other parts of the constitution.

3.41 pm

Lord Desai (Lab): In the same vein, I should say that the advantage of having a proper Bill that undergoes pre-legislative scrutiny by both Houses, and is debated and passed in both Houses, would cover all the unanticipated and unanticipatable consequences of such a narrow construction of the question. If we do not at the beginning take care to examine all those consequences, we shall regret it and have to come back to this question again and again in a very messy way. The best thing to do is to follow proper procedures, use the strength we have in the two Houses and come to a proper conclusion on what is the most important constitutional question for the United Kingdom.

3.42 pm

Lord Tyler (LD): My Lords, it is a pretty pathetic self-regulated House that cannot even allocate appropriate time to such an important issue as this. I entirely agree with the noble Lord, Lord Butler, that there is every difference in the world between giving English MPs a voice and giving them a veto. That was, of course, what the McKay commission, to which I gave evidence, identified at the very outset. I simply do not understand why this Government have ignored the advice of the McKay commission.

I endorse absolutely the suggestion that this is an appropriate issue for a Joint Committee of both Houses because it clearly affects the process by which all of us examine legislation at both ends of the building. That would be the traditional way forward, and I hope that the Leader of the House will give us an assurance that that will be looked at seriously.

In the mean time, I suggest that this issue has much wider implications for our constitution. I have constantly heard from the other side of the House suggestions that we have been far too ad hoc and piecemeal when looking at issues of this sort. Surely this is the time for the Government to commit themselves to a convention. But we must have some agreement about the purpose of a convention because the Scottish convention, at the outset, already had a clear remit, with agreement from all participants. That is one of the reasons why the Scottish nationalists and Conservatives did not agree to that convention. We should, at the outset, have agreement on what we should be doing.

[LORD TYLER]

There are considerable constitutional implications to the proposed veto, to which my noble and learned friend, with his experience of Scottish devolution, will refer in a moment. This is not a minor issue for one end of this building.

3.44 pm

Baroness Boothroyd (CB): My Lords, we should not doubt the gravity of the situation we will face if the Government do not revise their procedures on this issue. This is not, as the noble Lord has just said, a run-of-the-mill controversy.

The proposal is a hybrid form of English devolution new to our constitution and it is being done by bypassing the statute book and amending the Standing Orders of the House of Commons. It simply will not do. The claim is that none of this affects the House of Lords and we can carry on just as we are. Well, we cannot. In the Commons debate on 7 July, the Leader of the House, Mr Chris Grayling, said that,

“those with long experience of the workings of this House, including Members of the other place who have worked in positions of authority in this one, are all united in the view that changing Standing Orders is the right way to proceed”.—[*Official Report*, Commons, 7/7/15; col. 195.]

Mr Grayling must have misplaced my telephone number. It is not the right way to proceed, and others whose expertise I respect obviously do not think so either.

Magna Carta gave us the right to oppose the arbitrary exercise of power, and we must not shirk our responsibilities. If we fail, we say goodbye to our bicameral Parliament and undermine the union. We passed Acts of Parliament devolving power to Scotland, Wales, Northern Ireland and the European Community by not playing around with Standing Orders. England deserves no less. The West Lothian question has become the Westminster question and the Government are shirking it.

What troubles me, too, is the manner in which the Government seek to involve the Speaker in all this. The definition of geographical boundaries is not as straightforward as it might seem. There are cross-border issues and an England-only Bill needs to be defined.

Pushing a Speaker into the political cockpit to determine and define legislation is the worst possible idea. It is a recipe for discord and I believe that it threatens both Houses and the union. The Government need to think again, and do so sharply.

I am delighted and pleased to hear that the noble Lord, Lord Butler, will table a Motion for debate next week. I trust that it will carry the heaviest possible weight in this House.

3.47 pm

Lord Forsyth of Drumlean (Con): My Lords, I have two minutes to deal with 21 pages of amendments to Standing Orders. That works out at six seconds a page. I should like to ask my noble friend five questions, if I can get to five. First, will she confirm that if we had this EVEL in place, it would not make a whit of difference to the vote on fox hunting because it requires a double majority?

Secondly, why have the Government not adopted the time-honoured convention, as we did at the time of Irish home rule and as we have done with Northern Ireland, and reduce the number of MPs in Scotland commensurate with the degree of power being transferred to them?

Thirdly, does my noble friend agree that if you want English votes for English laws, you need an English Parliament? I wish to retain a United Kingdom Parliament in this building.

My next question is: why, in the revised Standing Orders, has the Finance Bill suddenly been included? It will be subject to EVEL. As the Government propose to give setting income tax on earned income to the Scottish Parliament, that means that no Government—the House of Commons is about voting means of supply—will be able to get the largest slice of their income tax without having a majority within the Parliament of non-Scottish Members. That is a huge constitutional change that has been put in at the last minute, with the House of Commons having 24 hours to consider it.

Fifthly, on the changes that have been made to the Standing Order proposals in the other place, the Government have not dealt with the issue of the Barnett consequences of decisions being made in Scotland not being able to be voted on by Scottish MPs. Their answer is that there will be votes on the estimates. When I was Secretary of State, for example, it was decided to privatise water in England, so we lost the funding from the Barnett consequences of that. That is the point being made by the nationalists.

Lastly, will my noble friend take account of what everyone in this House who has thought about this seriously thinks, which is that we need a Joint Committee of both Houses, if not a constitutional convention, to sort this out before we end up playing into the hands of the nationalists, fragmenting the union and ruining the United Kingdom Parliament?

3.49 pm

Lord Haskel (Lab): My Lords, I share the concern of the noble Lord, Lord Forsyth, about the effect that EVEL will have on the Barnett formula.

Let me explain, and I am most grateful to John Kay for pointing this out. If English MPs decide that English schools will receive an additional service paid for by an additional charge on English taxpayers, this rise will be reflected in the Barnett formula, irrespective of whether Scottish MPs want this additional service or not. That is how the formula works on devolved matters. Equally, if English MPs decide to cut a service, this, too, will be reflected in the Barnett formula, and if Scottish MPs want to maintain that service they will have to find the money from elsewhere. This is because the Barnett formula is based on United Kingdom-wide expenditure throughout the country.

I understand that when this was raised in the devolution discussions it was agreed that it would be settled on the “no detriment” principle. This means that compensation would be agreed on the basis of mutual good will. Bearing in mind the debate yesterday in the House of Commons, and the Scottish nationalists’ attitude towards the Government’s proposals on fox

hunting, are the Government confident that this good will exists? If not what will they do? Will they leave the Barnett formula alone? Will they rewrite it? Will they go in for hypothecation? In the absence of good will, any of those would be very difficult. This is just one more example of the difficulties that we have over these territorial matters. They are best settled with a constitution or a proper Bill that goes through both Houses.

3.51 pm

Lord Lisvane (CB): My Lords, the Leader of the House told us on 2 July that this issue was fundamentally a domestic one for the House of Commons. Might I very respectfully disagree with her for three reasons? First, as my noble friend Lord Butler said, this is fundamentally a constitutional problem. It is simply that one of the possible solutions to that problem has been presented in terms of changes—extraordinarily complex changes—to Commons Standing Orders.

Secondly, the amendments made by this House will be subject to certification by the Speaker of the Commons, so what we send back may influence the outcome. For example, it will be possible for this House to turn an English-only provision into a UK-wide one, thus avoiding certification and possibly affecting the outcome.

Thirdly, although I hope I am wrong, I see a possible hazard to Article 9 of the Bill of Rights. For the first time, a Speaker of the House of Commons will be asked to certify something that is a matter of law, whether it is within the legislative competence of devolved institutions to make provision for this or for that. This is wholly different from Parliament Act or money Bill certifications.

The Speaker and parliamentary proceedings would be better protected by ministerial certification along the lines of a Human Rights Act certification of a Bill. The possibility of any inroad by the courts into the exclusive cognisance of Parliament is emphatically a matter for both Houses. I should say in passing that those who argued for this to be done by legislation rather than by Standing Orders are going down a very dangerous road. In my view, nothing would bring the courts into Parliament faster than making this arrangement explicitly justiciable through legislation.

My learned predecessor, Sir William McKay—like the noble Lord, Lord Tyler, I gave evidence to his commission—recommended in effect an English legislative consent Motion. That was a very shrewd recommendation because LCMs are animals well known to science. An advisory LCM would have avoided any charge of creating two classes of MP. It might have been possible for the McKay solution to be a first step, later ratcheted up if necessary. It is much more difficult to ratchet down, and of course expectations may already have been raised too high.

We are too tightly constrained for time today and this does argue for a full debate before long. I thoroughly agree that a Joint Committee is emphatically the right way to tackle a major constitutional issue, which is rightly of such interest to both Houses, as it might offer the possibility of some informed consensus, which, at the moment, is rather far to seek.

3.54 pm

Lord Cope of Berkeley (Con): My Lords, until this week, we had a statement of principle from the Scottish National Party that its Members would not vote on or be involved in purely English or English and Welsh matters. That was effectively, in practice, English votes for English laws. I suppose that it might, in time, have become an accepted constitutional convention, as these things sometimes do in Britain. However, the SNP has abandoned that principle, as we know, and that makes other action necessary.

Polls for the McKay commission and others showed overwhelming support for English votes for English laws in principle. Most recently, Populus polled 10,000 people over the age of 50 for Saga plc on Scotland's position in the UK. Of those polled in England, 75% supported the principle that English-only laws should be decided by English MPs—the principle that the SNP has now ditched.

The West Lothian question has, as we have heard this afternoon, been avoided, evaded and kicked about for far too many years. Of course we need to debate it, as has been said by all who spoke this afternoon, and a Joint Committee is certainly a good way to do that. However, we need to move and be seen to be moving towards a decision. The English need it to happen.

3.56 pm

Lord Foulkes of Cumnock (Lab): My Lords, those of us who have been enthusiasts for Scottish devolution were among the first to recognise that the asymmetric devolution that we have has resulted in a very serious English democratic deficit. That needs resolution—I think we are all agreed on that—but EVEL is not the way forward, as the noble Lord, Lord Butler, has ably argued. It is yet another quick fix from the constitutional quick fixes that we have had and which have resulted in the current mess.

What we need is a plan B—another way forward—but the Government have no plan B. I do not think that the EVEL proposal in the House of Commons is going to survive. Anyone who listened to the Tory rebels in the debate last week will know that it has a very serious problem ahead. The plan B should include a coherent, comprehensive look at this, which is why I have argued, as others have argued, again and again, for a United Kingdom constitutional convention. That has growing support in this House and the other place.

When it was raised previously, there was an interesting answer from the noble Lord, Lord Dunlop, the Minister of State at the Scotland Office, in reply to a question from the noble Lord, Lord Hennessy, in which he said that if the Government are not going to do it, someone else could. Some of us have taken him at his word and we now have movement in that direction. Tomorrow, for example, the Bill from the noble Lord, Lord Purvis, will propose exactly that. As the noble Lord, Lord Butler, has made the announcement, I can also tell the House today that the all-party group on devolution and decentralisation will announce next week the setting up of a high-level panel to take evidence and make recommendations on the way forward towards a

[LORD FOULKES OF CUMNOCK]
 constitutional convention. If the Government are not going to wake up and do it, someone else has to. I would welcome a Joint Committee and hope that that happens. However, if it does not, we in the all-party group have taken the initiative and some action will be taken by parliamentarians to show the Government the way forward.

3.59 pm

Lord Judge (CB): My Lords, this document with a very long title could just as easily be called, “Future Processes of the Sovereign Parliament”. This House is part of that sovereign Parliament. If this is not our business, what on earth is?

I simply adopt what my noble friend Lord Lisvane said, because there is no time to go into it further. But we should also be very alert to the possibility that, as we shimmer and shilly-shally through this process—disgracefully if we do, but as we look as though we might—we could end up with a constitutional aberration of the Speaker of the House of Commons finding himself the subject of litigation. That would destroy our constitutional arrangements.

4 pm

Lord Bew (CB): My Lords, in 1997, Tom Nairn published a book called *The Break-up of Britain*, which hugely influenced my generation of academics. It has not broken up. One reason is that the economic facts of life have favoured the union, but the other reason is the existence of an effective imagined community in the devolved regions of the United Kingdom, still in favour of the United Kingdom. I agree with much of what has been said about the constitutional difficulties of this moment. I gave evidence to the McKay commission and I have a small flame in my heart for the gentle tweak that he offers.

The Government are right that the status quo is sustainable. I absolutely accept the sincerity of the Government’s belief in and support for the United Kingdom—I have no doubt about that—but the battle is beginning to be lost among young people in favour of that imagined community. The key point here is the Government’s mode of address, and how one best sustains the imagined community, which still exists for the United Kingdom. We cannot assume that that effective imagined community is going to persist, and the style of current debate in many respects is corrosive.

4.01 pm

Lord Wallace of Tankerness (LD): My Lords, there is some consensus that this issue needs to be addressed, but also an equal consensus that the mode of addressing it will lead to some very unsatisfactory outcomes. It is an example, as has been said, of a piecemeal approach to the constitution, but it is an issue to be dealt with by a constitutional convention.

In the Statement accompanying the White or Green Paper—whichever colour it was—in December 2014, the right honourable William Hague referred to the Prime Minister’s Statement on the morning after the referendum, when he said that,

“a new and fair settlement for Scotland must be accompanied by an equivalent settlement for all parts of the United Kingdom”.— [Official Report, Commons, 16/12/14; col. 1265.]

I do not think that this is proper equivalence.

The point was made about the concerns that certification could bring the Speaker into the courts, as the noble and learned Lord, Lord Judge, said; I do not think that people would particularly want that. Much of the work of my former department in the office of the Advocate-General was to consider when Scottish Parliament legislation was passed, whether it was within the competence of the Scotland Act, and much time was spent between officials, lawyers and my old department and Scottish Government lawyers in determining whether a legislative consent Motion was required for a particular piece of legislation. It is not easy, and it is possibly an unfair burden to put on the Speaker, however well advised he will be by lawyers, and it could lead to litigation.

As the noble Lord, Lord Butler, said, it is a veto, and if a veto is going to be given to what might be described as a sub-set of the House of Commons, that is not Parliament. If it is okay for English MPs to have a veto, is it not okay for democratically elected Members of the Scottish Parliament also to have a veto—in other words, for Section 28(7) of the Scotland Act 1998 to be repealed? That leads to some very important, fundamental issues about the sovereignty of Parliament.

I do not believe that it will have no effect on your Lordships’ House. It may be that we do not need to have any Standing Orders changed here, but it will have an effect. If this House passes an amendment to a Bill, which goes to the other place and which, in a double vote, is actually approved by the House of Commons but not approved by English Members of the House of Commons, we will be in an anomalous situation where a piece of legislation has been passed by both Houses but will not be sent to the monarch for Royal Assent. That is a fundamental ABC of constitutional law.

I do not think that this has been thought through. I welcome the response from the Leader of the House to some of the important issues of concern that have been raised in this debate.

4.04 pm

Baroness Smith of Basildon (Lab): My Lords, this is the debate the Government did not want. We are very grateful to the noble Lord, Lord Butler of Brockwell, for taking the initiative and providing this opportunity to try to ensure that the Government understand why there are so many concerns about how their proposals affect our work and our role in legislation.

There is widespread recognition that there is an issue to be addressed; we have put that on record previously and we have heard it today. But the Government’s proposals go way beyond the McKay report and the Hague report, so their assertion that this change has been fully debated and considered has to be dismissed. The noble Baroness the Leader of the House has been emphatic, and I quote her directly when she addressed your Lordships’ House in a previous Statement. She said, “We are not affected”. But in the same Statement, she also said that the Speaker of the

House of Commons would have to certify amendments passed by your Lordships' House. As we have heard, that creates potential for legal and constitutional difficulties. The situation is clearly more complex than the Government are suggesting. The short but substantial speeches we have heard today have expressed serious and well-founded concerns. These have been exacerbated by the Government's initial attempts to evade appropriate parliamentary scrutiny by issuing a multi-page amendment to Standing Orders in the other place, with no debate here. That is wrong.

We will fail in our duty as a scrutinising Chamber if we fail fully to investigate the implications this legislation and these changes could have for the governance of our country. If, after hearing from the experts here today, the noble Baroness still believes that there definitely will be no impact on the work of your Lordships' House, she has nothing to fear from an investigation by a Joint Committee of both Houses. However, I and many other noble Lords do not share her confidence on that point.

Surely it is better to interrogate this issue now and be reassured that there is no impact, or to identify and plan for any possible impact. What a dereliction of duty it would be if, in six months, a year or two years' time, there is a constitutional difficulty the resolution of which we have given no consideration to. That is a recipe for constitutional chaos, and it reinforces calls for a constitutional convention.

We support the noble Lord, Lord Butler, and I look forward to a considered response from the noble Baroness that I hope will address the concerns raised by noble Lords. I hope she will be able to agree to the request from the noble Lord, Lord Butler, for a Joint Committee of both Houses.

4.06 pm

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, I am very grateful to the noble Lord, Lord Butler, for tabling his Topical QSD and for the debate this afternoon. It has been a typically thoughtful debate on the Government's proposals for English votes for English laws. The contributions made have shown the depth of expertise in this House on constitutional matters. I will say something in a moment about more time for debating this matter, because it is an issue I have been reflecting on since I repeated the Statement last week. Before I do so and respond to some of the specific issues that have been raised, let me remind the House of the Government's proposal to address this important issue of English votes for English laws.

We sincerely believe that the proposal is sensible and pragmatic. Importantly, it builds on the views of the many different and important groups who have discussed and debated this matter over many years. Each time the different groups have come together and examined this important issue, we have tried to learn and to keep refining further. We propose that where a measure affects England, or England and Wales only, it cannot proceed without the consent of both the House of Commons as a whole and English, or English and Welsh, MPs. Neither side can push through a change without the agreement of the other. This gives

a strong voice for English and Welsh MPs, while protecting the fundamental rights and responsibilities of all MPs in the House of Commons.

In answer to the noble Lord, Lord Butler, who referred to my answer to him when I repeated the Statement last week, English MPs cannot overrule the whole House and the whole House cannot overrule English MPs; neither side can force something through without the consent of the other. That is a very important aspect of our proposals.

The Government's proposals seek to make these changes while keeping the process as close as possible to the existing procedures in the House of Commons. MPs from across the United Kingdom will continue to vote at Second Reading, in most Committees, on Report, at Third Reading and when considering Lords amendments. In response to the question about the Barnett formula, asked by my noble friend Lord Forsyth and the noble Lord, Lord Haskel, we have clarified the draft Standing Orders to make it plain that Members from across the United Kingdom will approve spending plans which set out the level of funding for the devolved Administrations. On the point my noble friend Lord Forsyth made about Finance Bills, it is worth clearly acknowledging that most taxes are rightly UK-wide, so the Finance Bill will be voted on by the whole House. Any taxes that are devolved in Scotland will be subject to the consent of MPs from England, Wales and Northern Ireland, as well as the whole House. By doing this, we set out a balanced way to deliver fairness within the union. The noble Lord—

Lord Forsyth of Drumlean: On the income tax point, can my noble friend not see that a large proportion of the Government's revenue coming from income tax on earned income will be subject to a veto by English, Welsh and Irish MPs? Therefore, a Government would not be able to get its means of supply unless it had a majority in part of the House of Commons. That is a huge change, which has been added at the last minute as an afterthought.

Baroness Stowell of Beeston: No, it has not been added as a last-minute afterthought. What is made clear in the proposals that have been brought forward and published this week is a clarification of what was originally intended.

The noble Lord, Lord Butler, the noble Baroness, Lady Boothroyd, and others asked why we have not brought measures forward on a statutory footing. Standing Orders are the usual means by which procedural changes are made in the other place. But my right honourable friend the Leader of the House of Commons has confirmed that we will review the way forward in 12 months' time, once the first Bills subject to the new procedures have reached Royal Assent. We have not ruled out legislation being considered at that point. I note the comment from the noble Lord, Lord Lisvane, that legislation would risk bringing the courts into Parliament. That is something we clearly wish to avoid. But more importantly, by approaching these modest changes in a modest way, via Standing Orders, we will allow them to be tested properly, in real time, with legislation. As my right honourable friend the Leader of the Commons said, we will put them to review in a year's time, reviewing them properly then.

[BARONESS STOWELL OF BEESTON]

The noble Baroness, Lady Boothroyd, raised some questions about the role of the Speaker, as did the noble and learned Lord, Lord Wallace. Clearly the noble Baroness knows far more about what is involved in being the Speaker of the other place than I would ever dare to consider. It is, as she will know, the responsibility of the Speaker to make impartial judgments in a political environment. We believe that giving the responsibility to the Speaker to certify the legislation that the Government bring forward is more appropriate than inviting the Government or the usual channels to do so. That is a much more appropriate way forward.

As to the complexity of the decisions that will have to be made on the extent of the Bills, the noble and learned Lord, Lord Wallace, is right: these are sometimes technical decisions but we make our existing processes work when it is necessary for decisions to be made on legislative consent Motions, and I am confident that the same can apply in this case.

As I said when I repeated the Statement last week, it is important to acknowledge that while we are clearly interested in English votes for English laws, the changes that are being brought about apply only to the other place. Our role as a revising Chamber, the part we play and the powers available to us remain just as they are now and our procedures do not change. Noble Lords have suggested that none the less there could be implications in practice for this House. That is something in which I, along with all noble Lords, will take a very strong interest as these changes are rolled out in the House of Commons, and if any issues were to emerge, I would consider it very properly my responsibility to ensure that we have an opportunity to contribute to the review process that has been promised in a year's time. But we must be careful, as I say, to respect the right of the other place to consider its procedures, in the same way as we would expect it to do when we consider our own.

All that said, of course I appreciate the strong desire among noble Lords for a debate here to inform proceedings in the other place at this early stage. I can just hear some noble Lords making those comments from a sedentary position. As I say, I have been reflecting on this and I think that it is right that we provide some additional time. My noble friend the Chief Whip and I have been looking at this and I propose to arrange a further debate after the Summer Recess in September, in government time and without a time limit, because I recognise that time has been tight today. While I urge noble Lords to keep in mind that ultimately these are matters for decisions in another place in so far as they affect its procedures, I am happy none the less to ensure that we provide that time for a debate so that we can contribute in the way that I feel is most appropriate.

Lord Foulkes of Cumnock: My Lords—

Baroness Stowell of Beeston: I am running out of time so if the noble Lord will forgive me, I would like to make progress and comment on the proposal of the noble Lord, Lord Butler, for a Joint Committee, which is an important topic.

Lord Foulkes of Cumnock: I wonder—

Baroness Stowell of Beeston: Perhaps I might just say what I need to say in response to the point made by the noble Lord, Lord Butler, about a Joint Committee. He gave me notice of this proposal only shortly before the debate so I have not had time to consider it in any great detail. I do not think there is a formal government position for me to offer on that proposal at this time. But we do have a Constitution Committee of this House. There is a committee of a similar kind in the House of Commons. I believe that the time has come for us to make some progress on actually implementing English votes for English laws.

As I say, this has been debated many times over many years. We are and have been in pursuit of a perfect solution and I put it to your Lordships that I do not think that there is a perfect solution to this question—but there has to be a way forward because it becoming more and more urgent. The people of England feel the need for us to address this unfairness and this imbalance. What we are proposing as a Government is a way forward that we consider is sensible, pragmatic, fair and proportionate. Doing it through Standing Orders, as I say, allows for it to be tested in practice and then, after a year, for it to be reviewed again, and if it is necessary to make changes then, I am sure that that is something that we would want to make happen at that time. But I really believe that the time now is to continue.

Freedom of Religion and Belief

Motion to Take Note

4.20 pm

Moved by Lord Alton of Liverpool

To move that this House takes note of worldwide violations of Article 18 of the 1948 Universal Declaration of Human Rights and the case for greater priority to be given by the United Kingdom and the international community to upholding freedom of religion and belief.

Lord Alton of Liverpool (CB): My Lords, I begin by thanking all noble Lords who take part in today's debate. We have a speakers list of great distinction, underlining the importance of this subject. It is also a debate that will see the valedictory speech of the right reverend Prelate the Bishop of Leicester, who has given such distinguished service to your Lordships' House. The backdrop to all our speeches is Article 18, one of the 30 articles of the 1948 Declaration of Human Rights. It insists:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance".

The declaration's stated objective was to realise,

"a common standard of achievement for all peoples and all nations".

However, with the passage of time, the declaration has acquired a normative character within general international law. Eleanor Roosevelt, the formidable

chairman of the drafting committee, argued that freedom of religion was one of the four essential freedoms of mankind. In her words:

“Religious freedom cannot just mean Protestant freedom; it must be freedom of all religious people”,

and she rejoiced in having friends from all faiths and all races.

Article 18 emerged from the infamies of the 20th century—from the Armenian genocide to the defining depredations of Stalin’s gulags and Hitler’s concentration camps; from the pestilential nature of persecution, demonisation, scapegoating and hateful prejudice; and, notwithstanding violence associated with religion, it emerged from ideology, nation and race. It was the bloodiest century in human history, with the loss of 100 million lives.

The four great murderers of the 20th century—Mao, Stalin, Hitler and Pol Pot—were united by their hatred of religious faith. Seventy years later, all over the world, from North Korea to Syria, Article 18 is honoured daily in its breach, evident in new concentration camps, abductions, rape, imprisonment, persecution, public flogging, mass murder, beheadings and the mass displacement of millions of people. Not surprisingly, the All-Party Group on International Freedom of Religion or Belief, in the title of its influential report, described Article 18 as “an orphaned right”. A Pew Research Center study begun a decade ago found that of the 185 nations studied, religious repression was recorded in 151 of them.

Today’s debate, then, is a moment to encourage Governments to reclaim their patrimony of Article 18; to argue that it be given greater political and diplomatic priority; to insist on the importance of religious literacy as a competence; to discuss the crossover between freedom of religion and belief and a nation’s prosperity and stability; and to reflect on the suffering of those denied this foundational freedom.

Although Christians are persecuted in every country where there are violations of Article 18—from Syria and Iraq, to Sudan, Pakistan, Eritrea, Nigeria, Egypt, Iran, North Korea and many other countries—Muslims, and others, suffer too, especially in the religious wars raging between Sunnis and Shias, so reminiscent of 17th-century Europe. But it does not end there. In a village in Burma, I saw first-hand a mosque that had been set on fire the night before. Muslim villagers had been driven from a village where for generations they had lived alongside their Buddhist neighbours. Now Burma proposes to restrict interfaith marriage and religious conversions. It is, however, a region in which Christian Solidarity Worldwide and the Foreign and Commonwealth Office are doing some excellent work with lawyers and other civil society actors, promoting Article 18.

Think, too, of those who have no religious belief, such as Raif Badawi, the Saudi Arabian atheist and blogger sentenced to 1,000 public lashes for publicly expressing his atheism. That has been condemned by the United Nations High Commissioner for Human Rights as,

“a form of cruel and inhuman punishment”.

Alexander Aan was imprisoned in Indonesia for two years after saying he did not believe in God. Noble Lords should recall that Article 18 is also about the right not to believe.

Later, we will hear from the most reverend Primate the Archbishop of Canterbury, who recently said that the “most common feature” of Anglicanism worldwide is that of being persecuted. Twenty-four of the 37 Anglican provinces are in conflict or post-conflict areas. Referring to the 150 Kenyan Christians who were killed on Maundy Thursday, the most reverend Primate said:

“There have been so many martyrs in the last year ... They are witnesses, unwilling, unjustly, wickedly, and they are martyrs in both senses of the word”.

We will also hear from my noble friend Lord Sacks, who offered his prayer on Hanukkah last year for,

“people of all faiths working together for the freedom of all faiths”.

My noble friend’s brilliant critique, *Not in God’s Name: Confronting Religious Violence*, is required reading for anyone trying to comprehend what motivates people to kill Christian students in Kenya, Shia Muslims praying in a mosque in Kuwait, Pakistani Anglicans celebrating the Eucharist in Peshawar or British tourists simply holidaying in Tunisia and for anyone trying to understand the dramatic rise in Christian persecution, the vilification of Islam in some parts of the world and, in Europe, the troubling reawakening of anti-Semitism.

My noble friend’s insights into the shared stories of the Abrahamic faiths—not least the displacement stories of Isaac and Ishmael, Jacob and Esau, Leah and Rachel, and Joseph and his brothers—and how they can be used to promote mutual respect, coexistence, reconciliation and the healing of history underline the urgent need for scholars from those faiths to combat the evil being committed in God’s name and to give emphasis to the ancient texts in a way which upholds the dignity of difference—the title of another of my noble friend’s books. If Jews, Muslims and Christians are no longer to see one another as an existential threat, we urgently need a persuasive new narrative which is capable of forestalling the unceasing incitements to hatred which pour forth from the internet and which capture unformed minds.

It is not just scholars but the media and policymakers who need greater religious literacy and different priorities. How right the BBC’s courageous chief international correspondent, Lyse Doucet, is when she says:

“If you don’t understand religion—including the abuse of religion—it’s becoming ever harder to understand our world”.

It is increasingly obvious that liberal democracy simply does not understand the power of the forces that oppose it or how best to counter them. At best, the upholding of Article 18 seems to have Cinderella status. During the Queen’s Speech debate, I cited a reply to Tim Farron MP—for whom this has been quite a notable day—in which Ministers said that the Foreign Office,

“has one full time Desk Officer wholly dedicated to Freedom of Religion or Belief”.

The Answer also stated that,

“the Head and the Deputy Head of HRDD spend approximately 5% and 20% respectively of their time on FoRB issues”.

[LORD ALTON OF LIVERPOOL]

To rectify this, will we prioritise Article 18 in the Foreign and Commonwealth Office business plan and across government departments? Has the FCO considered convening an international conference on Article 18—something I have raised with the Minister? Is it an issue we will raise at the Commonwealth Heads of Government Meeting in Malta in November?

In May, the Labour Party gave a welcome manifesto commitment to appoint a Canadian-style special envoy to promote Article 18. The Foreign Office resists this, insisting that all our diplomats promote freedom of religion and belief. But that has not been my experience. On returning to Istanbul from a visit to a 1,900 year-old Syrian Orthodox community in Tur Abdin, which was literally under siege, I was told by our UK representative that his role was to represent Britain's commercial and security interests and that religious freedom was a domestic matter in which he did not want to become involved. Self-evidently, there is a direct connection with our security interests, not least with millions of displaced refugees and migrants now fleeing religious persecution.

Paradoxically, if he had studied the empirical research on the crossover between freedom of religion and belief, and a nation's stability and prosperity, he might have come to a very different conclusion. Where Article 18 is trampled on, the reverse is also true, as a cursory examination of the hobbled economies of countries such as North Korea and Eritrea immediately reveals. This is not a marginal concern, as the outstanding briefing material for our debate from many human rights organisations makes clear.

Last month, the noble Baroness, Lady Berridge, and I chaired the launch of a report by Human Rights Without Frontiers. Among its catalogue of egregious and serious violations, it says that North Korea, China and Iran had the highest number of people imprisoned, in their thousands, for their religion or belief. It highlights Pakistan, where in 2011 two politicians who questioned the blasphemy laws were shot dead; where Asia Bibi remains imprisoned with four other Christians and nine non-Christians, facing the death sentence for alleged blasphemy; and where Shias and Ahmadis have faced ferocious deadly attacks.

When did we last raise these cases and other abuses of Article 18 with Pakistan, or the use of blasphemy laws in Sudan, where two pastors are currently on trial, facing charges that carry the death sentence? Have we urged Sudan to drop the charges against 10 young female Christian students who face up to 40 lashes because of the clothes they were wearing? What of the Chinese Christian lawyers arrested this week as part of a major crackdown? Will Article 18 be on the agenda for discussion with China's President when he visits the United Kingdom?

I am a trustee of the charity Aid to the Church in Need, and the Minister kindly launched its report, *Religious Freedom in the World 2014*, which found that religious freedom had deteriorated in almost half the countries of the world, with sectarian violence at a six-year high, nowhere more so than in the Middle East, where last week Pope Francis said that Christians are subject to genocide. In a recorded message for

that launch, His Royal Highness the Prince of Wales condemned "horrendous and heart-breaking" persecution, and spoke of his anguish at the plight of Christianity in the Middle East, in the region of its birth, describing events in Syria and Iraq as an "indescribable tragedy".

In 1914, Christians made up a quarter of that region's population. Now they are less than 5%. Archbishop Bashar Warda of Erbil, during a meeting that I chaired here in the House, underlined their traumatic, degrading and inhuman treatment, pleading with the international community to provide protection. Two weeks ago the same plea was made by a remarkable Yazidi woman who gave evidence at a meeting organised by the noble Baroness, Lady Nicholson. The Yazidi, a former Iraqi Member of Parliament, told us:

"The Yazidi people are going through mass murder. The objective is their annihilation. 3000 Yazidi girls are still in D'aesh hands, suffering rape and abuse. 500 young children have been captured, being trained as killing machines, to fight their own people. This is a genocide and the international community should say so".

This view has been reinforced this week by reports on "Newsnight" and "Dispatches". How will we answer that woman? Do we intend to use our voice in the Security Council on behalf of the Yazidis and Assyrian Christians? Do we intend to have the perpetrators brought to justice in the ICC? Are we collating and documenting every instance, from genocide and rape to the abduction of bishops and priests, to the burning of churches and mosques, to the beheading of Eritrean Christians and Egyptian Copts by ISIS in Libya? What are we doing to create safe havens where these minorities might be protected?

In 1933, Franz Werfel published a novel, *The Forty Days of Musa Dagh*, based on a true story about the Armenian genocide. His books were burnt by the Nazis, no doubt to try to erase humanity's memory, Hitler having famously asked, "Who now remembers the Armenians?". The Armenian deportations and genocide claimed the lives of an estimated 1.5 million Armenian Christians. Werfel tells the story of several thousand Christians who took refuge on the mountain of Musa Dagh. The intervention of the French navy led to their dramatic rescue.

A hundred years later, the Yazidis besieged on Mount Sinjar were saved, but their lives are still in the balance. Last week the Belgians made it to Aleppo and brought 200 Yazidis and Christians to safety. For fragile communities facing a perilous future, such as these, could we not do the same? Are we re-examining our asylum rules to reflect the lethal threats faced by families and individuals fleeing their native homelands?

In the longer term, should not the international community have a more consistent approach to Article 18? We denounce some countries while appeasing others which directly enable jihad through financial support or the sale of arms. Western powers are seen as hypocrites when our business interests determine how offended we are by gross human rights abuses. Take Saudi Arabia as one example.

The challenge is vigorously to promote Article 18 through our interventions and our aid programmes, unceasingly countering a fundamentalism that promotes hatred of difference and persecutes those who hold different beliefs. For the future, the three Abrahamic

religions and Governments need to recapture the idealism of Eleanor Roosevelt, who described the 1948 declaration as,

“the international Magna Carta for all mankind”.

She said that Article 18 freedoms were to be one of the four essential freedoms of mankind. Who can doubt that this essential freedom needs to be given far greater emphasis and priority in these troubled times? I beg to move.

4.35 pm

Lord Mackay of Clashfern (Con): My Lords, I congratulate the noble Lord, Lord Alton, on obtaining this debate, on the eloquent way in which he introduced it and on the tremendous illustrations that he gave of how bad the situation is throughout the world. I do not have the qualifications to follow him, and certainly do not have the qualifications to be in front of many leaders in this debate, but here I am, and I shall try to make the best of it. I also wish to express my deep gratitude to Edward Scott of our Library for the excellent brief he prepared for this debate, which shows the position in great and excruciating detail. I am sure that anyone who has read it will feel tremendous sympathy and a loathing for what is happening to so many of our fellow humans throughout the world for the simple reason that they have adopted a faith or belief, including a non-faith—no belief at all, which is also protected—in the execution of their ordinary lives and have been tremendously badly dealt with on that account.

I declare my interest as a professing Christian for most of my life, and a practising Christian so far as I can. I am sorry to say that I have not reached the extent of perfection in that area which I would have liked. I am glad that the right reverend Prelate the Bishop of Leicester is speaking in this debate, although I am very sorry that it will be a valedictory speech. He has given most distinguished service in this House and also in his diocese in an area where there is a great deal of difference and, I hope, also the dignity of difference in ethnic and other communities. I wish him well in his retirement.

Speaking from the government Dispatch Box when she was a Minister in the Home Office, the noble and learned Baroness, Lady Scotland of Asthal, expressed the view that her religion defined her personality. This shows that the restriction of a person's faith or belief is as serious as any other restriction of personal freedom. The brief to which I have referred and the speech of the noble Lord, Lord Alton, show that mistreatment for faith and belief throughout the world extends to much more than restriction of bodily movement. It goes to serious injury and death in the most terrible circumstances.

Yesterday we had outside the House a demonstration relating to prisoners of conscience. This is a most important aspect of the human personality—the internal monitor which tells us that what we are doing is wrong, even when no human eye can see us, and whether or not what we are doing is in accordance with the tenets of the faith, belief or non-belief we seek to follow.

In preserving standards in society, listening to conscience is an extremely effective activity. More so even than an effective enforcement system, it can preserve society's standards. It was valued in our nation during two world wars. Persons with a conscientious objection to military service were exempted from the universal obligation to enlist. It was also shown in relation to the Abortion Act.

Charities based on faith have done tremendous service in many nations throughout the world. It surely is the most terrible damage to a nation's people that they are debarred from having these services simply on the ground of the faith of the organisation that is providing them. In our own country, we had the problem of the Catholic adoption agencies that were providing an excellent service but which were debarred from continuing to do so because they were not able to offer as full a service as some would have required.

I am sure that leading by example is one important way to contribute in trying to help with this tremendous problem. I am sure there are many other ways, which will be illustrated by the distinguished speakers to follow.

4.41 pm

Lord McFall of Alcluith (Lab): My Lords, it is a privilege to participate in this debate and I congratulate the noble Lord, Lord Alton, on securing it, as well as on the work that he and the noble Baroness, Lady Berridge, have done over many months and years on this issue.

As we know, Article 18 is under threat in over a quarter of the nations in the world. The noble Lord, Lord Alton, has given eloquent testimony to what is happening. I want, however, to focus on the domestic—on us. To change the world, first we have to change ourselves. When the most reverend Primate the Archbishop of Canterbury took office, he said that one of his three principles was the concept of good disagreement. That is a very important concept for us.

As I remember from my childhood in Scotland, the society had been scarred by what the noble Lord, Lord Sacks, has referred to as sibling rivalry—bigoted, religious, sibling rivalry. In 1923, the Church and Nation Committee of the Church of Scotland asked for Irish immigrants to be repatriated. More specifically, it was Catholic Irish immigrants, like my forebears. So if good people had not got together and ensured that that crusade failed, I, for one, would probably not be here today. It was good people walking together. There is still a legacy in Scotland; we have to recognise that sectarianism has not departed. Our own experiences should teach us a lot.

As the noble Lord, Lord Sacks, said in his book, which makes compelling reading, we need faith to strengthen, not to dampen, our shared humanity. He made it very clear, as we all know, that it will be soft power that wins this battle—if we can call it a battle. It will not be hard power. War is won by weapons, but dialogue wins the peace.

I am delighted to see not only the noble Lord, Lord Sacks, but also the noble Lord, Lord Singh, and the right reverend Prelate the Bishop of Leicester who

[LORD McFALL OF ALCLUTH] have contributed greatly to the dialogue. It is a dialogue with strangers. The biblio-patriarch Abraham has been referred to. Abraham's test of worthiness, as we know, is the question, "Did you show kindness to strangers?". Abraham ruled no empire, he commanded no army, he conquered no territory, but today he is revered by 2.5 billion Christians, 1.6 billion Muslims, and 13 million Jews. The Abrahamic faiths and others need to walk much closer together.

That is very hard to envisage today, but we can look back at our short history to see that there have been successes. With Vatican II in the 1960s, Pope John XXIII, in his encyclical *Nostra Aetate*, transformed the relationship between Catholics and Jews, and 2,000 years of pain and sorrow were diluted as a result of that engagement. That prompts the question: can the world be changed? If the Christian and Jewish relationship can be changed, can the Christian, Jewish, Islamic, Sikh and non-faith relationships be changed as well? Pope Francis's latest encyclical, *Laudato Si'*, is an encouraging example because he embraces all humankind. He makes a call in the very first paragraph of the encyclical for care for our common earthly home. He says:

"Nothing in this world is indifferent to us".

For a very short time in the Labour Government I had the privilege of being Minister for Northern Ireland. I saw examples in the peace process in Northern Ireland, but I shall illustrate just two examples today. The first is Gordon Wilson, whose daughter was killed in the Enniskillen Remembrance Day bomb. He had to hold her hand while she was dying and she said that she loved him. Immediately after that, he came out and said:

"I bear no ill will. I bear no grudge ... I will pray for these men tonight and every night".

The other example that I remember was Father Alec Reid, the late Redemptorist priest from Clonard monastery in Belfast, who was a silent architect of the peace process because he allowed Gerry Adams, John Hume and others to come together to ensure that there was a dialogue and an understanding there. The photograph of Father Reid giving the last rites to soldier David Howes, when he and another colleague ran into a republican funeral, is one that will stay with us.

That is an example of the good of two individuals confronting the evils of terrorism. In a 20th-century world dominated by violence and mayhem in the name of religion, our task, perhaps akin to the task of the miracle of the loaves and fishes in the Bible, is to multiply that number, not 1 millionfold or 10 millionfold but 100 millionfold. Eighteenth-century author Jonathan Swift's statement is maybe as relevant today, and something for us to remember:

"We have just enough religion to make us hate, but not enough to make us love one another".

As we go on our journey together, it is worth remembering that.

The Earl of Courtown (Con): My Lords, I apologise for interrupting the debate for a few moments, but I ask noble Lords to remember that it is time-limited to five minutes per speaker. Once the clock reaches five, your Lordships are out of time.

Lord Thomas of Swynnerton (CB): My Lords, it may be appropriate—

Lord Avebury: My Lords—

Lord Thomas of Swynnerton: It is the turn of the Cross Benches.

The Earl of Courtown: Order. There is a speakers list for this debate.

4.48 pm

Lord Avebury (LD): My Lords, I join in the congratulations that have been expressed to my noble friend Lord Alton for the powerful way in which he introduced this debate, and indeed for the consistent and wonderful way in which he always defends the rights of people's religious freedom. On no occasion have I heard him speak more powerfully on the subject than he did today.

My old friend Dennis Wrigley, founder of the Maranatha community, asks if we care that entire Christian communities have been wiped out in the Middle East and what we are prepared to do about it. Those are questions that I hope the Minister will be able to answer.

However, the challenge is in fact much greater than that. Daesh makes no secret of its intention to expand its so-called caliphate from its base in Syria and Iraq so that it covers the rest of the Middle East and north Africa. Ultimately it aims to spread its interpretation of seventh-century Islamic governance and beliefs across the whole world, eliminating all other faiths by conversion or assassination, as it has already demonstrated by the massacres of Yazidis, Christians and Shia and the enslavement of the martyrs' widows in the territory that it occupies.

William Young of the RAND Corporation observed:

"Al-Baghdadi's messages have resonated with Sunnis in the region, North Africa, Europe and the United States primarily because he appears successful".

I agree with his conclusion:

"The faster the Muslim world can be shown that ISIS is not invincible and does not have a divine mandate to rule the Islamic world, the quicker young Muslims and others will stop listening to its messaging".

The coalition needs to ratchet up military operations against the Daesh and we should explore the willingness of our partners in the 60-state coalition to provide troops for a multinational ground force in Syria. We are providing 75 military instructors and headquarters staff as part of the US-led programme to support the "moderate Syrian opposition". Can the Minister please identify the groups included in that phrase? They do not include, apparently, the heroic YPG which successfully repelled the Daesh assault on Kobane at the end of last year. Operations on that frontier would have the merit of not undermining the Assad Government's capacity to hold Daesh at bay.

The so-called caliphate sends out a powerful signal to extremist Sunni Muslims elsewhere that they can help towards the realisation of the universal Islamic state by destabilising existing kufur Governments through acts of indiscriminate terrorism such as the attack on British tourists in Tunisia. However, the main thrust of Daesh operations this year outside its own territory

has been attacks against the soft target of Shia mosques in neighbouring Arab countries. In March there were simultaneous attacks on two mosques in Sanaa, capital of Yemen, killing 137 people and injuring 357. In May there were two attacks on Shia mosques in the eastern province of Saudi Arabia, killing 29 and injuring more than 85; and on 2 June, a Shia mosque in Kuwait was attacked, killing at least 27 and injuring 227 others.

However, it goes wider than that. In Pakistan, terrorist groups swearing allegiance to the Daesh have been responsible for three major atrocities so far this year: the suicide bombing of an imambargah at Shikarpur in January, which killed 80 and injured 100; a suicide attack on a Shia mosque in Peshawar, capital of troubled Balochistan, in February, killing at least 22 and injuring 80 at Friday prayers; and a gun attack by killers on motorcycles on a bus carrying Ismailis in Karachi in May, killing at least 26 and injuring 13. Eliminating the Daesh, its metastases and its wicked ideology taught in Saudi-funded madrassahs throughout the world must be the main goal of all who believe in freedom of religion.

4.53 pm

The Archbishop of Canterbury: My Lords, I am grateful to have the opportunity to speak in the debate and I thank the noble Lord, Lord Alton, for securing it and for all the work he has undertaken in this area over many years. I associate myself very closely with what he said in his very eloquent opening speech and also with the speeches of the noble and learned Lord, Lord Mackay, and the noble Lord, Lord McFall. I also pay tribute to the right reverend Prelate the Bishop of Leicester. He will be much missed by this House and I will miss him enormously for the wise advice he has given me on numerous occasions.

We have already heard many examples of the horrific situations around the world where people are persecuted for their religion or for their absence of religion. I witnessed such persecution in its rawest form many times during my visits in 2013 and 2014 to the 37 other provinces of the Anglican communion. Almost half of these provinces are living under persecution; they fear for their lives every day.

I will make two points in the short time available in this debate. The first is that the relationship between law and religion is invariably a delicate one. The passionately lived religious life or passionately lived humanist life of many people around the world and in this country cannot be compartmentalised within our legal and political systems. It is not good enough to say that religion is free within the law. As was eloquently pointed out by the noble and learned Lord, Lord Mackay, religion defines us—it is the fundamental element of who and what we are. Thus, religious freedom and the freedom not to have a religion stands beneath the law, supporting it and creating the circumstances in which you can have effective law, as has been the case in this country since the sealing of Magna Carta 800 years ago, negotiated by my predecessor Archbishop of Canterbury, Stephen Langton. In its first clause, it says that,

“the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired”—

sorry, I had better declare an interest there.

Religion gave birth to the rule of law, particularly through Judaism. The question is therefore: how do we translate this undiminished right and unimpaired liberty into the contemporary situation, where, too often, as we heard from the noble Lord, Lord Alton, culture, law and religion seem to have incommensurable values? The foundational freedom of religious freedom in the state prevents the state claiming the ultimate loyalty in every area, a loyalty to which it has no right—never has done and never will do—if we believe in the ultimate dignity of the human being.

My second point is that religious freedom is threatened on a global scale, as we have heard, but also in a very complex way. Attacks on religious freedom are often linked to economic circumstances, to sociology, to history and to many other factors. Practically, if we are to defend religious liberty, we have to draw in these other factors. For example, if we want to defend religious freedom around the world—and again I say, the freedom to have no religion—do not sell guns to people who oppress religious freedom; do not launder their money; restrict trade with them; confine the way in which we deal with them; and, above, all, speak frankly and openly, naming them for what they are.

Where a state claims the ultimate right to oppress religious freedom, it stops the last and the strongest barrier against tyranny. From the beginning of time—from the beginning of the Christian era, when the apostles said that they would obey God rather than the Sanhedrin, through the Reformation to the martyrs of communism, to Bonhoeffer and to Archbishop Tutu—up to our own day around the world, we have needed religious freedom as a global defence of freedom.

4.58 pm

Baroness Berridge (Con): My Lords, I, too, congratulate the noble Lord, Lord Alton, on his uncanny knack of being successful in the ballot for debates.

I join the most reverend Primate in celebrating Magna Carta, which opens with,

“the English Church shall be free”,

meaning from state intervention, which at that time of course meant the king. Freedom of religion or belief, as set out in Article 18, is another deeply constitutional statement. As the UN special rapporteur illustrated in his comment to me, “There is lots of religion in Vietnam but not a lot of it is free”. The declaration is founded on individuals enjoying human rights when the state knows how to behave, knows its own limits and understands its role as protector of its citizens’ human rights from violation by third parties. In old communist states such as Vietnam, religion is controlled by the state, but another common backdrop to many Article 18 violations is an inappropriate connection between a religious institution or a faith or a stream of one faith, and the state. Often, that institution or faith has such preference that pluralism is suffocated, and, in the extreme, a religion becomes identified with nationality. Is Myanmar’s identity becoming synonymous with being Buddhist? The Rohingya Muslims are denied citizenship and an outcry by Buddhist extremists led the Government to capitulate and confiscate their only identity document.

[BARONESS BERRIDGE]

I am intrigued that Her Majesty's Government can exhibit the FCO priority of freedom of religion and belief in our newly opened visa office in Rangoon. I expect my noble friend will have to write to me on this, but how is the United Kingdom able to offer UK visas, regardless of religion, when Rohingya Muslims have no documentation? Is it only wealthy Buddhist tourists or business men—not Muslims or Christians—who can come to the UK? The Rohingans were disenfranchised in this year's election. It is also proposed that half a million refugees from the Central African Republic, 90% of whom are Muslim, be denied their voting rights. What representations have Her Majesty's Government made to the CAR's interim Government? Will this not increase the risk of refugees who are languishing in Chad being recruited to IS, which is already recruiting from neighbouring Sudan?

The trajectory on this issue has spiralled. However, I highlight Vietnam, Myanmar and CAR because they are in, I believe, the doable category. In 2006 Vietnam was removed, with American pressure, from the list of countries of particular concern, but has now fallen back. The UN special rapporteur visited in 2014 and found serious Article 18 violations and,

“credible information that some individuals whom I wanted to meet with had been either under heavy surveillance, warned, intimidated, harassed or prevented from travelling by the police”.

The Human Rights Watch report, *Persecuting “Evil Way” Religion*, details state persecution of central highland Christians, many of whom have fled to Cambodia. Cambodia refuses to allow them to claim asylum and returns them, rather like China does to those who escape North Korea. Will the Minister please make representations to Cambodia to allow the UN to process refugees there, if it is unwilling to comply with its international obligations?

It might also be worth mentioning how discerning the UK customer can be and how sensitive brands like Marks & Spencer can be when they source from many manufacturers in Vietnam and Cambodia.

The digital revolution could create further Article 18 violations. According to a report in the *Economist*, by 2020 80% of adults will have a smartphone that is able to receive different religious messages that state or religious leaders will scarcely be able to control. Will many more people start switching faith, challenging existing political and religious power structures?

We should also keep a close eye on what is happening under the new Government of India. We do not want to add into this space a rise of Hindu militancy which is semi-connected to identity, and to see the persecution of a large number of Muslims and Christians.

Who knows what the future holds? Many Governments, parliamentarians, religious leaders and royalty have, however, grasped the Article 18 issue, and the Pope's celebrity status at the UN General Assembly in September is incredibly timely. The missing players—consumers and businesses—need to enter the stage, and it looks as if Brazil, at the Olympics, will be introducing the Global Business & Interfaith Understanding Awards, which they hope to become part of the Games. However, if by 2020 violations have flat-lined, that will indeed be an achievement.

5.03 pm

Lord Singh of Wimbledon (CB): My Lords, I too pay tribute to the noble Lord, Lord Alton, for securing this important debate, and for his sterling work in putting concern for human rights high on the agenda of this House.

Article 18 of the 1948 UN declaration is unambiguous in its guarantee of freedom of religion and belief. Yet we live in a world where those rights are all too frequently ignored. We have been recently remembering the horror of Srebrenica, where, 20 years ago, 8,000 Muslim men and boys were rounded up by Serb forces and ruthlessly murdered simply because they were Muslims. Last year Sikhs commemorated the 30th anniversary of the brutal murder of thousands of Sikhs in India, simply for being Sikhs. The Middle East has become a cauldron of religious intolerance and unbelievable barbarity. The number of Christians has dwindled alarmingly. We hear daily of thousands fleeing religious persecution in leaky, overcrowded boats, with little food or water.

Where have we gone wrong? In commerce or industry, if a clearly desirable idea or initiative fails again and again, it goes back to the drawing board. Today we need to ask ourselves: why is there widespread abuse of the right to freedom of belief? This important right, like all others embedded in the UN declaration, needs the total commitment of countries with political clout to make it a reality. Unfortunately, even permanent members of the Security Council frequently put trade and political alliances with countries with appalling human rights records above a commitment to human rights. There are many examples, but time permits me to mention only a couple relating to our own country.

During the visit of a Chinese trade delegation in June last year, a government Minister said that we should not allow human rights abuses to “get in the way” of trade. His statement, undermining the UN declaration, went virtually unchallenged. At about the same time, we had a Statement in your Lordships' House that the Government were pressing for a UN-led inquiry into human rights abuse in Sri Lanka. Fine, but when I asked whether the Government would also support a similar inquiry into the mass killing of Sikhs in India—yes, I know it is a much bigger trading partner—I received a brusque reply that that was a matter for the Indian Government.

I have asked on five occasions the question why the UK Government regard the systematic killing of Sikhs in India as being of no concern to the United Kingdom, only to get the same dismissive non-response. I ask it again today, and hope that noble Lords and Britain's 500,000 Sikhs will get the courtesy of a proper, considered reply. The great human rights activist, Andrei Sakharov, said that we must be even-handed in looking at human rights abuse. If our country—one of the most enlightened in the world—puts trade above human rights, it is easy to understand why other countries turn a blind eye to rights such as freedom of belief. It is a right so central in Sikhism that our ninth guru, Guru Tegh Bahadur, gave his life defending the right of Hindus—a different religion from his own—against forced conversion by the then Mughal rulers.

We can list human rights abuse for ever and a day without making a jot of difference if we and other great powers continue to put trade and power bloc politics above human rights. We start each day in this House with Prayers to remind us to act in accord with Christ's teachings. He, like Guru Nanak, reminded us never to put material gain before concern for our fellow beings. We need to act on such far-sighted advice.

I look forward to hearing my friend, the right reverend Prelate the Bishop of Leicester, and wish him well in his retirement.

5.08 pm

The Lord Bishop of Leicester (Valedictory Speech):

My Lords, I want to add my thanks to that of so many others to the noble Lord, Lord Alton, for bringing this matter before us, not least as it provides me with an opportunity to make a final speech to your Lordships' House on a matter of such overwhelming importance.

My retirement, I am delighted to say, will in some small way enhance religious freedom in this House by providing a seat for the first female Lord Spiritual in history to occupy this Bench in the autumn. It is especially good to be following the noble Lord, Lord Singh, whose contributions here testify to the commitment of this House to religious freedom in so many ways.

The spread of global religious revival in the 21st century is described by Mickelthwait and Wooldridge in their book *God is Back*. They argue that it is fuelled by market competition and a customer-driven approach to salvation. In the five years since its publication, they could not have imagined how those principles would mutate into the present appalling world crisis, so vividly described by so many speakers. The challenge to religious freedoms derives in part from treating faith as a consumer preference rather than the most profound definition of what it is to be human.

In my 16 years as Bishop of Leicester, we have learned much about the principles and practice of religious freedom and the way it shapes the deepest contours of the human psyche. As well as having local applications, that also has international implications. The first principle is that it is not enough simply to defend religious freedom; it has to be positively exercised in ways that encourage others to embrace it. It involves drawing on the spiritual resources of faith to unlock the best in others, to speak on behalf of the voiceless and to create community. When a young Nigerian Christian was murdered in Highfields in Leicester two years ago, there was an immediate retaliatory attack on an entirely innocent Muslim family, killed by a fire bomb on the same day. The tensions were palpable, but were eventually calmed by systematic, careful conversations and the public ritualising of grief and reconciliation on both sides.

Secondly, the principle that religious freedom is an inalienable right means that we interpret an attack on one faith as an attack on all peoples of faith. Treasuring the dignity of every human being includes treasuring the rights of others to their beliefs, especially when we disagree. That is why the Muslim leadership turned out in strength the other day at Leicester Cathedral to respect the victims of the Sousse massacre two weeks ago.

Thirdly, freedom is not a passive state. It results from the dynamic process of actively learning how others live and what they believe, and of sustained and co-operative support for each other in shared enterprises. Here, too, local practice can inform international strategy. We need to learn the best habits of face-to-face conversations with those we disagree with, especially over the big challenges of the day—climate change, poverty, conversions, gender equality and so on.

It has been an immense privilege to play a small part in the life of this House over the last 12 years and to Convene the Bishops' Bench for six of them. It has confirmed me in the belief that the presence of the Bishops here serves rather than impedes religious freedom in countless ways. It has been rewarded with friendships, kindnesses, courtesies and opportunities far beyond my expectations or desserts. I am deeply grateful for that and even more grateful for the responsibility to think and speak carefully about how a vision of the kingdom of Jesus Christ can still shape and inform public policy today. Your Lordships' House deserves the attention, interest and prayers of all people. It will certainly have mine in the years ahead.

5.12 pm

Lord Carey of Clifton (CB): As the noble Lord, Lord Glasman, is not able to be in the House today, it falls to me to thank the right reverend Prelate the Bishop of Leicester for his remarkable contribution over many years to this House and to wish him every success in what he goes on to do.

I join other Peers in thanking my noble friend Lord Alton for introducing this debate. As with other important human issues, he is so often the conscience of this House, and we are in his debt once more.

The freedom to think, change one's mind, change religion, become an atheist, become a believer, and belong to tolerant and open societies is among the blessings of being a human person. Thus enshrined as Article 18 of the United Nations Universal Declaration of Human Rights, this great moral principle emerged from the last world war, in which millions of people were murdered because they were different. Now, 67 years later, this great article of freedom is under attack in many parts of the world.

Others have described very graphically the situation facing Christian believers and others in many different parts of the world. The recent report, *Global Persecution*, produced by the Maranatha community, and the report launched in November by the charity Aid to the Church in Need, *Religious Freedom in the World*, which my noble friend Lord Alton mentioned, describe the way minorities in the Middle East, especially Christians, are being targeted. Speaking about this in November, as my noble friend also mentioned, the Prince of Wales described Christians as being "grotesquely and barbarously assaulted" in the Middle East. Many of us are very grateful to the Prince of Wales for the stance that he has taken on religious freedom over the years. His courageous and forthright statements have won the admiration of many and he has set an example that I fervently wish our senior politicians had the boldness to emulate. But it is not just Christians that Article 18 seeks to protect. It sets forth the humanist

[LORD CAREY OF CLIFTON]

vision of thought: freedom for the Yazidis in Iraq, for Shia Muslims in Sunni territories and for Sunnis in Shia lands, and the freedom to embrace atheism or agnosticism, should one wish to do so.

The fact that we have to face honestly is that so much of the trouble is in countries dominated by Islam; let us get to the heart of this. Yet, in the past, Islam has flourished as a beacon of civilisation and tolerance. Indeed, one of the finest texts in the Koran states:

“There is no compulsion in religion”.

The verse is often used in interfaith contexts to show the broadmindedness of Islam. But we have to recognise that the plain meaning of that text is questioned by many Muslim scholars today. In my view—dare I say it as a non-Muslim?—this verse contains all that is necessary for Muslims to start the journey towards free, tolerant and pluralist societies. However, the rhetoric is fine but the reality is very different. It grieves me to say that there are not many Muslim-majority countries in which the freedom set out in Article 18 exists. Of course, there are Muslim countries where other faiths are tolerated but, even in those more tolerant nations, Christians cannot share their faith openly and advertise it; and Muslims cannot, with any ease, choose another faith, should they so desire.

Intolerance seems to be spreading. There has recently been a spate of church and mosque burnings in Israel, which is very disappointing as Israel has every justification for claiming to be the only democratic nation in the Middle East. Among the buildings burnt was the famous Tabgha church, which commemorates the multiplication of loaves and fishes in the gospel story.

During my time as Archbishop of Canterbury, I challenged Muslim leaders worldwide to embrace the principle of reciprocity; it remains a dream and an ideal. Here in the United Kingdom there is no barrier to belief and no restriction on believers, as long as we all behave within the breadth of British law. The ideal of reciprocity demands that people of all nations should work together to ensure that freedom to change and grow is granted to all of us, men and women alike.

5.17 pm

Baroness Howells of St Davids (Lab): My Lords, I, too, thank the noble Lord, Lord Alton, who often places a demand on this House to examine what, for believers, is God’s big idea. This debate asks us to examine an idea that was introduced by the creator, as Christians believe. The author Myles Munroe suggests that the idea is beyond the philosophical reserves of human history. The big idea appears to have germinated all religions to which humans adhere. Today we examine the big idea and ask: have we achieved it—a culture of equality, peace, unity and respect for human dignity? No, we have not.

Faith has always played a major role in the lives of individuals and institutions. It is the basis on which we build our lives and our perspective of the world. Faith is the belief that, even in the darkest of times, there is still hope to hold on to. But as our world has become

more intolerant and more hateful, the candlelight that guides believers from all denominations is being forcibly snuffed out at an alarming rate.

The deprioritisation by the international community of upholding the right to freedom of religion set out in Article 18 has had a detrimental effect on all human rights of the persecuted. Not only are they forced to worship in secret but, if caught, they can be murdered, tortured, imprisoned, beaten and even expelled from public life, including from the right to vote. According to a report by Open Doors, 100 million Christians face persecution worldwide. That is 100 million people from just one faith, having all their rights stripped away. If we show solidarity and do more to protect the rights of marginalised religious groups across the globe, I am sure we shall see an increase in respect for human rights as a whole. Can man ever be truly free if he is not allowed to have his own thoughts? If a believer can stare down the barrel of a gun and state, “My belief shall not be shaken”, we must be brave enough to stand up and say to those oppressive governments, “It is time to protect your civilians, who committed no crime but to have faith”.

However, we must lead by example as faith has long been the bones behind the laws of our country. But now the laws of our country are breaking those bones. How can we champion human rights and freedom if we do not implement Article 18 to its full extent? There has been a worrying trend emerging in British politics, a trend that is moving to oppress the freedoms of religious minorities. We say we are a Christian nation, yet there is nothing Christian in the actions of the Government in recent weeks. Article 18 can be invoked when a Government or organisation enacts a policy that unfairly impacts on minority religious groups. The two-child tax credit limit will have a distinct impact on the rights of many Catholics who, as a choice of their conscience, do not use contraception. Giving them a choice between poverty or breaking their religious code is a distinct attack on freedom of belief and conscience.

Further limitations on religious freedom have come from the heart of Westminster in a package that is supposed to suppress terrorism and protect our western values. I hope this House agrees with me that you cannot protect democracy and freedom by taking away democracy and freedom, yet that appears to be the aim of the Prevent strategy and the passing of the Counter-Terrorism and Security Act 2015.

5.23 pm

Lord Palmer of Childs Hill (LD): My Lords, I thank the noble Lord, Lord Alton, not only for initiating the debate but preying on my conscience and encouraging me to contribute. Sadly, history shows us that religious wars and conflicts are not new. However, in modern times there has been more of an acceptance that those of different faiths and none have to get on together and at least tolerate one’s fellow man, if not necessarily love him.

We have heard and will hear from other noble Lords of repression and lack of freedoms in the current unstable world situation. As a Jew, I feel strongly about the Holocaust, which touched my own

family, who lost a grandmother and an aunt in Poland in the 1940s. So, I was very moved to hear reports of a rescue operation last week to seek, in a modest way, to take action against the barbaric treatment of Christian sects in the IS heartland of Mesopotamia, the cradle of civilisation. This appears to be an operation by the Barnabas Fund, an international relief agency for the persecuted church with the financial co-operation of certain Jewish organisations and philanthropists, to transfer Christian families to safe havens. I understand that this in an ongoing project to evacuate Christians from those lands where they have dwelt for 2,000 years. What these Christian communities are experiencing is not new to the Jewish communities throughout the Middle East and North Africa, whose persecution led to an exodus of some 850,000 Jews from Arab lands.

The clash of faiths causes these confrontations. It may seem a paradox but the country in the Middle East that is most welcoming to Christians, as the noble and right reverend Lord, Lord Carey, mentioned in passing, is Israel. Christianity is one of the recognized religions in Israel and is practised by more than 161,000 Israeli citizens—about 2.1% of the population. In Israel, there are approximately 300 Christians who have chosen to convert from Islam. Very sadly, such apostasy is not allowed in much of the rest of the Middle East. The noble Lord, Lord Alton, gave a graphic description of many of the injustices that take place and which I cover with the word “apostasy”. I will not repeat them as he did it so well.

Adversity, however, does reveal heroes. A few days ago, one of the heroes of the Holocaust died at the age of 106. I refer of course to Sir Nicolas Winton, who organised eight trains to take 669 children to London from Nazi-occupied Czechoslovakia. The British people made room for these refugees and I can only hope that in Britain and the rest of Europe we will rise to the challenge in the present times. We are so fortunate in the United Kingdom but the tolerance we have requires vigilance to ensure that it stays that way. When we see the intolerance of people’s religion and beliefs in many parts of the world, which has been referred to by other noble Lords, we must praise the courage and resilience of those affected; many would have given way to despair.

In the modern world, many now describe themselves as secular. But a very large number of people, as has been mentioned by other noble Lords, follow one of the three Abrahamic faiths: Christianity, Judaism and Islam. Although all three of these faiths share a common history and traditions, they too often emphasise their differences rather than their common beliefs. Christianity has, I believe, 2 billion adherents, Islam 1.3 billion, and Judaism, which comes slightly further behind, a mere 14 million. But there are splits within all these religions, be they Catholic-Orthodox, Catholic-Protestant, Shia-Sunni, or Orthodox-Reform. Whatever the differences, as the Motion before us says, we should as a nation uphold freedom of religion and belief and not enforce or impose our beliefs on others by the sword. The right reverend Prelate the Bishop of Leicester, whom I must compliment on his superb speech, talked about defending religious freedom. That is what this is about. But it is also about allowing one to give up

one’s faith, to change one’s faith, or to have no faith; it is a defence of freedom, of which religion is a part. I will end with the words of Nelson Mandela:

“As I walked out the door toward the gate that would lead to my freedom, I knew if I didn’t leave my bitterness and hatred behind, I’d still be in prison”.

5.28 pm

Baroness O’Loan (CB): My Lords, I, too, thank the noble Lord, Lord Alton, for enabling this important debate. Freedom of religion or belief is not only a fundamental human right in itself: as Pope John Paul II said, it is a,

“litmus test for the respect of all other human rights”.

Wherever Article 18 is compromised, other violations almost inevitably follow.

I endorse the words of the noble and learned Lord, Lord Mackay, in relation to the UK’s modelling of support for freedom of religion and conscience and particularly, as a Catholic, his words in relation to the Catholic adoption agencies. Freedom of religion and conscience is very important in this country still. We have Christian medical practitioners who face massive challenges of conscience simply in doing their jobs. They may even have to leave their jobs in order to comply with their conscience. We need as a country to think again about how we enable and reflect support for freedom of religion and conscience.

As we have heard today, millions in the world are deprived of this most basic freedom and face torture, imprisonment, harassment and even death because of their beliefs. But we can make a difference. Despite the current controversy about the outworking of the European Convention on Human Rights, the UK has a proud history of protecting human rights across the world. We have worked closely with the churches—often the last remaining network of communication in conflicted societies.

In recent years the UK has led the world in historic initiatives to tackle some of the most challenging issues, including modern slavery and sexual violence in warfare. With the same level of commitment, cross-party support and co-operation with our partners in the international community, there is an opportunity to make the principles of Article 18 a reality for so many more people. The UN has stated that,

“no manifestation of religion or belief may amount to propaganda for war or advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence”.

It is extremely encouraging that the Government have made a manifesto commitment to stand up for freedom of religion and I look forward to hearing more detail from the Minister about how this will be put into practice. In particular, will promoting freedom of religion or belief be included as a specific priority in the FCO business plan? Will extra resources be provided to assist our diplomatic missions, particularly those covering the most difficult parts of the world, in achieving this?

Some of the most appalling abuses are taking place in Iraq and Syria, where ISIL continues to slaughter and enslave adherents of minority religions. I will touch briefly upon Iraq’s Kurdish region, where almost 2 million people have found sanctuary so far. It is a

[BARONESS O'LOAN]

testament to the Kurdish Regional Government that although their population has already grown by a staggering 28% as a result of the refugee influx, they continue to keep their doors open and provide security for people fleeing Mosul or the Nineveh Plains. Many of these refugees are Christians or Yazidis who have seen their family members killed, their businesses seized and their places of worship destroyed. Alongside the local authorities, Christian communities are providing shelter, food, et cetera, to the refugees. The Catholic Church in Irbil alone is accommodating more than 125,000 people, including many Yazidi families. Will the Minister outline what support we are providing to help the Kurdish Regional Government and churches in the region?

Reference has already been made to the thousands of Rohingya Muslims who are making treacherous and often fatal journeys across the Andaman Sea, trying to escape escalating persecution at the hands of Burma's authorities. Hate speech and xenophobic attacks are allowed to continue unchallenged. The Rohingya have been denied citizenship, cajoled into camps and prevented from accessing humanitarian assistance. The Burmese Government have also passed a package of laws targeting religious minorities which may prevent people converting, marrying or even starting a family. These laws have been condemned by Burma's first Catholic cardinal, Charles Bo. In a response to me in this Chamber recently, the Minister agreed with that condemnation. Will she update us on the UK's response to the Burmese package of laws? I would also be grateful for an outline of any recent discussions with other states about the rescue and accommodation of Rohingya refugees.

In Iran, under the principle of the absolute rule of the clergy—*velayat-e faqih*—during this Ramadan at least 900 people were arrested and many were flogged for not fasting. There is no freedom not to be religious. Many of the sentences against the youth were carried out in public. I would be most grateful if the Minister could confirm the representations that have been made in respect of this. I am encouraged by the Government's commitment and welcome the opportunity to discuss how the UK will play its part.

5.33 pm

Lord Sheikh (Con): My Lords, I speak today as a Muslim. I also speak as somebody who cherishes the role that all faiths and communities play. I undertake a lot of work with other religious groups. I am a patron of several Muslim and non-Muslim organisations that promote religious harmony.

Our respective religions teach us valuable lessons in morality, help us interpret the world around us and give us guidance when we are in need. For many people, their religion is very precious to them. I agree wholeheartedly with the Motion: a greater priority should be given by the United Kingdom and the international community to upholding freedom of religion and belief.

It is right that everybody in the world should be entitled to this freedom. However, it is being violated by some misguided people. This debate is very topical because of events taking place across the Middle East

and north Africa. My glorious religion of Islam is being hijacked by a tiny minority who have misrepresented it and wholly, totally wrongly portrayed the true message of Islam. I emphasise that Islam is indeed a religion of peace.

What is happening in these countries is strongly against the principles of Islam. What Daesh is doing and saying in Syria, Iraq and other places is totally wrong and un-Islamic. I remind them that it is written in the Holy Koran that there should be no compulsion in religion and that no one should be forced to become a Muslim. The Holy Koran celebrates different beliefs as a means of connecting with people. It is written in the Holy Koran:

“O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another”.

My religion teaches us to know and be friendly to people of other faiths. Islam is one of the Abrahamic religions and, according to Islam, the People of the Book are the Jews and Christians. The books of Allah are the Holy Koran, the Torah, the Gospel of Jesus and the Psalms of David. There has been a case in London where a Somali Muslim mosque was damaged and the Jewish community allowed them to pray in the synagogue. We appreciate this very much.

Two of the most successful emperors of India were Akbar the Great, who was a Muslim, and Maharaja Ranjit Singh, who was a Sikh. They both allowed all religious groups to live in harmony in their empires. I hold great personal admiration for Maharaja Ranjit Singh. I have written a book about him that will be published shortly. There are more similarities than differences between people, and we should highlight the similarities in order to establish closer links between communities. It should also be noted that allowing freedom of religion often brings stability and prosperity to a country. As a businessman, I have found it to be beneficial for economic and social development, as well as for the religious communities themselves.

We must use this debate to commend and celebrate what is happening in the United Kingdom. Although the Church of England is the official church, people of all religions are allowed to practise their respective faiths. We are a tolerant and respectful people. This country should be viewed as a model for others to follow. We cannot overstate the importance attached to upholding Article 18, yet so many abuses and violations of it continue to take place. We must lead the world in ensuring that people feel free to practise their religion, both in private and in public. May God help us to achieve this.

5.38 pm

Lord Sacks (CB): My Lords, I, too, thank the noble Lord, Lord Alton, for enabling us again to address this vital issue of religious freedom, and I salute the noble Baroness, Lady Berridge, for chairing the APPG on International Religious Freedom or Belief. I salute the courage of both of them in confronting perhaps the single greatest humanitarian issue of our time. I add my thanks to the right reverend Prelate the Bishop of Leicester for his warm, wise and inspiring contributions to public life, and wish him blessings in the years ahead.

Three things have happened to change the religious landscape of the world. First, the secular nationalist regimes that appeared in many parts of the world in the 20th century have given rise to powerful religious counter-revolutions. Secondly, these counter-revolutions are led by religion in its most extreme, adversarial and anti-Western form. Thirdly, the revolution in information technology has allowed these groups to form, organise and communicate to actual and potential followers throughout the world with astonishing speed. The internet is to radical political religions what printing was to Martin Luther. It allows them to circumvent and outflank all existing structures of power. The result has been the politicisation of religion and the religionising of politics, which, throughout history, has been a deadly combination. In the long run, it will threaten us all, because in a global age no country or culture is an island.

We must do, minimally, three things. First, given that religious freedom is enshrined as Article 18 in the United Nations Universal Declaration of Human Rights, there should be, under the auspices of the United Nations, a global gathering of religious leaders and thinkers to formulate an agreed set of principles that are sustainable theologically within their respective faiths and on which member nations can be called to account. Otherwise, Article 18 will continue to be a utopian ideal.

Secondly, we must do the theological work. That is fundamental. After the wars of religion of the 16th and 17th centuries, a group of thinkers, among them John Milton, Thomas Hobbes, John Locke and Benedict Spinoza, sat down, reread the Bible and formulated some of the most important ideas ever formulated about state and society: the social contract, the moral limits of power, the liberty of conscience, the doctrine of toleration and the very concept of human rights. These were religious ideals based on the Bible, which is what John F Kennedy meant when he said in his inaugural address that,

“the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state but from the hand of God”.

We have not yet done the theological work for a global society in the information age, and not all religions in the world are yet fully part of that conversation. But if we neglect the theology, all else will fail.

Thirdly, we must stand together—the people of all faiths and of none—for we are all at risk. Christians are being persecuted throughout the Middle East and elsewhere. Jews are facing a new and resurgent anti-Semitism. Muslims who stand on the wrong side of the Sunni-Shia divide are being killed in great numbers. Hindus, Sikhs, Buddhists, Baha’i and others face persecution in some parts of the world. There must be some set of principles that we can appeal to, and be held accountable to, if our common humanity is to survive our religious differences. Religious freedom is about our common humanity, and we must fight for it if we are not to lose it. This, I believe, is the issue of our time.

5.43 pm

Lord Harrison (Lab): My Lords, I speak in today’s debate as a loyal member of God’s Opposition. I am particularly grateful to the noble Lord, Lord Alton, and the noble Baroness, Lady Berridge, for highlighting both the freedom of religion and the freedom of belief in the titles of this Article 18 debate and of the all-party group over which the noble Baroness so impressively presides. I also thank Christian Solidarity Worldwide, not only for providing me with excellent material concerning the persecution of atheists and secularists in Egypt and Indonesia but for its pastoral prison visit to Alex Aan, jailed in Jakarta as an atheist.

We atheists must show solidarity with our religious colleagues over religious persecution, especially at a time when atheists and secularists are increasingly joining the growing list of people persecuted worldwide for the beliefs they uphold, whether religious or otherwise. The horror of machete-wielding Islamists slaying humanist bloggers in Bangladesh recently was admirably highlighted by the brave Bonya Ahmed in her recent address to the British Humanist Association at the annual Voltaire lecture.

In the United Kingdom, many will be heartened by the most reverend Primate the Archbishop of Canterbury’s recent observation that religious freedom demands space to be challenged and defended, without responding destructively. This echoed Rowan Williams’s reservation in 2013 that sometimes UK and US Christians exaggerate mild discomfort over social issues such as pro-gay legislation while failing to emphasise systematic brutality and often murderous hostility practised by religious fanatics abroad.

I asked the Minister why humanists and atheists in Britain are still thoughtlessly excluded from contributing to Radio 4’s “Thought for the Day”. Why does the DCMS stolidly exclude the Defence Humanists, formerly the UK Armed Forces Humanist Association, from the annual Cenotaph commemoration? Do dead non-believers, fallen in war defending our cherished values, not deserve a silent vigil in the public square? And why are we conducting this debate in the House of Lords, which still reserves a privileged place for the state religion?

I encourage colleagues not to take the opportunity of the occasional ad hominem criticism of distinguished atheists such as Richard Dawkins. I ask the Minister to reply to the point made by the noble Lord, Lord Alton, about the FCO and whether we are promoting business and trade, which I thoroughly encourage. However, we should use some of our resources to ensure that we promote Article 18 in all its aspects. Can she also update us on what is happening with the blasphemy laws in Malta, and in Iceland, although it is not part of the European Union?

Finally, will Her Majesty’s Government ensure that the hopes and aspirations of non-believers like me are not suppressed by careless oversight when we take our rightful place in the public square?

5.48 pm

Lord Maginnis of Drumglass (Ind UU): My Lords, I am particularly grateful to my noble friend Lord Alton for his tenacity in pursuing this issue. No one whom I have known during my 32 years in Parliament has

[LORD MAGINNIS OF DRUMGLASS]

been so consistent in his adherence to and struggle for the proper implementation of Article 18 of the Universal Declaration of Human Rights.

I intend to use the very short time available to me to consider whether we in the United Kingdom lead by example in respect of our own practice of Article 18 or whether we are a society where leadership is generally content to pay mere lip service. Often it appears to me that we are regularly subjected to the excitement of individualistic excesses that elevate individual selfishness above and beyond the traditional and tried practices and discipline with which I grew up.

Of course society evolves, but why does that mean that some, like the Reverend Richard Page JP, a faithful, public-spirited magistrate in Kent for 15 years and a long-respected member of the Family Court, should be officially and publicly pilloried because, as a practising Christian, he expressed to colleagues, in private, how he was able to reconcile his public duties with his Christian faith? Is there any justice in the fact that the Lord Chancellor in the previous coalition Government should seek to justify having suspended Richard Page by having imposed remedial training in a manner that is little different from the brain-washing and conditioning so beloved of totalitarian states?

Do not tell me that the environment is different. It is not about the difference between chairs and chains; it is about the impact on society. Richard Page's persecution by Lord Chancellor Grayling began on 2 July 2014 and continues into the second year. In the interim, he is denied even the right to express his opinion to the press. So what was Richard Page's offence that has nullified the last days of an exemplary working life? He had stated that his lawful and considered judgment that it is better for children to be adopted by both a father and a mother derived from his faith. When a same-sex male couple from Belfast sought precedence over a normal foster couple, he made a decision. Well done Richard Page—and I say that as a father and grandfather.

Where will this case lead? Back in 2010, ex-Lord Chancellor Grayling had been on the other side of the fence when he had supported the rights of owners of bed and breakfast establishments to refuse accommodation to gay couples. Perhaps I should quote the ex-Lord Chancellor at that time, but I shall not. I shall simply ask: what could possibly have induced him to change? Is the future of children less relevant than who may soil the bed linen? Where does this presumptuous and intellectually questionable logic take us in respect of the sixth and eighth commandments? Sorry, I must not mention such things as the sixth and eighth commandments. It is a good job I cannot be suspended—although some may seek to explore the possibility.

I was, of course, alluding to how we must implement our laws on theft and murder. If some intellectual snob decides to undermine them, I take it that the rest of us may be denied any right to mention our Christian or social heritage. I just do not have time to elaborate on other current matters of conscience, such as where Christian bakers are now, apparently, bound by law to promote and advocate matters that offend

their Christian faith. Is that what equality is? Of course, I am protected here—unlike those street preachers in our society who the police are so easily persuaded have given offence.

I hope that the Minister will be able to reassure us about the implementation and continuation of Article 18 within our society.

5.53 pm

Lord Scott of Foscote (CB): My Lords, I am very grateful, as are noble Lords who have expressed their feelings to me, to the noble Lord, Lord Alton, for arranging this debate. I have heard nothing in the course of it with which I have found any possible point of disagreement. I do not want to repeat everything everybody else has said far more lucidly and fluently than I can. I just want to add a few family details that give me a perspective that may be a little different.

Both of my grandfathers were Church of England clergyman. I was brought up as an Anglican and I was sent, as was my sister, to an Anglican school. This was in South Africa. We both came over to England, where all my relations were Anglicans. Accordingly, when in Chicago in 1959 I met, fell in love with and married a Panamanian Latin American Catholic, I wondered what her reception by the rest of the family would be. It was absolutely perfect. They loved her and had the same feelings towards her as I had become accustomed to them having towards me.

The reason I mention this is that that was in a way a mixed marriage, because Anglicans marrying Catholics was not that usual in South Africa. I do not know if it was usual in England, as I was not in England then. The two of us were blessed with four children—two boys and two girls—each of whom was christened and brought up as a Catholic. When I married my wife, I had to sign a chit to say that I agreed to all my children being brought up as Catholics. I was perfectly happy with that. The four children we had are themselves all married and had children, so I have 12 grandchildren.

Two of my children converted and became Muslims. Of my 12 grandchildren, seven of them are Muslims—I was going to say “little Muslims”, but they are not so little, because the oldest is 21 or 22. Of the 12 grandchildren, seven are Muslims, three are Catholic and two are not really anything. Their relationship with one another is as close—as familial—as it could possibly be. They all know that there are differences between them and that they are of different religions, and it does not matter a jot. I can see no conceivable reason why it should. The ones who have no religion at all are always quite curious about what the others believe. The ones who have a religion, have two different religions—Christianity and Islam—which are both monotheistic religions. I do not know whether this is how they would put it, but as far as I am concerned, if there is a God, which I certainly hope there is, they are all worshipping the same God, albeit in slightly different ways.

I simply cannot believe that the divine being—assuming there is one—really minds a jot in what manner the worship takes place, provided that it is sincere and truly meant. Accordingly, having Muslims and Christians

in one family has been no problem at all. They stay with one another; they stay with their aunts and uncles of different religions; the Muslims come and stay with their Christian aunts and uncles and vice versa.

I have been saddened by listening to the remarks made by a number of your Lordships. I am sure that they all relate accurately the horrors and sadnesses that have happened, but nothing of my own experience of a family with mixed Muslims and Christians bears any resemblance to that. Nor do I see any reason why it should with anyone else. As I have said, the fact that there are different religions should not matter, and I believe does not matter. That is the only addition I wanted to make to what has already been said, with which I fully agree.

5.58 pm

Lord Anderson of Swansea (Lab): My Lords, since the noble Lord, Lord Alton, initiated a more general debate a year ago, the situation has surely become worse in terms of compliance with the universal declaration. I am appalled by the hypocrisy of so many countries ready to sign up to the International Covenant on Civil and Political Rights and yet ready to deny their citizens those same rights. Of course, one worrying development since the 1948 universal declaration is the development of non-state actors such as Boko Haram, ISIS or failed states such as the Central African Republic where the Government do not exist or are incapable of preventing violations. But the 1948 principles are universal and attempts to circumvent them by devices such as blasphemy laws should fail. There are no exemptions. We should support all persecuted minorities. I note that of the 49 countries of a Muslim culture, 17 tolerate no other religion. What should we do—what can we do—about these violations?

I shall avoid a Cook's tour of all the defaulting countries, but I shall draw attention to some key themes. First, we are fortunate to have so much material available from official, semi-official and unofficial sources. We in this country are blessed to have so many non-governmental organisations in the field, many of them based here, such as CSW, Open Doors, Maranatha, Barnabas and Aid to the Church in Need. As a general point, although our focus today is on Article 18, those countries that respect religious minorities are also those with the best human rights records across the board.

Secondly, there are many temptations for Governments and diplomats in the field. The professional deformation of diplomats is the wish to be loved and not to offend, so often, human rights are marginalised or given a lower status in the hierarchy. Governments may claim that they use a big stick but they do so only in private, although I accept that in certain cases, such as China, private representations may be the most effective means to help individuals. The other temptation is to be strong on the weak but weak on the strong. For example, of the nine countries designated by the US Commission on International Religious Freedom, three, including Saudi Arabia, are,

“for reasons of important national interest”,

given an indefinite waiver, which clearly undermines the impact of that.

Thirdly, we in the UK are fortunate because of our membership of so many international organisations. The question surely is: what use do we make of that membership? What value do we add in terms of violations of religious and human rights? What initiatives, for example, have we made in the UN, where we are now a member of the UN Human Rights Council? In the EU, do we believe that the External Action Service is adequately staffed? Are there human rights experts in the Cabinet of the high representative? Do we support conditionality in aid and development policies? The Commonwealth, as we know, has made grand declarations such as the Harare declaration and the Commonwealth Charter, yet 10 Commonwealth countries appear in the Open Doors watch list, including Malaysia, where recently life has become much harder for Christians.

Broadly, we in the UK give a relatively good example of human rights at home. However, mention has already been made of the disastrous policy in respect of the Catholic adoption agencies and the suffering of young people as a result. By passing to other agencies, this could quite easily have been avoided.

The FCO's human rights report has improved over the years. Consultation with NGOs has become more formalised but we need to look carefully at models in other countries and see whether we can improve our position, because we have not reached perfection. I do not have time to look at all the examples, such as the example of the US Commission on International Religious Freedom or what the State Department does in its annual report on international religious freedom to encourage improvements and to give help to immigration officials.

Baroness Evans of Bowes Park (Con): Could the noble Lord conclude his remarks?

Lord Anderson of Swansea: We should not be afraid to learn from others. I commend the work of the Minister, but we must rely not on individuals but on improving our institutions as well.

6.04 pm

Lord Brown of Eaton-under-Heywood (CB): My Lords, it is unsurprising that the bulk of today's debate should have focused on the many ghastly violations of Article 18 that, alas, continue to disfigure so many parts of the world. However, with some small encouragement from the noble Lord, Lord Alton, whose introduction to this debate was, as ever, compelling, I intend instead to focus on a much narrower question that sometimes arises: when the right to manifest—not to hold, but to manifest—one's religion or belief must surrender to the rights and interests of others. It is a question that has exercised the courts of this country and elsewhere on a number of occasions.

Article 18 of the universal declaration appears on the face of it to confer two unqualified rights: the right to freedom of religion or belief, and the right to manifest that religion or belief. But that is not quite so. It is widely recognised not to be so in international law, including, most relevantly for our purposes, in Article 9 of the European Convention, which, of course, is the equivalent provision and is now incorporated under domestic law here. Article 9.1 of the convention is in effectively identical terms to Article 18 of the

[LORD BROWN OF EATON-UNDER-HEYWOOD]
universal declaration, but Article 9.2 makes it plain that the manifestation of one's religion or belief is a qualified, not an absolute, right. It provides for limitations to the right,

"in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others".

It is generally the protection of the rights and freedoms of others and, above all, the increasing recognition of the rights of others, in particular gays and lesbians, not to be discriminated against that has led to much of the litigation under this provision.

Take the Supreme Court case of *Bull and Bull*—touched on recently, if perhaps a little tendentiously, by the noble Lord, Lord Maginnis—which held that Christian hotelkeepers, however strongly held their belief that homosexual practices are sinful, could not on that ground alone refuse to let a double-bed room to a homosexual couple. The court pointed out that Strasbourg requires very weighty reasons to justify discrimination on the grounds of sexual orientation. Another case mentioned by the noble Lord, Lord Maginnis, was the Northern Irish one, just two months back, which held that a bakery had unlawfully discriminated against a gay supporter of same-sex marriage for whom they had initially agreed, but later refused, to bake a cake iced with a logo including the slogan, "Support gay marriage".

There was also Strasbourg's decision two years ago, in a group of United Kingdom cases concerning religion in the workplace, to dismiss three of the four applications, including those of Lillian Ladele, a civil registrar for Islington, who was disciplined for violating the borough's "dignity for all" policy by refusing to register partnerships because of her belief that homosexuality is sinful; and Gary McFarlane, a sex therapist dismissed by Relate, a counselling charity, for refusing, on the same grounds, to provide sex therapy for same-sex couples. Similarly, under Article 9.2, in 2005, in the Williamson case, the appeal committee in this House rejected the claimants' asserted right as teachers and parents at a school established specifically to provide Christian education based on biblical observance to use corporal punishment despite contrary legislation. Indeed, the next year in the Denbigh High School case we rejected a Muslim schoolgirl's claim to have been wrongly excluded from the school unless she wore the school uniform instead of the jilbab she insisted on wearing. Many of your Lordships will recall too the recent Crown Court ruling that a woman must remove her Muslim veil, charged as she was with victim intimidation, so that the jury could properly observe her facial expression.

These are just some of the many cases which show that, absolute though one's right to freedom of religion and belief is, in deciding whether to manifest it there are other important interests and considerations in play. Believe whatever you wish, but in your behaviour think of others too. Surely that is a sound precept.

6.09 pm

Lord Alderdice (LD): My Lords, we have all been done a great service by the noble Lord, Lord Alton of

Liverpool, in obtaining this debate and giving us the opportunity not just to speak but to listen and think about these matters.

I, too, start by declaring interests. One is the research work that I do at Oxford University and the other is that of being, like the noble and learned Lord, Lord Mackay of Clashfern, a practising Christian—practising for many years but seemingly no nearer to expertise, but that is the way of these things.

I want not to go back over the many things that have been said by other noble Lords but to refer to some of my own experience in these matters. Very understandably, noble Lords have outlined the horrible evidences of religious intolerance and radical political belief which have led to horrible violence and which continue, seemingly ever worsening, all around the world. It is understandable that we focus on that because it raises our emotions of fear, anguish, hurt and sometimes even hate, but of course what we are speaking about there is the right to life, not just the right to a belief or a religious faith. In a way, we are both very privileged and a little disadvantaged by working in this place, where there is an enormous amount of tolerance. People are prepared to listen to each other and to accept great differences of belief of different kinds.

In passing, I say that we are foolish if we think that there is religious belief and unbelief. The truth is that people who do not have religious beliefs have beliefs of their own. Perhaps there has tended to be the notion that we can resolve a lot of these matters if we simply put religious beliefs into a private box and have a society where some other kind of belief—whatever it is—runs the show or has a prevailing effect. However, the truth is that religious faith, like any other kind of belief, impacts entirely on your way of being in the world and on your community and its way of being in the world. Thinking that somehow or other it is possible to say, "Well, that doesn't really matter", says something about your kind of belief; it does not say anything about whether you are a believer of some description. You cannot not believe: you have a set of views, and it is very important for us to understand that.

I come to this with my own background in a particular part of the United Kingdom. Sometimes people would like to forget that it is part of the United Kingdom because of some of the symptoms of behaviour there, particularly in relation to matters such as this, but I am afraid that it is. Maybe it reminds the rest of the United Kingdom of its history and background. Many of the things that are still troublesome in Northern Ireland were troublesome in the rest of the United Kingdom not so very long ago. Noble Lords would not expect me, from these Benches, to speak out particularly strongly in favour of the presence of an established church, although I have to say that in these last decades the Church of England has had a markedly positive effect, both in this Chamber and elsewhere. I particularly want to acknowledge the contribution of the right reverend Prelate the Bishop of Leicester over many years. When I was Convenor of these Benches, I very much appreciated his work as Convenor of those Benches. I also want to mention the work of the most reverend Primate, who has taken a very strong line on these issues.

I got to know the noble Lord, Lord Alton, in his role as Liberal spokesman on Northern Ireland. Back then, we had to face up to the fact that people had sets of beliefs which led to very intolerant behaviour and attitudes to each other. If I had gone to university in this part of the United Kingdom in the latter part of the 19th century, before the Liberal changes to universities legislation, I, as a dissenter, would not have been able to take a degree at Oxford or Cambridge.

Therefore, on the question of how we deal with these matters, we have progressed in certain ways but I fear that we have not progressed as much as we would like to believe we have, because there is a certain liberal intolerance towards people with various kinds of religious belief. That is clear—it has been mentioned—and it is absolutely true. I have seen it among a number of colleagues in various places. The view is, “It really would be much better if people just piped down about those kinds of things because they can be put in a private box”. However, they cannot. It may be inconvenient and difficult but the fact is that these are matters that drive people and are of profound importance to them. We have to struggle with these questions. As we try to struggle with them, what kinds of things can we take into account?

We must understand that, when it comes to tolerance in these matters, we face a very difficult challenge. The challenge is to differentiate between matters that we usually consider all together. The question of fundamentalism transcends all kinds of beliefs, religious and otherwise. I would find it much easier to reach agreement with people of different religious views, and people whose views are not religious, who had a liberal perspective on these matters. I would find myself much more different from Christians, or others of any description, who took a fundamentalist approach to these things—including those who are fundamentalist atheists. This notion of the way in which we hold our beliefs is extremely important. The noble Lord, Lord Sacks, picked up an extremely important part of this, which is that secular authoritarianism has led, as a reaction, to religious fundamentalism. We must acknowledge and understand that, and that has not been easy to deal with. An example is Turkey, where it was easy to support a secular regime and then be astonished at the reaction.

Secondly, we must differentiate between fundamentalism and radicalisation and the use of violence and terror. These are not the same thing. The vast majority of fundamentalists may well be intolerant of the religious beliefs of others—fundamentalism and conservatism are very different things—but that does not necessarily mean that they support violence. Indeed, many of those who support violence, including people in Daesh, do not come to it from a religious perspective at all. When His Holiness the Pope came to Ireland and said on bended knee to Catholic nationalist republicans, “Stop the violence”, they took no notice of him. They did not pay attention because the actual driver was something quite different. In a long conversation with a leading figure in al-Qaeda many years ago, I was talking about religious tolerance and he said, “Wait a minute. My issue is not about religion. It is about political identity and political problems”.

So, as we try to explore these questions, we must hold back our emotions—because they are very strong—and think more deeply about these issues across the religious differences and across the differences between those who have religious faith and those whose set of beliefs is different. Therefore, to me, the most important question to the Minister is this: can the Foreign Office, DCLG and other departments of government give more attention and resource to thinking and research on these matters? That would deepen our understanding, so that when we respond—in all the difficult circumstances inside and outside our country—we may do so with a depth of understanding that helps us to add to and make a difference to wider thinking about these matters, rather than simply reacting from our very understandable feelings.

6.18 pm

Lord Bach (Lab): My Lords, the ability of the noble Lord, Lord Alton, to secure debates in this House has long been one of the wonders of the world. It may well have something to do with the important and fascinating subjects he selects for his debates. The debate on Article 18 has almost become an annual event, and so it should be. However, I wonder whether, without the noble Lord's energy and commitment, it would have been. Congratulations are due to him, and to all the other very distinguished Peers who have spoken so well and movingly.

In some ways I find myself in a position where I do not have much that is original to add. We have heard marvellous speeches that have made the important points that must be made, and made again, until the world takes notice. In this debate we have heard horrific examples of appalling intolerance and discrimination from all over our planet and affecting all religions. On behalf of the Opposition I will try to say something useful and pose some questions for the Minister, who is, if I may say so, exactly the right Minister to be answering this debate.

Before I do, I hope that the House will indulge me for a moment or two—perhaps rather longer than would normally be the case—if I say something about the right reverend Prelate the Bishop of Leicester, or Bishop Tim as he is universally known in Leicester and Leicestershire. I am proud to call myself a friend as well as a colleague. I live in the diocese he has led for the last 16 years, and I only wish that more noble Lords present today had been present at the service held last Saturday at Leicester Cathedral to celebrate his tenure. There was hardly a dry eye in the house. The respect and affection in which he is held by all—rich and poor, black and white, old and young—was shown not just by the packed cathedral, with people following the service from outside, but by the extraordinary feeling that a unique and very special person who had influenced Leicester so much, with all its diversity, was actually leaving.

The right reverend Prelate will be hugely missed in the city and in the county, just as he will be in this House. Above all, he seems to me as good an example as I have ever known of the priest in the public space—a phrase I do not like. In other words, he speaks to his community about issues that actually affect their daily lives. His passion for social justice, I

[LORD BACH]

know, has been heightened by his experience in Leicester. Frankly, I do not think that this House or our country can afford to lose him. On a slightly lighter note, how can one not admire a bishop who chooses for his desert island discs a song by the boy band, One Direction, and whose chosen luxury item was an infinite supply of golf balls?

Let us get back to this debate, not least the contribution of the right reverend Prelate himself. It has centred on the increasing violations of Article 18, as it affects Christianity and, equally importantly, all other religions and beliefs. The *Human Rights and Democracy Report 2014*, produced by the Foreign and Commonwealth Office, is a deeply depressing document but it forces us to face up to the reality that in our world today there are shocking examples, both collective and individual, of how religion is used—or perhaps, more properly, abused—to discriminate and act against others.

One of the worst consequences of any general election is that Parliament loses outstanding men and women who either retire or are unsuccessful in the election itself. These people, who come from all parties, of course, are often experts in particular policy areas, and their knowledge and experience is very much missed. One such, I would argue, is the former shadow Foreign Secretary Douglas Alexander who enjoyed a deserved reputation as an expert in the field that we are debating today. Some noble Lords will remember his article in the *Telegraph* at Christmas 2014, when he said:

“Faith leaders beyond the Christian community have been forceful in their campaigns on anti-Christian persecution, including former Chief Rabbi Jonathan Sacks who described it as ‘one of the crimes against humanity of our time’ and stated he was ‘appalled at the lack of protest it has evoked’. Just like anti-Semitism or Islamophobia, anti-Christian persecution must be named for the evil that it is, and challenged systematically by people of faith and of no faith. Government should be doing much more to try and harness the concern, expertise and understanding of faith leaders from across the UK and beyond”.

He went on to say:

“A multi-faith advisory council on religious freedom should be established within the Foreign and Commonwealth Office”

In the same article, Mr Alexander suggested that the role of the noble Baroness, Lady Warsi, as Minister of Faith in the Foreign and Commonwealth Office, which was then removed to the Department for Communities and Local Government, should be returned to the Foreign and Commonwealth Office. He hoped that Her Majesty’s Government would follow the lead of the United States and Canada in appointing an international ambassador for tackling religious persecution—in other words, a global envoy for religious freedom reporting directly to the Foreign Secretary of the day. As the noble Lord, Lord Alton, mentioned, that was in my party’s manifesto in the election in May. Have the Government any plans to appoint such an ambassador or envoy and, if not, what reason can there be for not doing so? I also want to ask about the Minister of Faith role and the setting up of a multi-faith advisory committee.

No one doubts Her Majesty’s Government’s good faith in this debate, least of all that of the Minister, who represents her department so well, both in this

House and outside it. No one is suggesting that there are any easy answers to the problem of the increased violation of Article 18. However, I suggest to the House that the steps Mr Alexander put forward might well be useful in showing the world that Britain is even more determined to fight religious intolerance wherever and whenever we see it. For far too long Article 18 has been justifiably called an orphaned right. It is well past time that this description no longer applied and that Article 18, at long last, becomes more of a reality.

6.26 pm

The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns) (Con): My Lords, freedom of religion or belief and the right to hold no belief is a key human right. It is under attack in almost every corner of the globe. We see Muslims sentenced to death for blasphemy; Christians burned in brick ovens or forced to give birth in chains; Yazidis trapped on mountains, their women abused as sex slaves; innocents attacked in their churches, synagogues and mosques, the very places they should feel most safe; and sledgehammers taken to religious and cultural artefacts in an attempt to obliterate centuries of faith and civilisation. The ongoing assault on freedom of religion or belief is absolutely unacceptable, and noble Lords have made that clear in their views today.

I would like to add my thanks to the noble Lord, Lord Alton, for securing this very important debate, and to everyone who has made such valuable contributions today. If I may, I particularly add my support to the noble Lord, Lord Bach, in his tribute to the right reverend Prelate the Bishop of Leicester—it was well said by the noble Lord.

The debate has made very clear the scope and scale of the challenge. I would like to touch on some of the major challenges to freedom of religion or belief, explain why this Government have indeed made it a priority and inform the House of the work that we are doing to protect and promote freedom of religion or belief, and the right to hold no belief, around the world.

The noble Lord, Lord Harrison, referred to the blasphemy laws in Malta. We oppose blasphemy laws wherever they still exist.

This Government understand the scope and scale of the challenge—we, too, are horrified. The brutal terrorist group known as ISIL, or Daesh, is making the headlines every day with images of Christians executed on beaches or civilians being thrown off buildings for refusing to abandon their beliefs. I know that it is not just a matter of the cases that make the headlines. It is the steady and systematic bias against people on the basis of their faith, denying them a fair trial, proper investigation of complaints to the police and even adequate education for their children, all of which is potentially more far-reaching. Where there is a culture of impunity, which we condemn, people are taught to believe that followers of other religions are fair game, and then mob violence can so easily follow—and does. Where children are taught to hate those with different beliefs, this provides fertile soil for extremism to take root.

Freedom of religion or belief is not just an optional extra, or nice to have; it is the key human right. It allows each citizen to follow their conscience in the way they see fit. As this Government made clear in our manifesto:

“We will stand up for the freedom of people of all religions—and non-religious people—to practise their beliefs in peace and safety”.

We are committed to defending the full right exactly as set out in Article 18 of the Universal Declaration of Human Rights—that is,

“the right to freedom of thought, conscience and religion”.

Quite apart from any legal or moral obligation, we promote religious freedom as essential to our social, cultural and economic development. That is why this Government have made freedom of religion and belief a priority, not just in the FCO but across government. It is enshrined in international law, it makes social sense and it is morally right.

So what are we doing? We have been working on this issue through a comprehensive multilateral, bilateral and projects-based approach. The UN Human Rights Council Resolution 16/18 of March 2011 calls on all UN member states to take action against intolerance on the basis of religion or belief, and to promote the free and equal participation in society of all—both the religious and the non-religious. It has given us that important starting point. I vividly remember a meeting in Morocco earlier this year, in the immediate aftermath of the *Charlie Hebdo* attacks, during which ambassadors from all points of the religious compass spoke to me of this resolution as something to hold onto in a time of crisis. We will continue to use our influence and diplomatic networks as effectively as possible. We are playing an active part in a new international contact group on FoRB, convened by Canada. Last month, I met the US Ambassador-at-Large for International Religious Freedom, David Saperstein, and we discussed areas where the international community might work more closely together. We will continue to encourage the EU to ensure that its guidelines on FoRB are put into practice in individual countries.

The noble Lord, Lord Bach, asked whether we would reconsider having a global ambassador. We have our global ambassadors. They have their reach in every country on the globe and know how important it is that they promote freedom of religion and belief. It is not contradictory to say that we can trade with certain countries, provided that they do not contravene international humanitarian law. Our trade with them does not undermine our right to stand up for not only freedom of religion and belief but other human rights; we make that clear.

We are just as active on bilateral channels. Every Minister at the Foreign and Commonwealth Office acts as an ambassador for this fundamental right. Each one of us, as a Minister, raises and promotes these issues in the countries or organisations for which we have responsibility. My noble friend Lady Berridge and others referred to Burma. We have raised our concern about the situation of the Rohingya community in all our recent ministerial contacts with the Burmese Government. Most recently, my honourable friend Mr Swire called the Burmese ambassador to the FCO on 18 May to express our concern about the Rohingya

situation and the related migrant crisis in the Bay of Bengal. We urged Burma to act swiftly to deal with the humanitarian implications, but also to address the underlying causes.

We also seek to protect religious freedom through our project work. We support projects to tackle discriminatory legislation and attitudes, and we are working with human rights and faith-based organisations across the world to promote dialogue, build capacity, foster links and strengthen understanding. I had hoped to give a few examples but I will have to leave that for another occasion or I will not be able to allow the noble Lord, Lord Alton, a moment or two to respond; I know that we are pressing up against the deadline.

We are already addressing the question of how to make sure that freedom of religion and belief is addressed throughout the world. We use our full range of diplomatic response. However, I recognise—and I agree with noble Lords—that there remains so much more to do. I want to see us step up our engagement with individual Governments. Countries around the world need to know that Britain will stand up for this fundamental right. We must not be shy about coming forward.

In reply to the questions raised by the noble Lord, Lord Alton, and others, I can say that we are deeply concerned at the imposition of the death penalty for blasphemy in the case of Asia Bibi and we hope that the verdict will be overturned on appeal.

The Prime Minister has raised our concern about the blasphemy law with Nawaz Sharif, and the UK supports the EU-led action to continue to raise this case with the Pakistan authorities.

Turning to the case of the Sudanese pastors, which was raised by the noble Lord, our ambassador has raised it at the Ministry of Foreign Affairs in Khartoum and with representatives of the ruling National Congress Party. As recently as 9 July, the UK special representative to Sudan and South Sudan raised our concerns about these specific cases with the Sudanese ambassador. The noble Lord, Lord Alton, also referred to charges against Christian students. We will continue to call on the Government of Sudan to bring all their legislation in line with their constitutional and international human rights commitments. Noble Lords can be assured that these matters are part of the everyday work of our ambassadors around the world where FoRB is under threat.

I also want us as a Government to focus even more strongly on making freedom of religion or belief part of the answer to extremism. Where freedom of religion is protected, extremist ideologies are much less likely to take root. I want us to continue our focus on supporting the right of persecuted Christians, as well as those of all religions and none, to be able to stay in the Middle East, the region of their birth. We are already playing a leading role on this issue. At a UN Security Council debate on religious minorities in March, Tobias Ellwood, Minister for the Middle East, called for bold leadership from Governments and communities in the region to work for tolerance and reconciliation.

Over the coming months, we will continue to deepen our already strong engagement with academics, think tanks, NGOs, faith representatives and parliamentarians

[BARONESS ANELAY OF ST JOHNS]

on how we may best develop our policies to support religious minorities in the Middle East. I was delighted to meet members of the APPG on International Religious Freedom or Belief recently, and I look forward to continuing to work closely with them as we further develop our policies.

We work with regional allies, helping them to ensure that the right legal frameworks are in place and supporting training initiatives to ensure that state and religious bodies understand the rights held by people from minorities. We are also considering further programmes to address the climate of impunity and legal discrimination, through training for security and police forces and sharing of UK best practice on reporting and prosecution of crimes. I agree with the noble Lord, Lord Avebury, about how important it is that we are able to provide support and training to the Iraqi Government to ensure people are protected, particularly in the north, to which he referred.

In parallel, I strongly believe that equipping our diplomats with a greater understanding of the key role faith plays in global politics helps us collectively to make better policy judgments and to understand when and where we can work with the grain of religious beliefs to further our human rights and other objectives. Therefore, we are increasing religious literacy training among FCO staff and across the whole of Whitehall. We are running regular training courses on religion and foreign policy, with a lively series of lunchtime seminars, and our new diplomatic academy contains an online foundation level module on religious literacy. FoRB is embedded in the work of all parts of the FCO both at home and abroad.

Just last month, I was pleased to host the most reverend Primate the Archbishop of Canterbury and the Grand Imam of al-Azhar in conversation about religion and foreign policy. It was a marvellous experience to see the place crowded with more than 200 diplomats and people from across all departments in Whitehall, with people around the world listening to that very important conversation. The noble Lord, Lord Alderdice, urged the Government that there should be cross-departmental thoughtfulness about investment in these matters. I agree with him, and we are addressing that.

The noble Lord, Lord Alton, raised particular questions about China. I will be brief and say that we are saddened by reports that Tenzin Delek Rinpoche has died in detention in China. We have raised his case with the Chinese authorities on a number of occasions, including during the UK-China human rights dialogue in April this year. We support and encourage the EU statement of 15 July which said that the EU expected the Chinese authorities to investigate and make public the circumstances surrounding Tenzin's death.

The noble Lord, Lord Alton, also asked about the Chinese Christian lawyers who were arrested this week as part of a major crackdown. He asked what will happen with the Chinese state visit later this year and whether Article 18 will be on the agenda for discussions with China's President when he visits the UK. The full programme for the visit is not yet fully fleshed out—and one would not expect it to be at this stage. However, we pay very close attention to the human rights situation in China. We are deeply concerned by reports of the

number of human rights lawyers and activists who have been detained since 9 July and we fully support the EU statement of 15 July, which states that the detentions raise serious questions about China's commitment to strengthening the rule of law, and called for the release of those detained for seeking to protect rights provided by the Chinese constitution.

We have regular discussions with the Chinese authorities, including on human rights and rule-of-law issues. They will hear what I have said in public today—my colleagues have also said it in private—and I am sure they will be aware that these matters will be raised, not only by politicians but by the public, when the Chinese state visit takes place. I am sure that discussions about that visit will be wide ranging and naturally the Chinese Government will have an input. But as a country we believe firmly in making clear our commitment to human rights and we have an expectation that the Chinese Government will listen to that. They will take their own view naturally, as they always do.

The noble Lord, Lord Singh, raised the question of the mistreatment of Sikhs in India. Our High Commission in India regularly discusses minority issues, including Sikh prisoners, with the Indian Government and state authorities. We will continue to monitor the situation and maintain our dialogue with Indian officials.

Around the House there has been, over many years, a determination that we should keep a regular dialogue on matters of human rights. The discussion on freedom of religion or belief has perhaps received a better and more considered approach in this Chamber than almost any other, around not only Westminster but the devolved communities. It is important that we are able to maintain that discussion.

Perhaps there was just one Peer who raised the question of why we still have, in this House, the presence of those who have a right, because of their place in the Church of England, to be here. I strongly support their position because I find that their presence is always challenging—refreshing, but most decidedly challenging. But it is important that we welcome on the Cross Benches representatives of other faiths. I think that that enriches the debate here.

This morning, we were able to read an article by the most reverend Primate the Archbishop of Canterbury, in the *Times*. He made me reflect on the fact that Governments need to find ways to ensure that the transformational power of religious belief is able to play out in our societies. We must have countries where everyone is free to follow their own belief, to change their religion, or to choose to follow no religion at all. In those societies we find that life is fairer and more prosperous. His Grace made the point:

“Curtailing religious freedom in the name of other freedoms runs the risk of discarding one of the most important and creative forces in human beings”.

What he says, I could never improve upon.

6.44 pm

Lord Alton of Liverpool: My Lords, characteristically, the Minister has given the House a considered, detailed, thoughtful and extremely helpful reply to this extremely well-informed debate—characteristic itself of the place that the House of Lords is. That point was made earlier by the noble Lord, Lord Alderdice. We have

heard from people of all faiths and denominations and none, and all the speeches shed light on the nature of Article 18. The Minister just said that it is part of the answer to extremism and I entirely agree. I particularly welcome what she said about the importance of religious literacy and what she is doing to encourage people to understand more the forces that are driving on these malign forces in so many parts of the world today.

The noble Baroness, Lady Berridge, with whom I work on the All-Party Group on International Religious Freedom or Belief, where she does such a wonderful job, talked about my “uncanny knack” of coming up in the ballot—a point also referred to by the noble Lord, Lord Bach. Perhaps I should try my hand at the National Lottery. More seriously, it makes the point that we should have an annual debate on human rights and I hope that the Minister will think about providing for that in government time so that it will not be left to the vagaries of the ballot, helpful though it is that we have been able to have this debate today.

Many noble Lords have given me undeserved generosity in the remarks they have made, none more so than the noble Lord, Lord Avebury. As we walk in here each day, most of us probably pass the western wall of Westminster Abbey, where, among other things, we can see the statue of Archbishop Oscar Romero, who was murdered in El Salvador. Only a week ago the noble Lord, Lord Avebury, was honoured in Mr Speaker’s House for all the work he did on behalf of Oscar Romero. Combined with that, the work he has done for human rights over the past 50 or 60 years really is unparalleled. At the age of 17, when I was interviewed by a local newspaper, I was asked if I wanted to go into politics. I said, “Not really, but if ever I did I hope I would be like Eric Lubbock”—as he then was. If people are looking for a role model, they could do no better than look at the noble Lord, Lord Avebury.

Fifty years later there are other role models. I was very struck by the remarks of Malala Yousafzai, whom the Taliban tried to murder in Pakistan because she insisted on a girl’s right to an education, rightly insisting:

“One child, one teacher, one book and one pen can change the world”.

Malala’s challenge and the fate of the abducted schoolgirls in Nigeria or those denied an education in Pakistan go to the heart of Article 18. It is at the heart of what we have been debating today and it is a theme to which we must persistently return.

It was the most reverend Primate who in his concluding remarks invoked Dietrich Bonhoeffer, the Christian theologian who was executed by the Nazis. Bonhoeffer said:

“We have been silent witnesses of evil deeds ... we have learnt the arts of equivocation and pretence ... intolerable conflicts have worn us down and even made us cynical ... What we shall need is not geniuses, or cynics, or misanthropes, or clever tacticians”.

We should not become worn down either, whatever price has to be paid. We have enormous privileges, opportunities, liberties and freedoms in this place and we must use them to speak out on behalf of those to whom so much reference has been made today. The theme of conscience has come up again and again, whether in the domestic or international context. That, too, goes to the heart of Article 18. It is about the balance of rights that were referred to in the debate.

The right reverend Prelate the Bishop of Leicester, in his valedictory address, enjoined and encouraged us to persist in what he called our defence of freedom of religion and belief. It is a message that we should all take to heart. We should never cease to use our privileges to speak up in the way that he has done for so long and so persistently. One noble Lord said that he could not understand the presence of the Bishops as an established part of your Lordships’ House. Others have been declaring interests; my Anglican wife is the daughter of a priest of 60 years’ standing in the Anglican Church, as his father was for 50 years. There are eight ordained Anglican clergy on my wife’s side of the family. I sometimes feel that it is a little like a family business. It seems to me—I know that my wife will want me to say this—that we are really blessed by the presence of the Bishops in this House, no one more so than the right reverend Prelate the Bishop of Leicester. At the conclusion of this debate, we all wish him the very best in his retirement.

Motion agreed.

National Minimum Wage (Amendment) Regulations 2015

Motion to Approve

6.49 pm

Moved by The Earl of Courtown

That the draft regulations laid before the House on 23 June be approved.

Relevant document: 1st Report from the Joint Committee on Statutory Instruments

The Earl of Courtown (Con): My Lords, the purpose of these regulations is to increase the hourly rate of the national minimum wage for all workers and to increase the maximum amount for living accommodation that counts towards minimum wage pay, in line with recommendations from the Low Pay Commission.

The national minimum wage is designed to protect low-income workers and provide an incentive to work by ensuring that all workers receive at least the hourly minimum rates set. The minimum wage also helps businesses by ensuring that competition is based on the quality of goods and services provided and not on low prices based on low rates of pay. Following advice from the Low Pay Commission, the Government are uprating the minimum wage from 1 October 2015 so that the adult rate will be £6.70 per hour. Young people aged between 18 and 20 will earn £5.30 and those between 16 and 17 will have a minimum wage rate of £3.87 per hour. This represents an increase of 3% for the adult rate and similar increases for the youth rates. This is the largest real increase to the adult rate since 2006, and low-paid workers will enjoy the biggest cash increase in their pay packets since 2008. It also means that the adult rate will be closer to the average wage than ever before. The adult rate increase will benefit more than 2 million low-paid workers on the national minimum wage, and will mean that full-time workers on the adult rate will receive an additional £416 a year in their pay packet.

Finally, the Government believe that it is important to improve the attractiveness of apprenticeships for

[THE EARL OF COURTOWN]

young people by delivering a wage that is comparable to other choices of work. That is why we are increasing the minimum wage for apprentices by 21%—a 57p an hour increase to £3.30. This means that someone working full time on the apprentice rate will be £1,185 better off per year than last year. This is a departure from the Low Pay Commission's apprentice rate recommendation of a 7p increase to £2.80. We would not depart from such a recommendation unless we felt strongly that our approach would benefit apprentices in the UK. In our view this increase to £3.30, alongside wider reforms, will encourage more young people to consider apprenticeships as a credible alternative to both higher education and jobs without training.

Since its introduction in 1999, the national minimum wage has been successful in supporting the lowest-paid UK workers. It has increased faster than average wages and inflation without an adverse effect on employment. It continued to rise each year during the worst recession in living memory and is now closer to the average wage than ever before. The Low Pay Commission has proven that a rising minimum wage can go hand in hand with rising employment. This increase is carefully managed through advice from the Low Pay Commission. The Government's 2015 remit asked the Low Pay Commission to make recommendations for these new rates based on maximising the wages of the low paid without damaging employment opportunities.

The Low Pay Commission recommendations follow consultation with business and workers and their representatives, together with extensive research and analysis. The Low Pay Commission consists of three commissioners from employer backgrounds, three from employee representative backgrounds, and three independents. Its recommendations reflect the objectives of both employers and unions, and are unanimous. The Low Pay Commission has stated in its report that we are now in a period of faster real increases in the national minimum wage, provided that the economic recovery continues.

The Chancellor announced in the summer Budget the introduction of the national living wage for those aged over 25. The Government's ambition is for the national living wage to reach £9 by 2020. However, the national living wage is not the purpose of today's debate. It is for implementation from April 2016, and the Government will bring forward the regulations to bring it into effect in due course. Those regulations will also be debated in this House.

The Government believe that the rates set out in the regulations before you today will increase the wages of the lowest paid while being affordable for business. I commend these regulations to the House.

Lord Young of Norwood Green (Lab): My Lords, I thank the Minister for his explanation of the draft statutory instrument. I welcome the proposals, although I see a certain irony when I look at the Conservative Party's track record on the national minimum wage, which has gone from one of, shall we say, opposition to enthusiastic espousal. Nevertheless, this is welcome, and we are going beyond it now to the national living wage. I was going to ask for some further information on how the Minister sees that impacting on the national

minimum wage, but he has given us an assurance that that will be the subject of a later debate, so I will not go into that area.

I want to focus on the apprenticeship rate. It is of course good news that the Government have gone beyond the recommendation of the Low Pay Commission by an extra 50p, but I have some concerns in this area. The question of apprenticeships, especially for young people, has attracted my interest over a number of years. If I have a complaint, it is not about the Government's enthusiasm for apprenticeships, which I acknowledge, but about their conflating the overall figures. We get a very large figure, but when we examine the number of apprenticeships for young people, there is a significant reduction. Because youth unemployment is still a significant problem, we need to focus not just on the rate that young apprentices receive but on the availability of apprenticeships.

A recent investigation by the Local Government Association and the IPPR found that the majority of apprenticeships are being used to train older workers who are existing employees and are having little or no impact on youth unemployment. Almost four in 10 employers do not regard the qualifications that the Government describe as being apprenticeships in the same way, while 93% of those aged 25 or over who completed apprenticeships last year already worked for the employer beforehand. I am not complaining about the reskilling of more mature workers—we know there is a need for workers to constantly upgrade their skills in an environment where technology is constantly changing. My concern arises when we hear figures such as 2 million and then find that, in fact, the vast majority of those people are already employed. I question whether those should be given the title of apprenticeships. I am not the only one—the Richard report made a similar comment.

The other concern I have is that an alarming number of apprentices are still not receiving their legal minimum wage. I have some information from the Library, which I hope the Minister will agree is a safe and independent assessment. I will quote a few points:

“Looking only at Level 2 and 3 apprentices for whom compliance can be assessed, 15 per cent were paid below the appropriate NMW. (Across all apprentices results indicate that 78 per cent of all Level 2 and Level 3 apprentices across Great Britain were paid at or above the NMW”.

That means that 22% were paid below it, so there is a very significant number of young people whom employers are illegally paying less. What are the Government doing about that? This is not a new problem, it has been going on for a while. I do not expect perfection and do not expect it to be solved overnight, but I feel that we owe young people a response from the Minister which shows that, first, the Government treat this seriously and, secondly, they will put in place the means to resolve the issue.

There are some other instances:

“Young apprentices will be more likely to be earning less than the minimum wage, with nearly a quarter (24 per cent) of Level 2 and Level 3 16-18 year olds having non-compliant pay levels, compared with 20 per cent of 19-20 year olds, 17 per cent of those aged 21-24, and eight per cent of those aged 25 or older”.

The younger you are the more likely you are to be exploited, unfortunately. This is the message that we are getting.

On the question of formal training on the apprenticeship, the information shows:

“Eight in 10 (79%) apprentices have received formal training of some kind”.

That means that 21% did not. We had an assurance from the Government that they were going to crack down on apprenticeships that were not really apprenticeships, so there is still a lot of work to be done. This continues:

“This figure was derived by combining the proportion of apprentices that trained with an external provider and apprentices saying that they received formal, off-the-job training, and represents a significant, if small, increase from the figures in 2013 (77%) and 2012 (76%)”.

It has gone up a little, but more than 20% are still not getting any formal training.

7 pm

Moving on from apprentices' training to when they get into an employer environment, surely the one thing we owe them is a safe working experience. I was horrified when I was flicking through the pages of *Metro* yesterday and saw a report on a case that happened in 2013. It said:

“A company owner has been jailed over the death of a teenager who worked at his factory on a government-funded apprenticeship”.

The CEO of the company, Zaffar Hussain, went to jail for corporate manslaughter, a piece of legislation which the previous Government introduced. The article reports,

“the death of Cameron Minshull, 16, who became trapped in a steel-cutting machine. Cameron earned £3 an hour and was employed by Hussain, 59, at Huntley Mount Engineering Ltd. The court heard there was no safety regime at the Bury company, where young people were left untrained and unsupervised. Safety guards had been removed from machinery and Cameron, from Bury, was wearing oversized overalls when he died in January 2013”.

Hussain admitted neglect and has gone to jail. He was fined £150,000, but the last bit of this article I found even more appalling:

“Recruitment agency Lime People Training Solutions, which received £4,500 in government payments, was fined £75,000”.

That does not bring back the life of that innocent young teenager. He and his parents deserved to believe that in a government-backed training provider, Cameron would be going to an employer who treated him fairly and safely. I do not expect the Minister to give me an answer today, but that appalling case has implications that there are government-backed providers who are not ensuring that the work placements they are finding for apprentices are checked beforehand and are safe working environments. It almost makes me think of the first Industrial Revolution. You cannot believe that that can happen today.

I shall conclude my contribution—I could not resist; I can resist anything except temptation, as Oscar once said—with an article I found in the *Times*. It was written by Clare Foges, who was the Prime Minister's speech writer. She wrote:

“Last week George Osborne tackled low pay with his living wage; his next task must be to bring high pay under control”.

I sent the Minister a copy of the article for his delectation. It continues:

“One nation is a philosophy that prioritises the coherence of Britain as a community, which is why—brilliant though the living

wage is—it is not enough just to act at the bottom of the pay scale: Tories must act at the top, too.

Skyrocketing executive pay is the issue that will not go away, a running sore which, left to fester, threatens to turn nasty for the Conservatives. The income differentials between CEOs and the workers in their companies grow ever more outrageous. The average FTSE 100 chief executive now earns 130 times more than the average worker in their firm.

Defenders of soaring boardroom pay claim this must be seen in the context of global market forces; that we are competing for a small pool of exceptional talent; that more modest pay would be like putting Wayne Rooney on Bobby Charlton's wages circa 1965 and watching him head off for Real Madrid.

But of the Fortune Global 500 of the world's biggest corporations, only some 1 per cent poached their CEO from an international rival. As for long-term performance: from 2000-2013 the total earnings for FTSE 350 directors increased by nearly five times the rate of returns to shareholders.

This is less market forces than a market stitch-up. A relatively small group of extremely highly-paid directors sit on their peers' remuneration committees”.

It is not me saying this; it is the Prime Minister's former speechwriter. She reflects:

“So what to do? In the last parliament the coalition introduced binding shareholder votes on pay packages but this has made little difference. It is time to be bolder.

Companies should be made to publish the pay differentials between the top earners and the bottom and median wage in their firms”.

That is something we have been saying for a long while. She continues:

“Reporting on pay, bonuses, share options and pension entitlements could be much more transparent. There must be loud praise for those, like TSB, that impose maximum pay multiples, and public shame for those who turn a deaf ear to the clamour for change.

Most importantly, it is time for workers to sit on remuneration committees”.

I must say, I am into that. The article continues:

“It's no good leaving it all to shareholders, usually large institutional investors who inhabit the same world of sky-high pay. Worker representation would challenge the groupthink and may actually smash the closed shop”.

That is the closed shop to determine CEOs' remuneration and pay. I do not apologise for introducing that and stretching the remit slightly because it has genuine relevance. If we are serious about trying to improve productivity, this has a part to play.

In conclusion, of course I welcome the increase in the national minimum wage, but I do not think that we have solved the problem. I do not expect the Minister to be able to deal in detail with every point that I raised, but I look forward to answers on the serious points I made in relation to the illegal underpayment of the national minimum wage and concerns about the safety and welfare of apprentices.

Lord Stoneham of Droxford (LD): My Lords, everybody should be reassured that I do not think that there is much need to detain the House for very long. One of the coalition's last decisions was to improve the minimum wage. It was initiated by my right honourable friend Vince Cable, to whom I pay tribute, particularly for his work on apprenticeships. It should be particularly gratifying to him to see the special work in these regulations to help those undertaking apprenticeships.

[LORD STONEHAM OF DROXFORD]

My other, final point is that this procedure was arrived at through the Low Pay Commission. The one concern we have when we come to debate the living wage in future months is whether the procedure will continue or whether we will see the end of a very successful consensus operation that has led to the improvement of minimum wage discussions in this country over the 10 years since the minimum wage was introduced. I support these regulations and I look forward to the Minister's reply.

The Earl of Courtown: My Lords, I thank both noble Lords for their valuable and largely supportive comments during this debate. These regulations will increase the national minimum wage for more than 2.4 million people from 1 October this year. This increase will ensure that the low paid share the benefits of economic growth without damaging their employment prospects. The independent Low Pay Commission plays a crucial role in advising the Government about the minimum wage, and I thank it for its detailed report and recommendations.

A number of specific points were made by the noble Lord, Lord Young. He mentioned apprenticeship starts. More than 2 million apprentices have started employment since 2010. We have seen 440,400 starts during 2013-14, of which 278,700 are young people between the ages of 16 and 24. The noble Lord also mentioned more about apprenticeships and youth unemployment. Youth unemployment continues to fall in both the recent quarter and the year. This now still stands at 729,000, but below the peak during the recession of 1 million.

The noble Lord, Lord Young of Norwood Green, also mentioned apprentices being paid below the minimum wage. I thank him for giving me notice of these questions. The Government are committed to cracking down on employers who break the national minimum wage law; we have already taken action to reduce non-compliance with the national minimum wage. The 2014 apprenticeship pay survey shows that the level of non-compliance for apprentices is 14%. This non-compliance rate represents a fall from the previous levels of 29% in 2012 and 20% in 2011. The 2014 apprenticeship pay survey estimated that among level 2 and level 3 apprentices, the median basic pay was £6.31 per hour, and among higher apprentices on level 4 and level 5 provision, the median pay was £9.68 per hour.

The noble Lord also mentioned the death of an apprentice, which he read about in the *Metro* newspaper. I could not agree with him more that any death of any person, particularly a young person at the start of their career, is absolutely horrific. As I understand it, the Health and Safety Executive has confirmed that employers of apprentices are subject to the same health and safety rules as other employers, with additional rules covering younger employees. There are clauses in all Skills Funding Agency contracts imposing requirements in relation to the health and safety of learners, with all the providers and their subcontractors required to comply. However, the primary responsibility for the health and safety of an apprentice sits with their employer.

Lord Young of Norwood Green: Before the noble Lord sits down, while I welcome that, given the circumstances—that it was a government-supported training provider—surely there ought to be some further review of the actual process of allocating young people to these employers. Of course, we know where primary responsibility lies, but if we are entrusting young people to a training provider and they are allocating them to an employer, never mind what the primary responsibility of the employer might be, the provider also has a primary responsibility. The reassurance I am seeking from the Government is that they will go away and look at exactly what training providers are doing. What are the checks, balances and procedures to ensure that this does not happen again? I would welcome some report back at a later stage.

The Earl of Courtown: Yes, I will write to the noble Lord on that issue, but I can assure him that my colleagues in the department will be looking very carefully at what has been said this evening.

The noble Lord, Lord Stoneham, asked about the Low Pay Commission and its future involvement with the national living wage and the national minimum wage. The Government published the Low Pay Commission's new remit on 8 July 2015. The Government are asking the Low Pay Commission to recommend the level of the path of the national living wage going forward, with the target total wage reaching 60% of median earnings by 2020. The Low Pay Commission will also continue to provide recommendations for the other national minimum wage rates, as it has done previously.

The Government are committed to the national minimum wage because of the protection that it provides to low-paid workers and the incentive to work that it provides. The regulations that we have been discussing today support the Government's commitment to delivering fairness, supporting business and delivering world-class apprenticeships. I believe that they are fair and appropriate. The increase in the adult rate will maintain the relative position of the lowest paid while also being one that business will be able to afford. I commend the regulations to the House.

Motion agreed.

Palace of Westminster *Message from the Commons*

A message was brought from the Commons that they concur with the Lords that it is expedient that a Joint Committee of Lords and Commons be appointed to consider the restoration and renewal of the Palace of Westminster.

That a Select Committee of six Members be appointed to join with the Committee appointed by the Lords to consider the restoration and renewal of the Palace of Westminster.

That the Committee shall have power:

(a) to send for persons, papers and records,

(b) to sit notwithstanding any adjournment of the House,

(c) to report from time to time,

(d) to appoint specialist advisers, and

(e) to adjourn from place to place.

That the quorum of the committee shall be three.

House adjourned at 7.15 pm.

Grand Committee

Thursday, 16 July 2015.

1 pm

Biodiversity

Question for Short Debate

Asked by *Baroness Miller of Chilthorne Domer*

To ask Her Majesty's Government what steps they will take to support England's biodiversity and to promote farming methods that help ensure a healthy ecosystem that includes pollinators, butterflies and farmland birds.

Baroness Miller of Chilthorne Domer (LD): My Lords, I warmly thank all noble Lords who are to take part in this debate today. With your Lordships' expertise in key areas, I am sure that we will cover a lot of what makes up a healthy ecosystem, including water and soil. I also pay tribute at the start of this debate to all the farmers who, besides producing quality food, manage to contribute to enhancing biodiversity, landscape and public access, despite the downward pressures on produce prices.

I want today to look at specific actions which the Government could choose to take to improve England's crashing biodiversity on farmland and, at the same time, to help those farmers who I have just mentioned. Across the board, the worst-affected categories of wildlife are those dependent on farmland, such as farmland birds. The RSPB/BTO figures show that in 35 years we have lost well over half our farmland birds and, despite some good initiatives, the post-2012 figures show further overall declines. If we look at flowers, of the 1,556 flowers in the British flora 37% are considered threatened or rare in England, and of these 97% grow within the productive environment. Despite this, as Plantlife points out, 80% of threatened lowland meadow flowers are not supported by the entry-level stewardship options, nor are 72% of threatened upland meadow flowers, so that scheme really does not seem to be answering the issue. Butterfly Conservation's most recent big study also shows a significant decline in the total numbers of wider countryside butterflies, which have fallen by 24% over 10 years.

I think all those who are speaking today know the problem: a massive, sustained and relentless intensification of agriculture. There have been a plethora of excellent studies and strategies on ways to improve the situation but no matching suite of policy changes from successive Governments. However, I welcome one current and very important example of government action with regard to pollinators: the Government's stand on the continuing moratorium on the use of neonicotinoids. Pollinators are a very good example of just how closely food production and biodiversity are intertwined. The fate of pollinators is largely driven by what happens on farmland, and the fate of insect-pollinated crops is of course driven by what happens to those pollinators. The Government are quite right to continue with the moratorium because the oilseed rape crop is not in an

emergency situation. The figures given in a Written Answer by George Eustice on 13 July this year showed that the crop saw a 16% increase last year.

The UK is far from alone in these concerns. The latest place to join in this ban is Ontario, in Canada. Its Ministry of the Environment and Climate Change has said that:

"A growing body of scientific evidence shows that neonicotinoid insecticides are highly toxic to honey bees and other beneficial insects".

Another particularly good action of the previous coalition Government was to establish the Natural Capital Committee. Methodically and with hard data, the NCC linked economic well-being to environmental well-being. In its third and last report, it gave a clear recommendation about farming:

"Farming is an important sector of the economy but its impacts on natural capital are substantial. Addressing these impacts would deliver significant benefits for society. Channelling subsidies towards environmental schemes that demonstrate good economic returns would be very worthwhile. Also, investing in measures to connect wildlife areas across farming landscapes, as set out in the Lawton Review, will significantly increase net benefits to wildlife from these areas".

Yet these advances are about to be undermined because, strangely, the Government appear to be going in the opposite direction: they are launching separate 25-year strategies for farming and biodiversity. Indeed, the farming strategy was launched this morning but I have not had a chance to look at it. No doubt it builds on the Conservative manifesto commitment to,

"grow more, buy more and sell more British food".

The Natural Capital Committee is quite clear that increases in yields have been driven largely by the increased use of fertilisers and herbicides. As it says, those are severely affecting the wider environmental systems, including water and wildlife.

The NCC correctly analysed that part of the solution lies in new technology, such as real-time crop scanners, in a move towards more "precision farming" and more efficient use of agricultural inputs. However, the other part of the solution lies in supporting farmers who are trying to do the right thing. In the previous Parliament, the Government failed to deliver the maximum transfer from Pillar 1 production subsidy to Pillar 2 agri-environment subsidy. Every taxpayer in this country is paying £200 a year to support the CAP but it does not deliver on public benefits. There will be another opportunity in 2017 and I hope that the Government will make that essential change then, because farmers must be rewarded if they spend a great deal of time producing public goods and benefits to wildlife.

The NCC further stated:

"Government has missed many chances to line up farm support with public goods like flood prevention or farming that supports biodiversity. Continued support for maize farming, for example, was granted an exemption from strict cross-compliance rules on soil management, despite the fact that maize is a 'high risk' crop for soil compaction and erosion".

I make no apologies for quoting so widely from its third report, which was excellent.

I hope the Minister will reinforce with evidence that the Government are committed to supporting farmers who are doing and trying to do the right thing. The Government's own figures show that less

[BARONESS MILLER OF CHILTHORNE DOMER]

land is being managed under the schemes they brought in to help improve environmental outcomes. In 2013-14, 450,000 hectares of land were managed under the Campaign for the Farmed Environment scheme, but in 2014-15 I understand that it is only 250,000 hectares. Why does the Minister think there has been such a big drop-off?

The most encouraging development in efforts to improve the chances for England's wildlife is the part played by the public—those thousands and thousands of volunteers who, along with the scientists and NGOs, map what is happening on the ground. They map whether certain initiatives are producing the beneficial results we hope for, and changes in bird and butterfly populations. They have become a vital part of building a picture of what is in decline and where declining populations of a species is reversed by specific land management techniques. This connects all those people intimately with their food production.

Last month, in Westminster, we held the first meeting of this Parliament of the All-Party Parliamentary Group on Agroecology. We held a “meet the farmer day”, where farmers with a range of best practices met MPs and Peers. Deborah Meaden, the impressive businesswoman from “Dragons’ Den”, spoke about people knowing where their food comes from, how it is produced and the impact of that production. As she put it so succinctly,

“if they don't know, they can't care”.

However, more and more people are interested in connecting with how their food is produced.

One of my questions for the Minister is: how will the Government interpret the fact that more than 180,000 people have responded to the public consultation on the regulatory fitness check of the EU birds and habitats directive, to which the Government will have to respond? It would be a tragic mistake if that directive were undermined in any way. Some species—for example, migrating birds—are not static and need EU-wide protection. I hope that the Government will put their every effort behind the EU birds and habitats directives.

Further, can the Minister tell me the Government's intentions for publishing their 25-year plan to restore diversity? When will it be published? Will that be quite soon after the farming strategy, and will it be cross-departmental rather than focused just on Defra? Will the Government urgently step up action to ensure that the Office for National Statistics and Defra meet the target of incorporating natural capital into the national accounts by 2020, as recommended by the NCC?

Finally, will he confirm that it remains the Government's intention to transfer a full 15% of funds from Pillar 1 to Pillar 2 of the CAP so that the public and wildlife can get the most for the money?

1.10 pm

The Earl of Selborne (Con): The Committee will be enormously grateful to the noble Baroness, Lady Miller, for giving us this opportunity to discuss biodiversity and agriculture. I declare my interest first and foremost as a farmer and, until recently, chair of the advisory board at the Natural Environment Research Council's Centre for Ecology and Hydrology.

I wish to concentrate my remarks on the need for a sound evidence base on which agricultural technologies and production systems can be developed to deliver optimal environmental benefits, including, of course, biodiversity benefits. However, I think we all first need to recognise that both intensive high-input and extensive low-input agricultural systems present challenges for biodiversity and ecosystem services. That is not to say that these challenges cannot be met but, of course, agriculture is about the production of food. We need to reconcile this with the enhancement of ecosystem services. Good research and long-term monitoring—that is particularly critical—have demonstrated the potential to reconcile productive agriculture with the provision of habitats and food for farmland birds, butterflies and pollinator insects, as referred to in the Question. Indeed, examples of best practice have been demonstrated. That is not to say that the impact of agriculture has not been extreme, as the noble Baroness pointed out. However, alongside that, there have been examples of good practice which we need to follow up.

My greatest concern is about not just the types of biodiversity mentioned in the Question—birds, butterflies and pollinator insects—but the need to look at the fundamentals, such as soil science. After all, this is the basis from which all biodiversity and habitats are derived. The ecosystem services on which we all rely, and on which the environment relies, depend on keeping the soil sciences in good heart. The trouble is, of course, that while any number of people join organisations to conserve birds, butterflies and lichen—like everyone else, I belong to several—somehow or other, to get people to take an interest in worms or soil biodiversity is rather more complicated.

It is a great pity that the debate is so often polarised between intensification and extensification. In both cases you require a multi-purpose approach. There is no technological panacea to meet the challenges of sustainable production. It requires a diversity of approaches specific to the crop in question, the locality and, of course, the ecosystem services which it is desired to enhance. If you are looking for flood control, there will be one set of requirements. If you are looking for biodiversity, there will be others, although of course there will be common factors. I give an example from my own farming practice. I am a fruit producer with intensive orchards containing 3,000 trees per hectare. That is intensive by anyone's standards. Incidentally, we also have high-level schemes on different land, which are well funded and deliver their own environmental benefits. We do not get subsidies or grants for the intensive systems but they provide a surprisingly wide range of biodiversity benefits. Apple trees and the multi-species windbreaks they require provide habitats and food for invertebrates in spring and summer. The blossom provides pollen and nectar. The herbicide strips provide mining bee habitat—one of these insect pollinators which we simply have to learn to manage better. In winter, windfalls bring in whole flocks of birds which you do not necessarily see in other habitats. This system of production has its benefits, and delivers things such as carbon sequestration at levels that are about equivalent to woodland, and which are of course much higher than arable and grassland.

Therefore the outcomes from intensive farming can be the same as, if not more than, the outcomes from some of the agri-environmental systems.

Delivering both food and biodiversity on the same land is known as land sharing, which of course we hear a lot about from organic farmers and the like. I would describe the sort of system of intensive agriculture that I am talking about as precisely that. Also, incidentally, you can call it “land sparing”, in the sense that if you are going to produce a certain quantity of food from a certain area, quite frankly, the more you can allow spare land for alternative uses, such as stewardship schemes and environmental enhancement, the better.

The Cinderella sciences on which we rely—agronomy, soil science and general botany—have been in decline for a long time. We get a lot of research workers who are specialists in very specific areas of technology, and we need to encourage these wider old-fashioned sciences on which we depend. Of course we have to reduce leakages to soil, air and water; I am absolutely certain that minimal cultivations make an enormous contribution, and ploughing in green crops can be a total disaster.

The greatest success with agri-environmental schemes is when you work on the landscape scale, when farmers in a parish and a region work together. SSSIs are usually too small and isolated and, quite frankly, are badly managed. Bring them together; let farmers co-operate on a regional scale, and you will start to achieve critical mass.

1.16 pm

Lord Stone of Blackheath (Lab): My Lords, as we are here in the Moses Room, your Lordships might like to know that my Hebrew name is Avram—but today I will sound more like Noah. I am talking about huge floods and unnatural weather patterns which will soon become the norm, resulting in widespread damage to farming, property, communities and industry. This is an “ecosystem” issue now.

Just this month, in Aberdeen, local news reported:

“The heavens opened, the thunder clapped and the lightning flashed from 3 pm onwards this afternoon and a number of roads across the city are now under water”.

The council went on to say:

“Yesterday’s storm was due to a rainfall of an intensity which previously happened once every 30 years, but has been happening more frequently recently and is likely to increase further due to global warming”.

This increased frequency of extreme weather events is not just affecting Aberdeen but is UK-wide, and the cost caused by flooding damage in the UK in 2007 was £3.2 billion. According to a House of Commons report last year, *Flood Defence Spending in England*, the total cost of maintaining flood defences until 2080 will be over £550 billion.

I have been following the work on “natural catchment solutions” of a wonderful social enterprise, the Flow Partnership. It brings together partners from around the world, including from Yorkshire, Newcastle and Aberdeen, but also from as far away as India and Slovakia. It uses the power in the flow of water to achieve long-term multi-benefit solutions. In seeing water as a “dynamic flow”, it uses methods to shape the landscape to direct this flow most suitably to where the water needs to be. It takes simple, low-cost

measures to slow down the flow of run-off rain from the surfaces, along the river, creating ponds in which to store water when needed. Slowing the flow minimises erosion, recharges aquifers, allows water to filter and store, and creates wildlife habitats. This method is used to stop the build-up of flood waters before they reach our homes. By the way, it also can revive rivers in desert areas.

Best of all, this method needs no further investment, so it not only prevents floods and eases drought, but protects the whole countryside, improves soil fertility and increases biodiversity. The World Wildlife Fund also says that this would help the Environment Agency with the river basin management plans for the next five years to raise the number of healthy rivers above 18%. It also helps cool the land and so has a wider positive impact on climate change, actually reducing extreme weather events across the planet, and it saves the Government billions of pounds in damage costs. For example, in Belford in Northumberland the Government estimated that the necessary work to prevent flood damage would cost £2.5 million. In a pioneering trial using these low-cost natural community methods, the work was completed for less than 10% of the government estimate, less than £200,000, successfully averting future flooding in the village. With the Government’s involvement in developing partnerships these methods need not be confined to small projects but could be a huge self-financing venture implemented nationwide.

In keeping with the nature of a shared approach, the Flow Partnership is developing self-financing mechanisms of pledges and returns. Its proposed financial instrument is building on the Environment Agency’s partnership model as laid down in Defra’s 2012 paper *Partnership Funding and Collaborative Delivery of Local Flood Risk Management*, but also draws from the Government’s social impact bond framework to encourage all those parties adversely affected by flooding to contribute profitably to flood defence and river management. We are well placed in this country to involve our expert financial organisations to measure the real cost-effectiveness of these methods. The necessary expertise of this kind is in place for a nationwide solution in the UK.

We should take the opportunity when, next month, partners from the UK, India and Slovakia are coming together for a “world water walk” from Lindisfarne, Holy Island, to Belford village. This water walk is to highlight the outstanding work already taking place in the UK by Defra, the Environment Agency and others. It will visit potential future project sites on the River Dee and the River Dearne. The River Dearne was mentioned earlier this year in discussions we had with Defra as a possible trial river. For £5 million we could pay for the implementation of comprehensive catchment works along the whole river. This could be a model on which a river and landscape bond could be designed. Will the Minister arrange a meeting with the Flow Partnership to discuss how the Government can take advantage of its proven expertise? Eventually, in collaboration with the Environment Agency, we could deliver community schemes along 40 vulnerable rivers and their catchments in the UK and this might grow into an international movement.

1.22 pm

The Countess of Mar (CB): My Lords, like other noble Lords, I am very grateful to the noble Baroness, Lady Miller of Chilthorne Domer. I regard her as my friend because we work together on so many topics in this field. I declare my interests as entered in the register.

In more than eight pages of answers to questions on biodiversity sent to us by the House of Lords research services, I was shocked that there was not one mention of soil health. Without healthy soil, you can forget a healthy ecosystem. The United Nations Food and Agriculture Organization gives this definition:

“Soil health is the capacity of soil to function as a living system with ecosystem and land use boundaries to sustain plant and animal productivity, maintain or enhance water and air quality, and promote plant and animal health. Healthy soils maintain a diverse community of soil organisms that help to control plant disease, insect and weed pests, from beneficial symbiotic associations with plant roots; recycle essential plant nutrients; improve soil structure with positive repercussions for soil, water and nutrient holding capacity, and ultimately improve crop production”.

Along with a lot of organic farmers, I believe that now is the time to take crop production away from the chemists and place it in the hands of the biologists, where it should be. A recent report by the Committee on Climate Change indicates that the degradation of soil is now a major crisis across the globe. It is particularly concerned about the state of soil in East Anglia, where intensive farming practices, deep ploughing, short rotation periods and exposed ground have led to soil erosion from wind and heavy rain. Soil is not simply dirt in which crops grow with the aid of chemical fertilisers, herbicides and fungicides. Indeed, it is these very products that destroy or inhibit the natural propensity for healthy soil to nurture the more than one tonne of bacterial and fungal biomass to be found in healthy temperate grassland. It has been calculated by microbiologists that 80% of soil nutrient functions are controlled by microbes.

Last August, I had the enormous pleasure of hearing Dr Elaine Ingham, founder of the Soil Foodweb, Inc, address a conference on soil health. She also addressed this year's Oxford farming conference on the same subject. This lady has studied soil for more than 40 years and I recommend all noble Lords look at references to her work on the internet. They really are enlightening. She explained that plants use sunlight to make sugars, most which are sent to the plants' roots as exudates that aerobic bacteria and fungi feed on. These beneficial microbes cluster around the roots. They protect the plants from anaerobic micro-organisms that cause disease; they break down and transform inorganic nutrients in the soil into organic nutrients for plants; and they play a critical role in the formation of the soil structure, which is necessary for water retention and to prevent nutrients from leaching. She explains that, in the life-to-death-to-life cycle, protozoa, nematodes and micro-arthropods eat the nutrient-containing bacteria and fungi, and it is their excretions of excess nutrients that constantly replenish the food supply for plants.

Every time chemical pesticides and fertilisers are applied to crops, they have an effect on the micro-fauna in the soil. Every time heavy equipment passes over

the ground to apply these chemicals, the soil is damaged by impaction, and aerobic bacteria cannot survive in the anaerobic conditions that result.

That ubiquitous product, glyphosate, has recently been categorised by the World Health Organization as a probable carcinogen. It was first licensed as a powerful chelator. This means that it locks up many of the essential trace elements and minerals that plants, animals and humans depend upon for their health. It was later registered as an antibiotic. We do not need much imagination to envisage what an application of glyphosate, in the form of Roundup or one of its many other trade formulations, can do to the soil microbes, do we? It has been found to remain active in soil and water for much longer than originally thought, and recent German research has shown that residues of glyphosate found in the water column and sediment of the River Elbe inhibit the nitrifying bacteria which play an essential part in the nitrogen cycle. Glyphosate affects the shikimate pathway in plants and is described by its manufacturers as being safe; they seem to have forgotten that bacteria in water, soil and in the guts of animals and humans also have the same shikimate pathway and are also weakened and destroyed by Roundup.

Is the Minister aware of a considerable body of research which indicates that Roundup is not the benign herbicide we have been led to believe that it is? Is he aware that commercial preparations containing glyphosate have been found to be more than 1,000 times more toxic than the active ingredient alone? Will the UK be following a number of other countries such as France, the Netherlands, Germany, Sri Lanka, Argentina and Brazil, which are considering severely restricting the use of, or even a ban on, glyphosate-containing products?

The Minister knows of my concerns around neonicotinoids, which I share with the noble Baroness, Lady Miller. I am aware that an emergency application has been made by the NFU for a licence to use them prophylactically on rape crops in a limited area. In response to an Oral Question from me on 17 June, the Minister told the House that the application was being considered by the Expert Committee on Pesticides and by the Health and Safety Executive, and that their advice would then be considered by Ministers. In a recent paper, *Conclusions of the Worldwide Integrated Assessment on the Risks of Neonicotinoids and Fipronil to Biodiversity and Ecosystem Functioning*, the 30 researchers concluded that:

“Overall, the existing literature clearly shows that present-day levels of pollution with neonicotinoids and fipronil caused by authorized uses ... frequently exceed the lowest observed adverse effect”.

1.28 pm

Lord Blencathra (Con): My Lords, this is a vitally important debate, and it is a pleasure to follow the noble and knowledgeable Countess, Lady Mar, who has made a spot-on point about the soil. There used to be a wonderful Yorkshire gardener on “Gardeners' Question Time”, who I think was called Geoffrey Smith. No matter what question he was asked, he always began his answer with, “The answer lies in the soil”.

The Countess of Mar: My Lords, that was Fred Streeter.

Lord Blencathra: I stand corrected, quite rightly so.

There is no doubt that farming practices in Britain and in all practices in Britain and in all efficient western economies have changed dramatically over the past 40 to 50 years. There is a huge demand for food, and most of the public seem to want it at dirt-cheap prices. That means that farmers have to farm more intensively. If we do not do it here, we will simply end up losing UK agriculture and getting all our food from abroad. The abandonment of the countryside may be good for some wildlife but it is not a practical consideration. It stands to reason that, if farming has changed, there will be a change in the numbers and types of wildlife that formerly depended on past practices. We know that farmland bird populations are half the level of 40 years ago. Hares and hedgehogs are declining, hedgehogs catastrophically so. What can be done about it? There is more wildlife on organic farms, of course, but organic farming is just not economic for more than 90% of farmers. If all our consumers bought only British organic produce, that would be a totally different matter, but that is not going to happen and it would not apply to most wheat and grain production. Part of the answer is in agri-environment schemes, where farmers are paid to keep field margins wild with no crops on them or to keep wetlands or other features that harbour wildlife. That is costly to the taxpayer, but if the public want it, the public will have to pay for it.

Cost of production is a determining factor. Take milk production. The big dairies and supermarkets are paying farmers less for milk than the cost of producing it. There is no way, in that situation, that dairy farmers can decide to grow hay, let the wild flowers bloom and the wildlife thrive and cut the hay late in July. Farmers have to grow silage, stuff it full of nitrogen, squeeze out at least two cuts per annum from every inch of their fields and leave them as bare as a bowling green at the end of it. Until that fundamental economic dynamic changes, we will not get Gainsborough-style scenes of flowering hay meadows and carts being loaded by glowing country lads and wenches.

I would like to see some carefully controlled experiments with rewilding in the United Kingdom or in England. It has worked for beavers and I hope that Natural England, or whatever it is called this week, will look carefully at other proposals for, say, brown bears, lynx, wild horses and wolves in very carefully selected parts of the country, after full consideration of all potential negative effects on other species and humans. Creating habitats for those species will automatically create habitats for hundreds of others, for the bugs and little beasties we would not normally see, and for flowers, and so on.

However, without straying too far from the subject matter of this debate, preservation of our wildlife is not uniquely a countryside or farming responsibility. I suspect that most town people think that all wildlife is supported by the countryside and that that is a farmer's duty. Not so. Our towns and cities are vital to UK biodiversity. Of course there is more biodiversity in our countryside, because it is larger than our towns, but acre for acre, towns and cities can support as

much wildlife of certain species—particularly birds and mammals—as the countryside. However, in the last 40 years, the decline in species and urban areas has been even greater than in farmland. The noble Baroness rightly said that the public have a vital role. Yes, but not just in going out to the countryside to monitor what farmers are up to; they also have a vital role in their own back gardens and front gardens. The *State of Nature* report of May 2013 states:

“Of the 658 urban species for which we have data, 59% have declined and 35% have declined strongly”.

Reports show that our hedgehogs will be extinct within 10 years. How in the name of goodness can we let that happen? As well as being killed on roads, they are being driven out of town gardens. Thousands of gardens are being paved over every week, depriving a whole range of mammals and birds from getting a food supply, and precision larch lap fences and walls do not leave gaps for hedgehogs and other species to get through. Urban dwellers can save the hedgehog and they must rise to the challenge. Keeping hedges is also important. Even leylandii hedges provide tremendous cover for nesting birds.

I end with a more sensitive issue, but one that has to be addressed. A United States study in 2013 showed that US cats were killing between 1.3 billion and 4 billion birds per annum. That is just birds; when you add all the other species it comes to tens of billions. A United Kingdom study a few years ago estimated that British cats killed 200 million mammals per annum, including 55 million birds. However, that is a gross underestimation. The United States has 93 million pussycats; the UK has 12 million. If British cats are killing birds at the same rate as American cats—and there is no reason to believe that they are not—the British bird population killed per annum is 175 million.

Do noble Lords wonder why we no longer see any sparrows in our cities? That has nothing to do with farmers. Sparrows are the top kill birds for cats, followed by blue tits, blackbirds, starlings, thrushes and robins. Then, of course, one can add the shrews, voles and mice, including harmless little field mice. I am appalled to read of those millions of people who let their cats out to roam at night and others who think that they do not need to feed them so much because they can go out and kill things in the wild. They are killing things in the wild and wiping out our urban wildlife. Let me be clear, I am not advocating drastic action against little pussy cats and moggies. I do not want a fatwa against me from Cats Protection but I am asking for an education campaign for cat owners.

We will find it difficult to get measures to increase biodiversity in the countryside but it is not up to farmers alone. Everyone, especially people in towns, can do their bit and we will have to do our bit if we are to retain some of our splendid and unique British wildlife.

1.35 pm

The Earl of Kinnoull (CB): My Lords, I too thank the noble Baroness, Lady Miller, and congratulate her on tabling this excellent Question. I must declare not only my interests in the register but I am chairman of the Red Squirrel Survival Trust, chairman of the United Kingdom squirrel accord, of which I will say more later, and I am on the council of the Royal

[THE EARL OF KINNOULL]

Scottish Forestry Society. Biodiversity offered by well-managed broadleaf forestry is not something on which I need to lecture your Lordships. It is very special and very diverse. The trouble is that the grey squirrel problem in the United Kingdom is making this idyll very difficult and well-nigh impossible.

The United Kingdom squirrel accord came together last year as a response from a number of pretty desperate, fairly large organisations. There are 33 signatories covering every part of the United Kingdom, including governmental bodies, voluntary bodies and the private sector. Defra is one of the signatories and has a very good and active official on the accord. The private sector organisations have around 6 million members, so they are big, meaty bodies. People are worried about the twin difficulties of red squirrel numbers being severely impacted because of the disease they catch from grey squirrels, which I am not going to talk about today, and the threat to forestry posed by grey squirrels. For those who do not know, grey squirrels will ring-bark or peel back the bark on our native broadleaf trees, particularly on oak and beech which are delicious to them. They do that when the trees are semi-mature and at a height of about 10 to 15 feet. That introduces disease and insect damage to the trees which either kills them or certainly renders the trees economically useless. That means that considerably less planting is going on throughout the United Kingdom for broadleaves at the moment. There is less land management and, therefore, less biodiversity.

I want to make a number of points on which I hope that the Minister will be able to help. First, immunocontraception is essentially a science whereby you give grey squirrels a drug and it makes them infertile. The delivery method would be something like medicated nuts. The major research on this type of technology for mammals is going on in the States. Britain's only expenditure on this at the moment is around £10,000, which we pay to receive research from the United States into white-tailed deer, which are doing damage to American forestry.

The outstanding Pirbright Institute is doing research with very good immunocontraceptive credentials, as it has been big on insect immunocontraceptive. Will the Minister consider taking the lead in commissioning research in this area in Britain now? The voluntary sectors and the private sectors to which I have referred within the UK squirrel accord would certainly help with funding, but Britain should take a lead in this area of science and I hope that the grey squirrel could be the first port of call for that.

My second point is about warfarin, which was pretty well the only weapon that could be deployed against grey squirrels. In a very unusual way, warfarin has been withdrawn from land managers as an effective measure. Its use will not be allowed from later this year. This is entirely due to a vagary of EU procedure points, which I will not go through now. It is pretty odd seeing as it is our private battle in Britain—only Britain and a small part of Italy are impacted by the grey squirrel. Would the Minister consider looking again at the warfarin issue and having another go at seeing whether it would be possible to reintroduce this important weapon in the control of grey squirrels?

My final point is on traps. There are a number of commercially available grey squirrel traps but the world is, in fact, a wonderful place and lots of inventive people are inventing new traps all over the world and, in particular, in New Zealand and Canada. With adaptations, these traps could be more effective in Britain. The trouble—I am advised by the BASC—is that if you introduce a new trap in Britain, you would have to pay between €30,000 and €100,000 to license the trap. The difficulty is that none of the people inventing these traps has that sort of money available. Would the Minister consider sponsoring a trap or two through the process so that we could have access to the latest trapping technology, which would greatly help the broadleaf forestry industry?

As I have said, there is nothing better in our green and pleasant land than a well-managed broadleaf woodland and there is nothing better for biodiversity. These woodlands need our help.

1.41 pm

Lord Grantchester (Lab): My Lords, this has been a hugely interesting debate and I thank the noble Baroness, Lady Miller of Chilthorne Domer, for introducing it and all other contributors for their remarks. I declare my interests as a dairy farmer in receipt of EU funds. The problem has been very ably documented: over the past 50 years there has continued to be a long-term decline in UK biodiversity. Farmland birds and butterflies have declined substantially since the 1970s and 1990s, respectively, and 14% of all farmland flowering plants—or 62 species—are on the national Red List. This certainly matters.

As Professor Sir John Lawton's *Making Space for Nature* review in 2010 concluded, England's collection of wildlife areas, both legally protected and others, does not currently represent a coherent and resilient ecological network capable of responding to the challenges of climate change and other pressures. Pollinators are vital to the successful production of crops, underpinning jobs throughout the food chain. Proximity, quantity and quality of open spaces are necessary to well-being and health. This has been brought about as a result of sustained changes in agricultural practice, overexploitation of nature's resources, habitat destruction and, regrettably, pollution.

My noble friend Lord Stone of Blackheath spoke of the flood and water management issues resulting from climate change. The noble Countess, Lady Mar, highlighted the importance of healthy soils. The noble Lord, Lord Blencathra, was correct to point out that this can lead only to changes in nature.

The Government have inherited a long history of initiatives, strategies and organisational structures to halt and reverse this loss. In their manifesto, the Conservative Party committed to developing a 25-year plan to grow and sell more British food. This is an ambitious plan. Will the Minister update the Committee on the timetable for the publication of this plan? Will accountable milestones be set along the way? The noble Earl, Lord Selbourne, based his remarks on research and evidence-based conclusions to develop sustainable production.

The Government have also committed to developing a 25-year plan for restoring biodiversity, working with the Natural Capital Committee. How will these

two contrasting plans be integrated? The noble Baroness, Lady Miller, also asked the Minister three questions on this topic. This represents an enormous opportunity to set out a clear vision for both agriculture and nature, how it will be transformational in the UK and how it will be managed, with the potential to promote significant social and economic benefits. Can the Minister clarify how these plans will be developed and how conflicts between the economic and environmental priorities will be reconciled to produce an integrated approach and be incorporated systematically into policy decisions? From this, I would be grateful if the Minister could confirm the long-term vision for CAP development and say whether the balance of these competing aims translates into a move to a 15% modulation rate, as Labour argues.

The balance to be struck is reflected in the present challenge over neonicotinoid pesticides. On 17 June, the Minister answered pertinent questions in relation to the EU's ban on the use of these pesticides for agricultural crops. There is huge public interest in the issue. To my question, he stated that the application is being considered by the Health and Safety Executive and the independent UK Expert Committee on Pesticides. However, there seems to have been some dialogue with the NFU, which has stated disappointment that the reply received revealed a technical deficiency in its application that could have been clarified through yet more timely dialogue. Can the Minister clarify whether the HSE has reached a conclusion? Is it to accept or reject the application? Have any other applications regarding neonicotinoids been received? Why does Defra continue to refuse to publish the NFU's application? Why has the publication been delayed of the minutes of the meeting of the Expert Committee on Pesticides of 20 May to consider the NFU's application? The agenda of 7 May is also being withheld from publication. All of this is contrary to best practice and the code of practice for scientific advisory committees. There is great anxiety about this issue. Will the Minister provide full answers before the Summer Recess?

Labour supports the temporary ban and the precautionary principle as the basis for government decision-making on pesticides. We agree that this must be evidence based with the full knowledge that science can provide. The Government have a clear opportunity to halt the decline of the natural environment. Will the Minister go further than providing warm words and take decisive action?

1.47 pm

Lord Gardiner of Kimble (Con): My Lords, I should first declare my interests as a farmer and say in a different tone that I enjoy planting trees and the natural environment. I congratulate the noble Baroness on securing this debate, which provides an opportunity to set out the Government's intentions. If there are any areas where, given the time, I am not in a position to give the answers due to your Lordships, I hope you will forgive me if I write to you.

The Government recognise how important biodiversity is for a flourishing natural environment. We are committed to improving the quality and extent of wildlife habitats. They are vital not only for the enjoyment and sense of well-being that they bring to us all, but also because

of the important ecosystem services that they provide. Four years ago the Government published a natural environment White Paper which set out a bold vision for a resilient and connected natural environment, providing services vital to our economic prosperity and social well-being. Our *Biodiversity 2020* strategy set out plans to take forward that vision.

The Government are committed to working with the Natural Capital Committee—an independent advisory body mentioned by the noble Baroness, Lady Miller of Chilthorne Damer—on how England's natural assets can be better protected and improved. We now know that concerted action is needed to reverse historical declines and to safeguard the vital benefits we receive from those assets.

The Government are committed to developing a 25-year strategy plan which will set out our ambition for a healthy and resilient natural environment which benefits both our economy and our nation. Indeed, the noble Baroness, Lady Miller of Chilthorne Damer, and the noble Lord, Lord Grantchester, asked about the 25-year plans. I can assure all noble Lords that Defra's 25-year strategies on food and farming and the environment will complement each other. We are aware of how important the links between the two must be and are.

The Government will respond to the Natural Capital Committee's third report in the second half of this year, including an outline of the 25-year plan for nature. Once this is published we will engage with a range of experts and industry bodies on the development of that plan. I very much hope to help to keep noble Lords in touch with all the plans, as 25 years is a decent period in which we want to do the best we can for our environment.

I am particularly grateful to my noble friend Lord Selborne for highlighting the important role of research and soil science. I think that the noble Countess, Lady Mar, quite rightly also raised this. Defra has introduced new soil rules which, under cross-compliance, require farmers to put measures in place that prevent erosion, maintain a minimum level of soil cover and protect soil organic matter. I say as strongly as I am permitted in your Lordships' presence that soil is absolutely critical and central to food production, and therefore that soil science and soil health are terribly important.

I am pleased to report that, since the publication of *Biodiversity 2020* in 2011, progress has been made. We have set in hand the creation of 67,000 hectares of priority habitat including arable field margins, wetlands and woodlands. As promised in our manifesto, we have committed to planting 11 million trees during this Parliament, primarily through the rural development programme's countryside stewardship scheme. This scheme aims to invest £18 million in new woodland planting each year. We have maintained more than 95% of our sites of special scientific interest in favourable or recovering status. These are some of our most important sites, covering 7% of England, but we need to do more. Twelve nature improvement areas have been established to create and restore priority habitats across entire landscapes. Partnerships have demonstrated how much can be achieved when people work together towards a common goal. Volunteers

[LORD GARDINER OF KIMBLE]

working with the nature improvement areas contributed more than 24,000 days of their time, which is good news for biodiversity as well as a benefit to the volunteers, who I thank very much.

I also acknowledge what the noble Lord, Lord Stone of Blackheath, said in drawing my attention to the Flow Partnership. I understand that the noble Lord has met my noble friend Lord De Mauley, who was at Defra in the last Parliament, on this issue. Indeed, I have made a careful note of the noble Lord's words and I will pass them on to my ministerial colleague Rory Stewart, along with the desirability of a meeting.

The noble Earl, Lord Kinnoull, highlighted the threats to our native wildlife, which of course includes the grey squirrel. I have had first-hand experience of the considerable damage that this arrival on our shores has presented for us all in the countryside, and indeed in urban areas. I am very pleased that Defra has signed the squirrel accord and, more generally, that we are taking the lead in Europe in tackling the threats posed by invasive non-native species. On the funding of research, Defra is funding research into mammal fertility control in collaboration with partners in America for a better understanding of grey squirrel physiology and how this affects bark-stripping behaviour. I have made a careful note of the noble Earl's questions. I want to reflect on them with colleagues because this is clearly important.

My noble friend Lord Blencathra spoke of rewilding. The position is very clear that native species can be reintroduced under licence only after careful consideration of the potential consequences on the local environment, farming and public safety. There have been recent examples where this policy has seen the reintroduction of the large blue butterfly, the great bustard, the red kite, the pool frog and other butterflies. Indeed, there is currently a trial reintroduction of the European beaver.

Investing in the agri-environmental schemes will deliver benefits for wildlife and are therefore a priority for this Government. More than £3.1 billion will be made available for schemes between 2014 and 2020.

I acknowledge the 47,000 farmers currently involved in these agreements. We simply cannot achieve our goals without the land management skills of farmers. I think that my noble friend Lord Blencathra spoke in support of the many land managers, farmers and landowners across our land who over many generations have secured the wonderful landscape and countryside that we have. However, lessons have to be learned from environmental stewardship and incorporated in the design of new stewardship schemes. These are to encourage take-up of the right action in the right locations and create more effective ecological networks across the landscape.

For this reason, countryside stewardship is more targeted and better focused than its predecessors. I hope it will meet with the approval of the noble Baroness, Lady Miller of Chilthorne Domer, because it addresses some of the strands of her speech. Monitoring agri-environment schemes has shown that they have had a positive effect. The Defra/Natural England study showed positive benefits at individual farm level for the grey partridge, house sparrow, lapwing, reed bunting, tree sparrow and yellowhammer, for instance, from

2008 to 2011. We are encouraging all eligible farmers, foresters and other land managers in England to apply for the new scheme. I thank Natural England for ensuring that there is a considerable amount of promotional work going on. We have made funding available to nurture co-operation among groups of farmers and landowners wanting to work together.

The wild pollinator and farm wildlife package, which will provide benefits for wild pollinators, farmland birds and other wildlife, is a very important part of the Government's commitment to playing a leading role in improving the status of the 1,500 or so pollinating insect species in England. The strategy is a shared plan of action between Government, our partners and the public. I am pleased to assure my noble friend Lord Blencathra that the strategy aims to support pollinators in towns and cities as well as across farmland and the countryside, but I hope that he will understand that, given the shortness of this debate, I am not in a position to go into cats today. We are in active partnership with our pollinator advisory steering group, made up of 17 stakeholders, and I am delighted that there has been enormous support from the public. How timely for the noble Baroness's debate that this week is Pollinator Awareness Week. We are running a series of events and activities; indeed, yesterday I was delighted to visit the Defra beehives on the rooftops of Nobel House and to meet Hannah Reeves, the young beekeeper who cares for our bees and is learning her trade through an apprenticeship scheme that has been part-funded by Defra.

A number of questions have been asked today, and when I run out of time I will of course write to your Lordships. However, let me say to the noble Countess, Lady Mar, and to noble Lords that on pesticides the Government are committed to ensuring a high degree of protection for people and the environment from any risks. All assessments are made on the best scientific data. The neonicotinoid application is still under consideration and as soon as we are in a position to make an announcement, following the best scientific assessment, we will do so. The Government are committed to supporting England's biodiversity, recognising the multiple benefits.

1.59 pm

Sitting suspended.

Public Life: Values *Question for Short Debate*

2 pm

Asked by Lord Harries of Pentregarth

To ask Her Majesty's Government what is their policy towards promoting the shared values that underpin British public life.

Lord Harries of Pentregarth (CB): My Lords, the debate on this issue was much to the fore about five years ago. For example, in an article in March 2008 Gordon Brown wrote that what matters are,

“the common values we share across the United Kingdom: values we have developed together over the years that are rooted in liberty, in fairness and tolerance, in enterprise, in civic initiative and internationalism”.

He went on to suggest that these values live in the popularity of our common institutions, from the NHS and the BBC through to the Olympics and such movements as Make Poverty History. More recently, the debate has come alive again with a statement by the Home Secretary that the promotion of British values is a fundamental feature of the new Government’s programme. On the “Today” programme in May she said:

“We haven’t as a society in the past, been positive enough about the values that unite us as a society ... the key values that underline our society and are being undermined by the extremists”.

This stress on British values has also been promulgated by the Department for Education in a document of November 2014 headed *Promoting Fundamental British Values as Part of SMSC in Schools*; that is, spiritual, moral, social and cultural development. This said

“Schools should promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs”.

That policy has aroused some unease in the teaching profession and a fair amount of resentment in the Muslim community, an issue which I intend to address.

First, however, let me stress that nothing in life is value-free and that nothing is morally neutral—not education and not our public institutions. They inevitably reflect a set of values and beliefs. What matters is that we should try to be aware of those values and reflect seriously on them, both in schools and in our role as citizens. Furthermore, this should already be part of citizenship education in schools, which many of us have long argued must be taken much more seriously as a fundamental element in our educational system. When pupils emerge from school, they should be capable of reflecting seriously about the fundamental values that underpin our society, including the rule of law and the nature of democracy—its strengths and weaknesses. Schools themselves should reflect such fundamental values in their own ethos, as of course the vast majority do. So why the worry?

The worry has arisen both among teachers and among the Muslim community because the stress on British values has emerged as very much part of the Prevent strategy, and has had the unwitting effect of making many Muslims feel singled out by it as though they did not share those values. They have been made to feel somehow outside the mainstream, different, or—to use the jargon—“other”. This is a serious situation and I am grateful for the opportunity to raise these concerns. First, as a general point, we need to be aware of how others see us; it might be different from the image we have of ourselves. In relation to the current emphasis on British values, I am reminded of the response given by Gandhi when he was asked what he thought of western civilisation: “It would be nice”. Secondly, the values championed by the Government at the moment are in fact the values of any liberal democracy—they are not uniquely British. Moreover, they are human values, as witnessed to by the fact that they are now enshrined in human rights law.

I would like to see the question of fundamental values much more in terms of a continuing conversation with all the stakeholders—that is, one which includes all our communities. After all, our understanding of the values in question—the rule of law, democracy, freedom of expression, tolerance and so on—is the product of a long history. Where we are now is the result of many years of struggle and change. They were not set in stone once and for all; what they mean and how they apply have changed, are changing, and will continue to evolve in relation to the changing shape of our society. In particular, our society now contains significant communities with their own histories and insights to bring to the discussion—2.7 million Muslims and 817,000 Hindus, for example. As Amartya Sen has written, the Indian continent has a long history of the argumentative discussion that goes to the very heart of democracy. I am a champion of our own representative democracy on the familiar ground that it is the worst possible system in the world except for all the others, but it is absurd to think that at least some of the features and virtues are not reflected in other political and religious traditions.

The letter sent out by Eric Pickles and the noble Lord, Lord Ahmad, to mosques earlier this year contained many helpful things. It said:

“You, as faith leaders, are in a unique position in our society. You have a precious opportunity, and an important responsibility: in explaining and demonstrating how faith in Islam can be part of British identity ... British values are Muslim values”.

Yet the Muslim Council was overall unhappy with this letter, claiming that it contained the implication that British Muslims were,

“inherently apart from British society”.

The noble Baroness, Lady Warsi, a supporter of Eric Pickles, writing in the *Observer* at the time, said that the widespread resentment at the letter arose not so much because of what it said as the fact that the Government, over a number of years, had failed to engage with a number of organisations, regarding some of them as beyond the pale. If you have not fostered trust, she wrote,

“even the most benign of correspondence can become toxic”.

So the issue goes beyond language to the need to engage with a whole range of organisations, even very conservative ones, for a conservative religious position is not synonymous with a violent one. That reinforces the point I was making earlier that what is needed at the moment is a continuing conversation in which all our major communities feel they have a say in shaping what it is to be British and what our fundamental values are.

It is very unfortunate that such a key issue has become so closely associated with the attempt to combat extremism, when it is crucial in its own right. The need for reflection on such values will continue long after the present phase of counterterrorism is passed. So my plea to the Government is that they will see this issue less in terms of the top-down promotion of certain values and more in terms of engaging a range of communities in a continuing conversation.

Secondly, there should be a particular sensitivity to the nuances of language. I had the opportunity yesterday to raise this issue directly with the Prime Minister at the Cross-Bench meeting. He gave me a very robust

[LORD HARRIES OF PENTREGARTH]

defence of the continuing stress on the use of the phrase “British values”. The fact is, however, that because British values have been championed as part of a counterterrorism strategy, this inevitably gives a certain colouring to the words, which has resulted, unfortunately, in them being heard by some in a negative way. That is why my Question talks about “shared values”. I commend the word “shared” to the Government, for it assumes that we are together in this, not set apart. It is not a question of dropping the phrase “British values” altogether, but using it in a more nuanced and qualified way that does not make some feel distanced from them.

2.08 pm

Lord Addington (LD): My Lords, I thank the noble and right reverend Lord, Lord Harries, for bringing this debate before us. I have just under three minutes in which to speak.

There are many British values but I want to concentrate on just one which should be close to us in this building—that is, the concept of having a loyal Opposition within the British system which can oppose the Government, question them, and state publicly that they are prepared to replace them, while still not being considered traitors. In my veneer knowledge of history, I have discovered that this concept was first coined by John Hobhouse in 1826, when having a go at George Canning, apparently. That was a period of liberal Toryism, if I remember my A-level history correctly. The concept that we could criticise the Government without risking impeachment or imprisonment or being sent to the gallows did not exist 100 years before that time, or had only just started to emerge then. This idea that those in opposition can criticise and talk to the Government and, indeed, have status, position and influence within the system of governance is something that we should extend to the rest of our society and move it out from here. Indeed, the noble and right reverend Lord, Lord Harries, spoke of getting other faith groups et cetera to feel that they are part of this process of criticising and having a different agenda—but not being alienated or criticised is an important factor. Also there is the fact that politicians, when under pressure, think, “You’re not being patriotic—you’re not representing the true interests of the country”. If we carry on down that road, we get into a very odd position, because the only civilised position is to say that anybody who opposes you is well intentioned but wrong. If we start from that assumption, sometimes it is proven that it goes a little bit beyond that; if we do that, we have grounds for a discussion and civilised disagreement. If we go beyond that, we get into very odd places. I do not know what is going to happen when the hunting Bill gets here, but I think that this is one of those occasions when this position was left behind—as horns, hooves and forks were pushed into the hands of both sides who did not love each other or the rest of the world, or cuddly animals, or understand the countryside. Take your pick and go round it twice. Unless we accept that people in positions of opposition at least deserve the courtesy of being listened to for a period of time, we are going to end up in a period when we listen to nobody—and then nobody needs to listen to us.

2.11 pm

Lord Kakkar (CB): My Lords, I join in congratulating and thanking the noble and right reverend Lord, Lord Harries, for having secured this important debate at such an important time. When I gave my maiden speech to your Lordships some five years ago, I was able to reflect on the journey of my own parents who came to the United Kingdom in 1961 to continue their medical training as part of a substantial wave of immigration from India at that time, which resulted from a broad consensus, recognising that immigration was a good thing but also that those newly arrived communities needed to integrate and make their full contribution to British society.

Some nations attempt to deal with the question of values by way of their written constitutions. That includes France, for instance, and the United States. We know about “Liberté, égalité, fraternité”, which is written in tablets of stone in the French constitution—a top-down approach to the definition of and imposition of national values. Regrettably, experience in France has shown that that does not necessarily achieve the greatest integration and cohesion in society. Our own approach without a codified written constitution has been to focus much more on institutions playing a vitally important role, both in establishing and helping us to understand over centuries what our values are and then ensuring that those values are broadly consolidated. Such great institutions as our constitutional monarchy, this great Parliament, a free press and an independent judiciary have all played a vitally important role in securing an understanding and a basis of our national values. But then smaller institutions throughout the land, which compose civil society, have provided the opportunity for a variety of disparate communities to be able to engage with those values, to understand them and start to live them. It is therefore vitally important that we reflect on the role of institutions in securing the values that we hold so dearly in our country and the opportunities that they have to ensure that all communities can understand those values and participate in living them.

Bearing in mind the dependence that we have on institutions, what role do Her Majesty’s Government take towards protecting and promoting them and ensuring that they can play their vitally important role in securing the values that underpin our country? If those institutions, both large and small, were to fail, there would be a very great risk to our nation, broadly, and to the security and functioning of communities, both established and newly arrived in our nation.

2.14 pm

Baroness Mobarik (Con): My Lords, I thank the noble and right reverend Lord, Lord Harries, for initiating this debate. I grew up in a Muslim household, an immigrant child of immigrant parents who held certain values stemming from their religion and culture. I received my formal education in a typical Scottish Presbyterian state school where I was instructed in certain values to live my life. There was no conflict between the two. The values were the same—hard work, patience, loyalty, compassion for those less fortunate, charity, public service, respect for other religions, aspiration

to succeed and, most importantly, abiding by the law of the land where one lives. If the values of both cultures I inherited are so much the same, I ask myself, “Where did it all go wrong?”. Why are there such divisions—or perceived divisions—in our society, especially concerning members of my religious and ethnic community?

We must first understand what we mean by communities and what we mean by culture. When we speak of ethnic communities we must remember that these are not homogenous entities; they are diverse, just as diverse as the indigenous society at large. They are a microcosm of the countries from which they originate. Diversity is part of humanity; it is, indeed, the shared values which make sense to any civilised society, bind us together and provide social cohesion.

For a long time, diversity or multiculturalism were celebrated and encouraged on this island. Indeed, I believe that we were, for a while, quite comfortable as a society. Our nation worked hard to bring about equality through race relations and equality legislation. Ethnic communities of many hues enriched the lives of this nation: the food that we eat, the colours and clothes that we wear and the music that we listen to have changed beyond recognition from the days when I came to live here as a little child. It is deeply disappointing to think that multiculturalism was simply a failed experiment. The celebration of multiple religions, ethnicities and cultures is now understood to have done little in the way of social cohesion.

I argue that it is not multiculturalism per se which was at fault but the way that we went about promoting it. For too long, people were encouraged actively to withdraw into silos and given funding for separate organisations. We cannot encourage people to live separate lives and then expect them to be full and active members of mainstream society. Diversity is one thing, division is another. Along with the celebration of diversity must come a single narrative of nationhood, where people feel that they belong.

We all have a huge task in front of us to tackle the root causes at the heart of this disaffection, to remind people, particularly the young, of our shared values and to foster acceptance that there will always be some differences but that the core values are the same. What binds us as British citizens is far greater than that which divides us. The point I make to the Minister is that in our efforts to promote the shared values that underpin British public life, we should bear one thing in mind—that just because we got multiculturalism wrong, we must not be reactive, go to the other extreme and impose assimilation. That would merely be intolerance, something we can ill afford in what can often seem an increasingly fractured society.

2.18 pm

Lord Sutherland of Houndwood (CB): My Lords, I congratulate and thank my noble and right reverend friend Lord Harries. This is a well-chosen topic; it is timely and another of the many nails he drives into the coffin of extremism.

The function of the state is one of the critical questions underlying this. What is the role of the state? I like to plumb the depths of British philosophy and

history in trying to answer such questions, so I shall turn to John Locke and *A Letter Concerning Toleration*—he wrote three but I shall deal just with the first. It was written from a context that, if we think about it, is not unfamiliar now. He was an exile in Holland and all around him were the terrible deprivations of the Huguenots, driven out of France by Louis XIV, who had revoked the edict of Nantes. Locke saw persecution going on. He was an exile from religious persecution in Britain in 1685.

He raised the question of what the function of the state is, because he saw that as the starting point. The function of the state is to deal with matters temporal: life, liberty, health and property. The function of the state is not to take a view on what religion is appropriate or inappropriate. However, Locke moved on from that and asked: what kind of limits do you set to the function and the powers of the state? The limits had to do with his general philosophy—with what empirically can be shown to be true, and pragmatically what can be achieved. For example, today a separate question has to be answered pragmatically about the use of electronic surveillance, which we will come to in this House in due course. That was not a question for Locke, but it is for us. Let us deal with it in a way that looks for evidence rather than putting words in the sky.

My point is that right now in our schools and colleges, to our shock and amazement, young people from very sensible and pleasant homes who have been brought up to think of themselves as British are moving out and going—perhaps driven by ideals or perhaps by other things—to parts of the world where ideology reigns, not criticism or pragmatism. Locke’s point is: as part of how we carry on our practice of public values and education in public values we have to draw this very clear line and say, “Matters temporal have to be settled empirically and pragmatically”. You cannot settle matters political in the way that, for example, people will find they are settled as they move to certain parts of the world. There is a huge distinction here which I hope underlies how we begin to teach social values in our state.

2.21 pm

Lord Steel of Aikwood (LD): My Lords, I join in thanking the noble and right reverend Lord, Lord Harries, for enabling us to talk about values, and it is a particular pleasure to follow the former vice-chancellor of my old university, especially as he was kind enough to give me an honorary degree—so I have to say that about him.

Among the vehicles for translating values for the public are the political parties. It is well known that I am not the greatest admirer of Nick Clegg’s leadership of my political party. However, just before the election he came to a dinner in London which was held for the 50th anniversary of my election to this place, and he made a magnificent speech on liberal values. During the rather dreary election campaign I sent a message to our campaign headquarters saying, “Please ask Nick to repeat that speech, because it would elevate things a bit more”. I do not know whether he ever got the message, but the next time I heard him talk on liberal values was in his very dignified resignation

[LORD STEEL OF AIKWOOD]

speech as leader. That certainly had an effect, because thousands of people have rushed to join the Liberal Democrats since our crushing election defeat, and that was largely due to his inspirational speech.

I was reminded of that when my friend Colin Eglin, who was leader of the Progressive Party in South Africa, said, after a totally disastrous election:

“There will be people who will ask ‘What’s the use?’ Let me make three comments in response to this cry of frustration. The first is that certain things are worth fighting for. Justice is worth fighting for. And freedom is worth fighting for. And decency is worth fighting for. The commitment to fight for these things should never depend on the perceived prospect of electoral success”.

That is true. Two of our parties are at the moment engaged in leadership elections. The Labour one certainly opens up the prospect of different sets of values being put before them. We will not know the result of that until September; personally, I rather hope that Jeremy Corbyn will win, not just because I rather like him but because that would open up the ground of politics in Britain for the Liberal Democrats. Our leadership election is going on today; the count is taking place as we speak. During the campaign I was a bit surprised that Tim Farron came under attack for being an evangelical Christian. I thought, “What have we come to, when somebody can be attacked for that?”. I may disagree with him on some things—I am sure I will—but the fact that he is an evangelical Christian means that he is somebody rooted in his own convictions, which is very important.

One of the people whom I met in South Africa many years ago, over a quiet little lunch, was the great Alan Paton, who wrote *Cry the Beloved Country*. He was leader of the Liberal Party and caused it to fold rather than accept the apartheid rules. He said,

“by Liberalism I do not mean the creed of any party or any century. I mean a generosity of spirit, a tolerance of others, a commitment to the rule of law, a high ideal of the worth and dignity of man, a repugnance of authoritarianism and a love of freedom”.

No one can better that, and I hope that our new leader will take those words to heart.

2.25 pm

The Earl of Clancarty (CB): My Lords, this is a political arena so it is appropriate to ask whether and what values, shared or otherwise, are promulgated through the current practice of government. The key test for government came in 2008. My belief, shared by others, is that the greatest priority of a Government in the face of a financial crisis is to protect the poorest and disadvantaged. That protection has not been provided—indeed, the opposite is the case. Today I read that the Institute for Fiscal Studies’ annual poverty and equality report says that the number of poor children in working families rose from 54% in 2010 to 63% in 2014. The use of foodbanks, which service the employed and unemployed, is at record levels. Values, whether positive or negative, are invoked implicitly through government policy, which we perhaps need to recognise more.

The second point is that, if there is one value that we as a society should share, it is sharing itself. It is sharing financially, certainly—many economists who

hold that value dear believe that the current privations have been entirely avoidable—but also sharing democratically, and the sharing of ideas, including beyond national borders, which is a reason for valuing the free movement of people between EU countries. Out of sharing comes much else: caring, generosity, kindness, democracy—kindness is underrated by both the left and the right for different reasons. My heart sinks when a Minister says “I have to make a tough decision”, because I know that decision is one against sharing and one that may well increase the poverty divide. I would like to hear a Minister say “I’m going to make a kind decision”.

Education, at its best, ought to be a site of sharing. I do not believe that the main value of education lies in making a young person fit for a job but in enabling a student to think for oneself, which also means thinking beyond oneself. That is the reason why I am against faith schools, which try to narrow and predetermine a student’s thinking. If citizenship is taught in schools, it needs to be on a comparative and discussional basis. I have come across, I think, apposite lines in a book called *The Soul at Work* by the Italian writer Franco Berardi. He says,

“Democracy cannot stem from any cultural root or belonging, but only from a boundless horizon of possibilities and choices, from opportunities of access and citizenship for every person ... Democracy cannot have the mark of a culture, of a people, of a tradition: it has to be a groundless play, invention and convention, rather than an assertion of belonging.”

Values change and the values of things change. Democracy itself is not a settled thing. We pass laws and affect institutions through which values are refracted but the values that we hold individually and those that we share should emerge not, I believe, through overt prescription by government but from the individual’s ever-evolving discussion with others.

2.28 pm

The Lord Bishop of Derby: My Lords, I thank the noble and right reverend Lord, Lord Harries, for securing this debate. I suggest that shared values might be a dangerous focus and something of a displacement activity. Values are changing and are often vague. The Prime Minister wants to uphold freedom, toleration and the rule of law. My wife Caroline receives lots of information from Johnnie Boden about clothing and, this week, an email came with his values for being British: to be rebellious, daring and timeless. The point is that it is a shifting landscape, which can open up a lot of confusion and miscommunication.

The issue for British public life is not so much about values, which will always be part of the scene; the key issue, I think, is about the processes by which different perspectives participate in public life. That is the notion of the noble and right reverend Lord, Lord Harries, of a continuing conversation. The noble Lord, Lord Addington, made a similar point. From the seventh century, when different kingdoms came together and had to negotiate, to the current legislation proposed by the Government about cities and local government, there is a presupposition about different elements somehow being drawn into conversation about our future and how we operate.

The problem about this is that the process of participation is patently not open to ordinary people very easily. It is designed for those of us who live in the suburbs and, in my experience, working a lot with very needy people in the inner city, there is a great disenfranchisement from being able to participate in this continuing conversation. For example, in the last three months, I have been approached by Muslim leaders in the city of Derby where I work to see if I can help to create a safe space, to use their words, in which radical, young Muslims—who, like young people, want to explore radical ideas—can do that without feeling intimidated or at risk of a kind of Prevent agenda which sees that exploration of different perspectives not as part of the political process and the give and take of what a value is about but as something that might be dangerous and almost illegal.

I want to ask the Minister two questions. What might the Government do to encourage the participation of a range of perspectives that includes those who are so patently disenfranchised in the inner cities and among the poor? What might they do to help the Prevent initiative, which I see as very necessary, be perceived by people, especially young people, as an invitation to participate in a grown-up discussion about a range of radical views in a political culture rather than signal, as other noble Lords have said, that this is territory to keep away from because you might be punished for it?

2.31 pm

Lord Ramsbotham (CB): My Lords, I, too, congratulate my noble and right reverend friend Lord Harries on obtaining this debate. As my noble friend Lord Sutherland was speaking, I was reflecting on the marvellous essay by Field Marshal Viscount Slim on the foundations of morale, which he wrote in 1943. One of the things he said is that a man must feel that he will get a fair deal from his commanders, and his living and working conditions must be made as good as they can be. I fear that one of the things about people leaving this country is that they do not feel that.

I declare an interest as having been a member of the Select Committee on Soft Power, which asked the Government exactly the same question at the end of its report. What were the British values which underpinned the so-called British way of life? We were influenced to a slight extent by Mr Hague's statement that we must work,

“to persuade other nations to share our values and develop the willingness to act to defend and promote them”, which requires,

“allowing our soft power—those rivers of ideas, diversity, ingenuity and knowledge—to flow freely”.

The most interesting evidence that we took during the whole period was from the High Commissioner for Mozambique who explained why it was that Mozambique had sought to join the Commonwealth. He underpinned the values which it felt that it would gain from doing so, which were exactly the ones quoted by the right reverend Prelate; namely, freedom, tolerance in others, accepting responsibility, absence of corruption and, above all, respecting and upholding the rule of law. Those are terribly important and we lose them at our peril. What worries me is that that may be fine when

said by the Prime Minister but is the Minister certain that Ministers are practising, exercising and accepting responsibility, and upholding the rule of law?

2.34 pm

Lord Hennessy of Nympsfield (CB): My Lords, I shall concentrate in this welcome debate on a particular British value admired across the world and cherished, I think, by the bulk of our people; that is, the idea of politically neutral Crown service, a concept which speaks deeply to our national instinct for public service. When I first reported Whitehall as a young journalist 40 years ago, this was little talked about by insiders who assumed, rightly or wrongly, that the virtues of a politically and powerful career Civil Service were better lived than proclaimed. Few felt a need to capture them in code or statute. Perhaps regrettably, this became necessary in the intervening decades as some of the relationships within the governing marriage of Ministers and officials became testy, even scratchy. Yet the old 19th century deal, sculpted by the Northcote-Trevelyan report, is as crucial as ever to our good government: that in return for permanence, career civil servants will speak truth unto power, telling Ministers what they need to know rather than what they might wish to hear.

Public service, defined in this fashion, is a state of mind and therefore not susceptible to the performance indicators that have swept through Whitehall like a rash over the past 30 years. Crown service in all its forms depends upon the survival and the flourishing of such principles: the greatest governing gift of the 19th century to the 20th century and our own. The notion of Crown service in the round is the superglue that should bind all those engaged in the Civil Service, the Diplomatic Service, the secret services and the Armed Forces. All these great professions would be sullied and diminished if a creeping politicisation took hold, and given the constitutional uncertainties we face, possessing a UK-wide Civil Service is critical to keeping our union together. Perhaps it is time, amongst many other constitutional requirements, to refresh our notion of public service and those precious values that bring Crown service life and lustre.

2.36 pm

Baroness Barker (LD): My Lords, I, too, thank the noble and right reverend Lord, Lord Harries, for this opportunity to reflect. When preparing my speech, I looked at my membership card for the Liberal Democrats. The preamble to our constitution says:

“The Liberal Democrats exist to build and safeguard a fair, free and open society, in which we seek to balance the fundamental values of liberty, equality and community, and in which no one shall be enslaved by poverty, ignorance or conformity”.

Those are the words that endure for us. They are our guiding principles in all we do, not least in our work at local government level to try to make those principles have some meaning in people's daily lives. Those words are a commitment to build communities in which wealth and opportunity are attainable by all. At the heart of it is an understanding that diversity and respect for difference are a prerequisite for sustainable and prosperous communities. Over the last 40 years,

[BARONESS BARKER]

voluntary organisations, local government and national government have campaigned for and legislated for a society based on equality of opportunity and diversity. That has been a long process of changing people's hearts and minds. It was right. Today, everywhere in the world, every multinational company that succeeds is committed actively to diversity and inclusivity within its business model.

My fear is that, in these times of austerity, the local government base that was there to see this work through in communities is being put under very severe pressure. Those small community groups were so effective over so many years, not just in fighting for equality and diversity at a theoretical level, but in connecting people who had believed themselves to be of such a different background that they could never come to an understanding. I wonder whether that local network of activity, which is so badly needed, will be there in future. In times of austerity, the politics of geographical location and identity become very compelling and life is hard. Nevertheless, in times of austerity and in a world where global communications and commerce are never localised, nationalism can never be an answer to the problem. That is tough, and it is an issue that is arising around the United Kingdom in ways that we have never envisaged before, at least in my lifetime. It is tremendously important that the Government pursue equality and diversity, not just because it is politically the right thing to do but because it will secure the economic basis for those secure values to flourish.

2.40 pm

Baroness Sherlock (Lab): My Lords, this is one of those debates where you want to lock the doors and start the conversation now, as is often the case, I find, when the noble and right reverend Lord, Lord Harries, introduces a debate. His debates are never dull, and he always starts us off with such characteristic thoughtfulness that the conversation feels like it is only really beginning now. In three minutes, I cannot give an opposition response to the range of views expressed or even to his opening statement, so I shall take the opportunity of giving a few thoughts of my own on what we mean by values and on what kind of conversation we can have.

There have been various attempts over the years to produce lists of British values, many of them articulated today and all of which I would subscribe to. I even sat briefly on a committee whose job was to review the book which was given to people to learn what it meant to be British before taking a test to be allowed to become a citizen. But even when really good, commendable lists of values come out, they are rarely lastingly satisfying. Somehow, lists of abstract values do not seem to have traction with people. I think that the reason is that, in the end, their meaning is lodged in the context from which they grew and the purpose they serve. In the end, our values come back to the story that we tell about ourselves as a people.

Any list of concepts in the end offers too thin an account of who we are, what we value and what we are about to be able to serve a useful purpose. If we describe a list of British values to our children, to migrants or

to other countries but do not tell them the stories of how those values grew up and of the way in which the culture shaped them, was shaped by them and changes over time, why do we expect them to embrace them and take them to their heart?

So, shared values are not enough. I want to go back even further than Locke. The American ethicist Stanley Hauerwas illustrated that point by comparing the Stoics with disciples of Aristotle. He said that they shared the classical values of prudence, temperance, fortitude and justice, but that the Stoics saw them as values that you adopt because you are expected to—essentially, values were contractual. Aristotelians did not see it as being about presentation; rather, virtues were essentially character traits which you acquired over a long period. A virtuous person was one who became habitually virtuous spending years learning and practising those virtues.

If we want our citizens to embrace a set of values, then they—we—need to know why. We should not just set out propositions to assent to; we need a kind of culture, an ethos, a national, living, breathing culture which we all absorb and change over time through repeated practice. We need to raise and educate children and welcome new citizens into a living culture where we all model those values. That includes government and politics. If we want people to treat others with respect, even if—or especially if—they have a different view of what is right and good, then so should we. And politicians, myself included, are not very good at this. If we want people to act in the best interests of their community or their country, we need to find a way in which they do not just look out for themselves but are encouraged by seeing that we take political decisions and organise public life in a way which puts community at the heart both of deliberations and of service delivery.

What Aristotle and the modern virtue ethicists like Hauerwas understood was that if you do something repeatedly over a long period, it forges your character. You might start out consciously modelling something, but in the end you are changed by it. If we want to end up changing other people, maybe the starting point is changing ourselves.

2.42 pm

Baroness Chisholm of Owlpen (Con): My Lords, I thank the noble and right reverend Lord, Lord Harries, for calling this timely debate and all noble Lords for their contributions. I shall speak quickly to get through everything and hope that I will not sound too garbled, but there is so little time.

The issue of shared values that underpin British society is a wide-ranging topic and even in a short debate we have managed to touch on many important topics. I plan to pick up various points that noble Lords have made as I go through the speech. If I leave any noble Lords out it is because of time and I hope that we can come together at a later date to discuss further.

In modern Britain we share many values, as the noble Baroness, Lady Mobarik, stated when talking about her upbringing. Those values in turn support a stronger society. Fundamental values such as democracy, the rule of law, individual liberty and mutual respect

and tolerance for those of different faiths are, thankfully, normal concepts in our society and are rightly promoted through the education systems in this country.

The values of tolerance and individual liberty extend into many areas of our lives and I am pleased that today we have heard contributions regarding the rights of all in society to enjoy freedoms. The noble Lord, Lord Addington, mentioned democracy and opposition parties. We can debate and disagree and move on, and we have respect and support for all, including those experiencing mental health issues and disabilities, individuals from the lesbian, gay, bisexual and transgender community, and of course those of all ethnic backgrounds and faiths.

To my mind, “British values” are just values and are not necessarily British in particular. I appreciate the stance that the noble and right reverend Lord, Lord Harries, has taken in this debate by referring to “shared values”. However, I also agree with comments made recently by the Prime Minister that in Britain we enjoy traditions and history that anchor these values deeply into our culture. The noble Baroness, Lady Sherlock, mentioned going far back in our thoughts; from the Magna Carta, from our parliamentary democracy, from our independent judiciary and many other long-standing institutions, we have seen shared values accumulate and those values have shone through, not least of all in the conflicts of the 20th century and more recently in events such as the 2012 Olympic and Paralympic Games.

While there are many great endeavours in our nation’s history that have helped shape our shared values, we should not forget that many of today’s commonly accepted values have been forged from darker periods and events. It is our ability to acknowledge this history and entrench its lessons in the present that has truly strengthened our ability to confidently promote our shared values as a firm basis for a strong and healthy society in which all people and communities can participate and thrive. In Britain we have a proud tradition of successfully bringing people together from different countries, cultures and ethnic backgrounds to live peacefully alongside each other and prosper.

Bringing people together in such a way is not always easy and we know that in doing so there is often potential for distrust, disrespect and even conflict to arise. I believe that a society that welcomes all and promotes mutual respect and tolerance is a stronger society, one that benefits from that which all people and communities have to offer and one that can more confidently reach out to its neighbours and face the rest of the world as an effective and vibrant member of the global community.

The Prime Minister recently highlighted the difficulty of balancing the need to protect and promote the values of respect and tolerance with the need to deal with the challenge presented by those who are disrespectful and who are not tolerant. While maintaining a vibrant and tolerant society is not always straightforward, it is worth the effort. I should take the opportunity to highlight some of the efforts that this Government have made to drive this agenda. The noble and right reverend Lord, Lord Harries, talked about the education system. The promotion of fundamental values and citizenship education in schools prepares children

and young people for life in modern Britain. Ofsted now inspects both these elements closely, which means that every school in England will be held accountable for its performance.

The cases of Olive primary school in Blackburn and the Trojan horse scandal in Birmingham over the last few years have highlighted the importance of this. If positive promotion of shared values is not pursued, a vacuum is left, into which dangerous and negative messages can fall. Clearly, this danger is posed only by a minority and I should highlight that intertwining the teaching of faith alongside shared values can be achieved successfully. Olive primary school and other schools run by the same Islamic trust have produced stunning results in Ofsted inspections this year. All four primary schools have been praised for promoting British values. One sends its youngest pupils to Jewish schools several times a week. They are encouraged to support the English football team, they dress up as kings and queens, they have links with church schools and they take part in exchanges to celebrate Christmas and Eid.

While I do not want to dwell on extremism, it cannot be ignored. The harm that a minority of extremists can do is immense and there is a broad spectrum of extremism that poses a real threat in the UK. The Government’s counterextremism strategy is due to be published later this year and it will outline measures, including legislation, to tackle extremist individuals and groups and the premises they use to spread their influence. At the heart of this counterextremism strategy will be a positive vision of Britain and our values and an open offer to work with all those determined to eradicate extremism. For me, the heart of this matter is ensuring that shared values are woven into the fabric of our communities, ensuring that they are tolerant, respectful, integrated and strong. The health, economic and cultural benefits that strong and diverse communities can enjoy are immense. The report *Creating the Conditions for Integration*, published by the Department for Communities and Local Government in 2012, identified that in the past our attempts to deal with the challenges of integration and shared values have concentrated too much on legal rights and obligations, which has had the effect of encouraging a narrow focus on single issues and specific groups. Indeed, in some cases it may have exacerbated existing problems. As the report states, today the challenges we face are too complex for laws and powers to provide the sole solution. Perhaps this is where the noble Lord, Lord Sutherland, comes in.

We all welcome legislation to better promote our shared values. Recent advances such as ensuring that marriage is an option for all loving couples, including same-sex unions, as well as this week’s announcement by the Prime Minister that employers will be required to be transparent about the gender pay gap in their organisations, are two examples of this. It is not the full picture, however. The Government have worked hard to support a range of initiatives that sought to build a bigger, stronger society in which all individuals and communities can thrive.

As the noble Lord, Lord Kakkar, suggested, working in partnership with civil society organisations and communities is important. The Government have an ambitious agenda to ensure that at every stage of their

[BARONESS CHISHOLM OF OWLPEN]

lives people are supported to fulfil their potential and have the chance to contribute positively to their community. Britain has a long and proud tradition of charity; of giving time and money for good causes and to help our fellow citizens in whatever way. An estimated 32 million adults volunteered last year, 3 million more than in 2010. Since its creation in the previous Parliament, more than 135,000 young people have taken part in the National Citizen Service, which instils in people the values of reaching out, helping others and engaging positively in their communities and in public service. A long tradition of communities coming together to work in partnership exists. There are already 3 million volunteers working in hospitals up and down the country and the Government's Centre for Social Action has already backed 250 innovative projects to improve public services through more and better social action.

Since the beginning of the previous Parliament, the Government's Community Organisers programme has recruited and trained more than 6,500 organisers in England. These organisers bring local people together to tackle local problems in partnership. As to bringing people from different backgrounds together effectively, we should lead by example in this place. I am chairman of the committee on candidates for the Conservative Party. We now have 68 female MPs compared to 48 in 2010; 17 BAME MPs compared to 11 in 2010. It is not enough but it is encouraging.

The Office for Civil Society has supported the UpRising programme in recent years to scale up and better demonstrate its impact. It opens pathways to empower talented young people from diverse and underrepresented backgrounds, helping them to fulfil their potential and transform the world around them through social action. This programme enjoys cross-party support, having had three main party leaders as its patrons, and nearly 3,000 young people have been supported to date. I can assure noble Lords that the Government will work hard to enable and support them. We will do all that we can.

The Government are ambitious. We want to build on this foundation and to encourage more social action, more giving, and greater awareness of those around you and of what you can do to help them to help each other. That is a vision of a stronger, bigger society, where everyone can enjoy a good life and fulfil their potential regardless of their background. Underpinning all this is a society that is, and needs to continue to be, grounded firmly in shared values. Today we have spoken about many of them, as the noble Lord, Lord Steel, mentioned, including tolerance, respect, freedom of speech, freedom to practise your faith or not, democratic rights, a society that offers all the right to justice and one in which all people can live harmoniously together as a result.

I again thank noble Lords for their valuable contributions. I hope that the sentiments and convictions expressed here today will continue to extend into positive actions outside the Chamber to maintain and advance our shared values and the healthy, rich and varied society that we can all enjoy as a result of them.

2.54 pm

Sitting suspended.

Rural Communities

Question for Short Debate

3 pm

Asked by *The Lord Bishop of St Albans*

To ask Her Majesty's Government what plans they have to ensure the sustainability of rural communities, in the light of the additional costs and challenges of service provision in rural areas.

The Lord Bishop of St Albans: My Lords, I am very grateful to all those who are going to contribute to this debate, which is an opportunity to highlight the importance of sustainable rural communities to the life of this country and to consider the challenges that exist in providing the services needed to support those communities so that they can continue to be engaging and vibrant places to live and work. Many definitions of vibrancy can, and indeed have been, applied to rural communities. Previously, these definitions have focused on the services available in the community—for example, a shop, a post office or a school. But in the final analysis it is the people who count and who make a rural community, indeed any community, what it is. A rural community becomes sustainable when people care about its future and have an opportunity to engage in that future, shaping it themselves for the common good.

When we talk of the sustainability of rural communities there can be an understandable resentment that we are asking rural places to justify their existence, which is a question we do not normally ask of towns and cities. This reflects the vulnerability that the residents of some rural places feel when the shop and the pub have closed, the school long since closed and public transport is a distant memory. In some villages, often only the church remains as the last open public building.

Here I should declare an interest. The Church of England has 10,199 open church buildings in the countryside, as defined by Defra's rural definition, which is two-thirds of the total number of our churches. Through the parish system, we therefore have an interest in communities of all shapes and sizes, and we want to ensure that the smallest places have as much chance to thrive as more substantial communities and settlements. There is a quiet revolution going on in many of our rural church buildings. Increasingly, they are adapted so that, as well as being places of worship, we are returning to the medieval understanding that the nave can be used for a variety of purposes. Many rural churches now have a meeting room that can be used by villagers, toilets, a kitchenette and so on, which is a real win-win situation. We are seeking to use these buildings for the wider community.

The rural areas of the United Kingdom are diverse and varied. They are not a single homogenous unit that can be described simply or dismissed as affluent and therefore of little concern to policymakers. One of the features of rural communities is that, on average, the population is older than in urban areas. This demographic means that providing health and social care that is accessible to this age group is already a challenge that needs to be addressed.

Some academics are already warning that the countryside could become an exclusive place open only to those with enough money to buy property there. The long-term sustainability of rural communities will be challenged if this becomes the case. Proposals such as the right to buy housing association properties will not help the long-term future for rural communities, and will exclude those whose life experiences and skills are just as valuable, although their incomes are less.

Similarly, removing the requirement for affordable units on new build sites of 10 houses removes one of the major sources of affordable housing, particularly in smaller settlements that are not considered to be service villages. Her Majesty's Government have given assurances in the past that rural proofing of policies takes place. In terms of providing affordable housing this does not appear to be the case. Neighbourhood planning has much to recommend it, giving rural communities the opportunity to have a say in the development that takes place there.

However, neighbourhood planning is complex, time consuming and costly. The schemes already in place to assist communities in this process, particularly across civil parish boundaries, are extremely welcome, as is the grant aid available, but more is needed, particularly around simplification of the process and plan, as to date only a small proportion of rural communities have plans in legal force, 3.5 years after the original legislation was enacted.

It is well established that rural households pay higher rates of council tax per dwelling, receive less government grant and have access to fewer public services than their urban counterparts. Delivering services costs more in the countryside—the rural premium—and applies to healthcare, education, social care and a great many other things, including public transport. Funding allocations per head of population tend to be consistently lower than towns and cities and do not take into account the sparsity factors of distance and small total population numbers. The local government finance settlement remains unfair to rural local authorities and this needs to be addressed now honestly and openly, as it is unjust to the rural population.

Health and social care is a particular concern. We already know that accessing health services in rural areas is more difficult, because travel times, distances and costs are greater. As such, we need to be much more creative in how health services are delivered, by using outreach centres, video links or tele-medicine services. Social care provision is particularly valuable to allow people to stay in their homes and remain part of their community. Rural areas are difficult, where travel times between each client are longer and the wages for carers are low, recruitment is difficult and the time spent is unsatisfactory to both the client and the carer. Many rural residents benefit from the knowing and being known of small places, although others, sadly, live isolated, lonely lives. Sustainable communities will be ones where trust has been built, and knowing who one's neighbours are is a matter of pride, not surprise. The voluntary sector and the churches have a continuing major role to play here in bringing people together and looking out for who is missing. As a church, we invest hugely in the number of rural clergy, who in some cases are among the few professional

people actually living and working in that community; many of the others commute out of it to work. However, this cannot be done for ever on a shoestring and good will. We have to plan now for providing these services and acknowledge the extra costs associated with them in funding settlements.

A rural community will often be able to articulate its own needs far better than those doing the planning, and these voices need to be heard clearly and not dismissed. Supporting the rural economy has been a stated priority for Defra for the past five years, and no doubt will continue. Supporting the additional costs of service provision and delivery also needs to be a priority. How does Her Majesty's Government propose to do this? Service delivery plans also need to address all rural residents, including the hard-to-reach areas. How will that be delivered within Defra, now that the Rural Communities Policy Unit has been subsumed gently and quietly into other policy areas?

3.08 pm

Baroness Byford (Con): My Lords, I begin by thanking the right reverend Prelate the Bishop of St Albans for giving us this opportunity to discuss something that I think is very close to all the hearts of our speakers this afternoon. It is an important debate.

For many people living in rural areas, there is increasing concern about the future of services, whether the provision of healthcare, school places and transport, or access to jobs or affordable housing, to name but a few. The right reverend Prelate rightly highlighted other aspects and gave us some of the solutions, indicating how church parish communities help. Two-thirds of those churches are in rural areas; many, as we have seen, have altered the way in which they are used and are now in multi-use. Care for our elderly is one of the biggest challenges that we face but I will come back to that later.

This debate also gives me the opportunity to thank and congratulate the noble Lord, Lord Cameron of Dillington, on his leadership in taking the rural dimension—or challenge, I should say—to various government departments, speaking to Ministers and senior civil servants. It was indeed a Defra initiative but I will not steal his thunder as I am sure that he will talk about this in his contribution later. The most important thing to come out of all this, and his report, is that the valuable research that was undertaken should not be lost and should be acted on.

Over the years, I have attended various conferences and discussion groups looking at ways in which service provision in rural area could be enhanced. The Commission for Rural Communities, in its comparatively short existence, brought together much valuable data. The common theme coming out of all these is that no one size fits everybody; that includes whether they are working with public provision or alongside voluntary organisations and individual giving.

I was particularly pleased to see this morning's news that Cornwall, a very rural area, has been given new powers—English devolution—to take responsibility for regional investment, countryside bus services and franchises and the provision of healthcare and social care. I hope that this is the start of freeing up service

[BARONESS BYFORD]

provision for others in different authorities. I hope also that, in future, different counties and districts will work closely on provision, so that one is not limited by a boundary. I was concerned, however, also to see in this morning's news that some of our magistrates' courts are to be closed. I accept that, where they are not fully used or circumstances have changed, it leaves them no longer viable and that such decisions are right. Nevertheless, I draw to the Minister's attention my fear that such closures will affect rural communities more significantly.

Challenges lie ahead of us but I am encouraged by some of the excellent community work that is already ongoing. The right reverend Prelate referred to our growing number of elderly people. I will share with you my own experience when, two years ago, my husband was not well; he was in hospital and, sadly, eventually died of bowel cancer. The link-up between the hospital and provision at home, where he chose to come back to die, was enormously helpful—I reiterate that because I think that we were exceptionally lucky. The hospital linked up with the local doctors and nurses, and Macmillan and LOROS came in to us and were enormously supportive, which meant that he was able to live where he wished to live for as long as he could. Such linking up between hospital and home is crucial, and I am glad that this Government are committed to making healthcare much more accessible for everybody.

I suspect, however, that this afternoon quite a few of us will be looking at what the state might do—I have written in my notes the need for us to help ourselves as well. State provision is quite rightly there when it is needed, but there are ways, as the right reverend Prelate has said, that we can help each other: giving time and support, knowing your neighbour, befriending, mentoring, and churches working as post offices and foodbanks are all important. What is key for long-term success is ensuring that we have access to broadband and to jobs—some of the local authorities are very good at helping youngsters to have a bike to get them to work. These are small, practical ways in which we could help and I am grateful to be part of the debate this afternoon.

3.14 pm

Baroness Jolly (LD): My Lords, my home is in the north-east of Cornwall. When you drive west on the A30, if you are on holiday, you will drive straight through the middle of Lewannick Parish. It has a population of just under 1,000 and the two main settlements are separated by that road—Lewannick to the south and Polyphant to the north. Their closest town, Launceston, five miles to the east, has the basics: a secondary school, a community hospital, a library, a leisure centre, a mix of shops—several charity shops—and many estate agents.

I shall describe the parish. There are more people over 65 than the Cornwall figure, which in turn is much higher than the national average. There are fewer people under 18 or with degrees or professional occupations. Car ownership is high—poor public transport—home ownership is not. For any community to start on the path to sustainability, there must be people to live there, jobs for them to go to and houses

for them to live in. There is a primary school in Lewannick, a pub, a village hall, a shop, a branch GP surgery and the parish church—open at all times. Polyphant has a Methodist chapel and a mobile library. Both villages have residential care facilities. In a neighbouring village on Monday the right reverend Prelate the Bishop of Truro opened a shop and post office in the parish church, a project of our energetic shared vicar.

Today the first rural devolution deal was announced. Lib Dems have long campaigned for local devolution. This deal, as the noble Baroness, Lady Byford, said, will give Cornwall the ability to franchise bus services and commission what is needed—even a bike—when and where. It will give the promise of integrated health and social care, support for the renewables industry, improvements to home energy efficiency and the reshaping of training and skills provision, leading to innovative apprenticeships and local jobs. Cornwall will have intermediate body status for the two EU structural funds, letting us make our own minds up about what to fund, not be told by Westminster.

We are disappointed—we should not be lacking in gratitude, but we are disappointed—that there was no ability to deal with a burgeoning second home market which pushes out locals and does little for our economy. Cornwall has world-beating natural beauty but in 1997 had an economy on a par with Portugal. I pay tribute to my noble friend Lord Teverson who, as MEP for Cornwall, worked incredibly hard to ensure that Cornwall became eligible for Objective 1 funding, which was the highest funding available and which has completely changed the economy of the county. Thanks to this European funding, and others, we have wi-fi and, for those who want it, fibre-optic provision is available. This is a boon for those running businesses from home. I am short on time, but I must pay tribute to the work of the Cornwall LEP. It will play a large part in delivering the devolution agenda.

Back to Lewannick. The past few years have seen a marked increase in the availability of affordable housing, which is not common across Cornwall. Some 40 units across the parish have given the opportunity for young people to stay in the village and young families to move in. This is good news for the school, the shop and the pub. Sadly, this is not typical. Core services are fairly well provided for, but what of their sustainability, and what else is available that makes the village a good place to live?

The factor that will mean one community is sustained over another is the people who make a place worth living in: the volunteers and those who are committed to running services that do not have to make a major profit for a multinational—I welcome the description of vibrancy given by the right reverend Prelate. It should be said that the volunteers in Lewannick would not recognise this as a description of themselves or what they do, but these vibrant volunteers run the village hall committee, the pantomime, the May Day with its maypole, the film club, the garden club, the ladies club—this in a village of 1,000—the flower and produce show, the fete and dog show, the oil-buying consortium, the parish council and, of course, the PPC. My apologies go to those groups I forget—I am sure they will remind me at the weekend. Villages in Cornwall that are not sustainable are those that are

dead out of season, with dwindling working populations. They have often lost their shops and services, and suppliers find it difficult to provide services such as education, health and care or transportation.

Today's devolution deal offers a hope that decisions will be made closer to the provision with less need to be bound by nationally determined criteria. Communities that survive are those where work and housing are fit for the population and the local economy. They have a living heart. They are not always where you might want to spend your holiday, but they are places where you would say hello to anyone you meet and expect to get caught in the shop for a long chat about the weather or the state of the world. These are true communities with a stake in their own sustainability.

3.19 pm

Lord Best (CB): My Lords, I thank the right reverend Prelate the Bishop of St Albans for initiating this debate. I will speak as the chair of the Rural Housing Policy Review, which reported recently and among whose members were the noble Lord, Lord Taylor of Goss Moor, and the noble Lord, Lord Cameron of Dillington. I am grateful to them for their support.

The review looked at all the earlier reports concerned with rural housing to see what progress had been made since they were written. We discovered that they all said similar things. Indeed, we underlined and emphasised the things that they had said before us, including that housing is absolutely critical to creating and sustaining a community—a vibrant community, as the right reverend Prelate said. The reports also said that people in rural areas have special housing difficulties. They face competition, if they want to buy a home, from commuters, retirees and, in some places, second-home owners and holiday-home providers. All this extra competition means that prices are 26% higher in rural areas than elsewhere while earnings are 19% lower. These are tough times for anyone aspiring to be a home owner and have a job in a rural community. There is also less affordable housing in these areas, not least because the right to buy for council housing has depleted the amount of social housing available in villages. Across rural England, social housing provision is at a level of 9% compared with 20% in urban areas.

So are there any positives out there or good things happening? Yes, there are. We noted in our report that the neighbourhood plans drawn up by local communities have often been positive. They have not just been about nimbys saying, "We don't want anything in this village"; they have been positive in many areas. Parish councils are now coming to local housing associations, as was reported to us by two major housing associations working in rural areas, saying "Please come to this village. Help us to get some cottages built for local people". Not everyone is against anything happening in rural England. We were also encouraged by landowners who are willing to provide sites either free or on very good terms.

Yet despite some of those positive signs, things are very difficult and tough. We had to draw attention to the fact that government, we suspected unwittingly, made life more difficult for those in rural areas by decreeing that any housebuilder producing executive homes or new development in a rural community—or

anywhere else—should not be required to include any affordable housing in that provision, as they would be in most cases, if 10 homes or fewer were built. Well in rural areas, almost all developments are of 10 homes or fewer, so almost no additional affordable housing can be produced on the back of those housebuilders doing their work in rural areas. We were disappointed to say that things were not getting better, despite some good signs and some energy at the local level—not least on the part of church people, who are often to the fore in these matters.

After we produced our report, we were very sorry that another blow hit those concerned with housing in rural areas with the extension of the right to buy to the tenants of housing associations, as with those in council housing. These very large discounts of up to 70% off the price, or up to £77,000, seem quite an extravagance to many when the same amount of money would provide some three times as many shared-ownership homes for half-buy, half-rent. We could get three times as many built as new homes in other villages.

However, that does not express the real problem, which is the loss of the homes themselves even if they could be replaced on a one for one basis. It is that loss which is so painful for local communities. People struggle, sometimes for years, to persuade landowners to make the land available, to get the planning organised, to bring these schemes together, to defeat opposition—because there is always some—and to get these homes built. Now we fear they are to be told that, after three years, the occupiers will be able to buy those homes with a large discount—bless them, I would not blame them at all for taking advantage of this. Those homes will then not be available in perpetuity, as often was promised to the landowners and the council, for those people who will need those affordable homes in future. I hope that the Minister is listening. I know that he is incredibly sympathetic to these issues and understands them deeply. I hope that he will prevail upon some of his colleagues to step back from the brink on this one.

3.25 pm

Lord Taylor of Goss Moor (LD): My Lords, I thank the right reverend Prelate very warmly for raising this important subject. I should declare some interests. In particular, I chair the National Housing Federation, representing non-profit housing associations. I have also had a lot of interest in this whole area over some years: I led the *Living Working Countryside* review for Labour; I worked with Conservative Ministers in the last Government on planning guidance; as the noble Lord, Lord Best, mentioned, I was a member of the Rural Housing Policy Review; indeed, I was the founder chair of the Rural Coalition. The one interest, however, that may be most relevant to declare is that I am also from Cornwall, which is represented unduly highly in this debate.

I want to touch briefly on several issues. The first is that rural communities are not sustainable unless there are homes for those who work in the countryside and, across all rural communities, tend to earn in excess of 20% less than the national average. However, they live in areas where house prices are much higher and where rented accommodation is extremely hard to

[LORD TAYLOR OF GOSS MOOR] come by. This is particularly true in the more attractive areas, where what rented accommodation is available is typically in the holiday sector and not for full-time workers. That means that for the people who work on the farm, in the pub or the shop, or who look after the elderly in the community, the only accommodation that they are likely to be able to afford is either formal affordable housing or in the back of a camper van. I promise noble Lords that there are many who live in the back of a camper van: they may get a winter let in holiday accommodation, but in the summer months they live in the camper van. As communities and villages have become aware of that, they have started to make sites available for affordable housing. It is small-scale, but where there was resistance only a few years ago, increasingly there is support for it.

However, it is still the case that many fewer affordable homes are built in rural villages than their share of the population—less than half of them, as the noble Lord, Lord Best, touched on. The policy of not requiring affordable homes on sites of under 10 homes particularly impacts on rural communities, where generally that number would be typical of the sites. The right-to-buy policy—I know that this concerns the Conservative side as much as any other—could put a complete stop to people bringing forward exception sites for affordable homes, if they think that that decision will lead to those homes being sold off just a few years later at a massive discount. It is the permanence of the affordability of those homes that villages buy into when they take the decision to allow them.

Secondly, even if you have the homes, that is no good unless you have the work for those who live in the countryside. I did a lot of work to encourage the changes that have taken place in planning, to make planning policy and guidance much more amenable to businesses in the countryside being able to grow—not huge businesses that are inappropriate in the countryside but small-scale businesses of all sorts, not just those sorts typically thought of as rural. In the internet age, things have changed. There is an opportunity for new wealth in the countryside but not if old-school planning still directs businesses to the industrial estate in the town. I am afraid that that still happens. It is about a change of mind more than a change of policy but the Government have a role of leadership in it.

The third element is that rural communities are not sustainable without access to services. We all understand the need for value for money and the financial imperatives that sit on the Government in present times. But if value for money is costed per person, services are stripped out of the rural and into the urban because the same service provided to a large number of people is cheaper than that service in the rural area. Too often, we see the centralisation of services on value-for-money grounds: the bigger school is more cost-effective than the smaller school; the bigger hospital is more cost-effective than the cottage hospital; the rural post office serving a small community does not have the throughput which maintains the full service provided in the town, yet in the town there may be multiple outlets and multiple opportunities to get those services. There needs to be an understanding that what applies in one may not apply in the other.

Rural communities are not sustainable if we do not also have policies to help them be sustainable environmentally. Half the homes in rural areas have the worst SAP ratings of 30, which means extremely energy-inefficient. I chair a ground-sourced energy company—I should declare that interest. I do it because I am worried about this issue and want to make something happen. Too often, policy, which is all about value for money, the pennies at the edge and the numbers you can deliver, does not address the fact that in rural areas some of those biggest problems exist. In the past, policies to increase energy efficiency and reduce fuel poverty have been most cost-effective in towns and have ignored the fact that the greatest number of properties using night storage or oil, creating the greatest problems while being the most expensive to run, are in the rural areas. We need to understand peculiarities of rural communities.

3.30 pm

Lord Cameron of Dillington (CB): My Lords, a sustainable community is one where the old and the young, the rich and the poor, can live together, assist each other and have a shared vision. With a nod to the right reverend Prelate, the greatest of these are the young.

What rural communities most require from government is understanding and rural-proofing, because to deliver to remote and small communities requires government departments to put in place procedures to work out how to reach out to rural people: where there is real deprivation, where there is little or no public transport, where not everyone has a car, where services are often miles away, where broadband is either slow or does not exist and where the costs of delivery per head are higher but the budgets available per head, as has been mentioned, nearly always lower than in urban areas. Rural-proofing is also about ensuring there are no unintended consequences in the countryside of policies which are usually poorly thought out by urban-based individuals.

For instance, as the noble Baroness, Lady Byford, mentioned, I gather today that Mr Gove wishes to close 140 courts to save money for the Ministry of Justice. Has this policy been rural-proofed? It may save money for the Ministry of Justice, but will it be easier for rural people to access justice? I suspect the answer is no.

Rural-proofing is also about training. In my tour around departments last year, I really noticed the difference where Defra had run a training workshop relevant to that department. Is Defra still running these detailed departmental workshops? Does it still have the budget to do so? They are its one opportunity to affect the quality of life in rural England through the Department of Health, the Department for Transport, the DWP et cetera. Personally, I think that rural-proofing should be the responsibility of the Cabinet Office, but I will not go there today.

The two most urgent policy areas for rural communities are affordable housing and broadband. The Government, as has been mentioned by others, are making a total Horlicks on housing. The bedroom tax should not apply because there are no single-occupancy units in most villages. Then there is the abolition of affordable

housing quotas, as mentioned by the noble Lord, Lord Best, on sites with fewer than 10 houses. The almost complete absence of housing for the next generation is the biggest worry for all rural families, and these quotas provide 60% of the provision of new affordable houses in the countryside. Their abolition is madness. Then there is the proposed new right to buy, also mentioned by the noble Lord, Lord Best. I have already vented my fury elsewhere on that, so I will say no more today.

On broadband, the Government have a better record. Not everything is perfect and certainly in Devon and Somerset, where we were supposed to have a beacon project, we have been badly let down by the complete incompetence of BT in spite of it receiving millions of pounds of public money. But the intentions of the Government are there and they are good. The Government just have to focus more on the actual delivery.

To underline the importance of fast broadband to this debate, apart from it being essential to help retain the young in our communities, there are many examples from around the world where government services are delivered by good broadband. You just need a special room in your village where doctors can talk to patients, courts can talk to witnesses, jobseekers can talk to the jobcentre, schools can talk to classes and business can talk to whoever. You can see why it needs a central body like the Cabinet Office to deliver this interdepartmental infrastructure. But, first, the Government really have to focus on delivering high-speed broadband to all rural communities and then get all departments to focus on how they can use it and best deliver to their rural electorate.

Lastly, I ask the Minister, and I have given him warning of this: when will the Government respond to my report on rural-proofing, which they themselves commissioned?

3.35 pm

Lord Teverson (LD): My Lords, this debate is a great pleasure, particularly as, I think, 30% of contributors are from Cornwall. First, I unreservedly welcome the Government's moves in devolving power to the far south-west, which is very much welcomed across the political spectrum. I declare my interests in that I have a non-financial interest as chair of the Rural Coalition, following my noble friend Lord Taylor. I also am chairman of Wessex Investors and Anchorwood Developments Limited, which currently are in commercial negotiations with a social housing organisation in rural England. I also live in a hamlet of four houses, which will probably receive superfast broadband at about the same time that HS2 reaches Edinburgh. I still wait in anticipation.

Thinking back to the ancient history of April and May, and the election, there were a number of not-very-good days to wake up as a Liberal Democrat. But one particularly bad day, not as a Liberal Democrat but as a citizen, was when the proposal on the right to buy for social housing was announced. In my waking-up stupor and listening to the "Today" programme, I groaned with real fear that this had perhaps been thrown out to reflect the glories of Thatcherism without

really thinking about its implications, particularly in rural areas. I would like to concentrate on that area in this debate.

This random allocation of taxpayers' money to particular individuals—up to £100,000 in urban areas and more than £70,000 in rural areas—seems to be a lottery that has gone too far at the taxpayers' expense. As the noble Lord, Lord Best, said, we cannot blame the individuals in any way if they take advantage of this. Given the great shortage of social housing, that is fundamentally wrong at the moment. Even more, why is this a rural issue? It is partly because we have a situation where the ratio of house prices to earnings in more rural areas is 8:1, which is much higher than in urban areas. Individual sales of social housing in villages or small towns potentially is disruptive to those communities and means that any replacements are not necessarily likely to be located in those areas. In fact, the chances of that are very small.

In terms of the undertaking to replace one-for-one, unfortunately, even if we look back to the coalition Government's period, although there was such a requirement on right to buy and council housing during that time only 46% of houses were replaced. Therefore, the robustness of that offer is very low. I know the Government will say that that means that even if that happened, which is unlikely, one house would still be in the community and another would be there to replace it. At this stage I will not get into the mathematics of selling houses elsewhere of higher value. But even if that took place, that money could buy even more houses in those communities than if it was transferred in the way in which the Government say it will be. I believe that this is a corrosive and difficult policy for rural communities. Will the Government find any exclusions for rural communities as part of this policy, particularly in villages and small market towns?

I know that the noble Lord, Lord Gardiner of Kimble, a former noble friend until May, is a great champion of rural issues and has a great track record on them. I welcome the fact that he is answering this debate. But it is ironic that in the year in which we celebrate 800 years since the Magna Carta, Her Majesty's Government are proposing to sequester and take away from private legal persons and charities their own assets.

3.40 pm

Lord Grantchester (Lab): I thank the right reverend Prelate the Bishop of St Albans for drawing our attention to the continuing sustainability of rural communities and the challenges of maintaining rural services. I declare an interest as a farmer in the rural community of south Cheshire.

The challenges to rural services arise from the relative lack of demand in rural, sparsely populated areas together with the additional costs of provision. This covers all aspects of life from affordable housing provision to planning restrictions, the amount and quality of jobs, health and education provision, energy costs, transport and bus services as well as to police and emergency services provision.

Rural communities are facing a low-pay, low-skill economy, a squeeze in living standards, a lack of affordable housing and insufficient power to make

[LORD GRANTCHESTER]

decisions about their future. Average wages are more than £4,500 a year lower than those in urban areas, and the gap has grown by £1,000 since 2010. Rural businesses and households have seen the same soaring energy bills as the rest of the country, but have an added burden as many have no grid access, forcing them to use more expensive alternatives.

All speakers have drawn attention to different difficulties facing everyday aspects of life in rural areas. All their contributions have been informative and I will briefly outline key aspects of concern. The provision of broadband in rural areas is essential to connect rural businesses and help them grow and compete, as was highlighted in the Efra Committee's report of the other place earlier this year. In my area of Cheshire, the present limit of 2 megabytes is insufficient even to download collective catch-up television. Will the Government commit to raising in this Parliament this 2 megabyte universal service commitment to a much higher figure for superfast broadband? What will that figure be and what will be the cost? Will the Government commit to a level that is largely already the norm in urban areas?

Since 2010-11, the proportion of pupils at rural schools achieving five or more A* to C grades has been lower compared with those attending school in urban areas, with the gap widening every year. Will the Minister inform the Committee what steps the Government are taking to address this rural versus urban education attainment gap?

Living standards have been hit by public transport fare increases. Bus fares have risen by 27% as 2,000 routes have been cut. Families spend almost £4,500 on transport, almost £800 more than the national average. People in rural areas travel 50% further per year on journeys which often necessitate travel by car due to poor interconnectivity of public transport. What plans do the Government have to ensure that those living in the countryside and coastal communities have access to affordable, effective transport services?

There are currently GP shortages in many rural areas and anxiety about service provision changes and reconfigurations. Too often, patients and the public feel that they are not involved in drawing up proposals for changes to their local health services and have little say in decision-making. Have the Government plans to give local communities a real say in the future of their NHS? Affordable rural housing has long been a problem. Developers have now been allowed to end the provision of affordable housing on sites with fewer than 10 houses, as the right reverend Prelate and the noble Lord, Lord Best, said.

All this provides a real challenge to policy-makers in drawing up plans for rural communities. Now that the Rural Communities Policy Unit has been subsumed into other policy areas, will the Minister clarify how his department will address all these problems?

3.44 pm

Lord Gardiner of Kimble (Con): My Lords, I am most grateful to the right reverend Prelate for raising this important issue for debate. I declare my interests as a farmer—perhaps more personally, as a countryman—and, because the debate has quite rightly raised the

issue of housing, as a facilitator of a rural housing scheme. Rural areas and people provide security and opportunity for the entire nation—the food we eat, the natural resources we use, the beautiful landscapes and recreation we enjoy. However, the right reverend Prelate was absolutely right to emphasise that we must focus on people because it is people who make this extraordinary part of our United Kingdom so important to the nation as a whole. Of course, I also recognise—and do so personally—the role the churches play in many rural communities. I suggest that it is in the countryside—this will be controversial with more urban-minded right reverend Prelates—that the Church of England remains an enduring part of life.

Investing in infrastructure to improve connectivity, protecting key services, providing affordable housing and helping to reduce the cost of living are all central to this Government's approach to achieving sustainable rural communities that are fit for future generations. I very much agreed with the noble Lord, Lord Cameron of Dillington, that we should perhaps be thinking most of the young and the next generation. Sustainable rural communities must also be underpinned by a thriving rural economy contributing to national prosperity and well-being. The noble Baroness, Lady Jolly, described the key features of her own vibrant community. We can all identify with many communities up and down the land that have many of the features the noble Baroness outlined. Of course I am delighted, particularly as we have three noble Lords from Cornwall, to hear the announcements about that great county.

The countryside already has a good track record of entrepreneurship and generating new businesses. In preparing for this debate, I was particularly interested to find that in fact the countryside is home to a quarter of all our firms, yet has only 18% of our population. Boosting productivity, investing in a strong economy and infrastructure and—most importantly in the countryside—high-speed broadband will bring businesses closer to markets and help people access the services that they desperately need.

The right reverend Prelate was absolutely right to refer to the cost of living in rural areas. Many noble Lords from the countryside know this at first hand. The Government have recognised that, for instance, spending on energy can be much higher in rural areas. In remoter rural locations, the car is a necessity not a luxury, and people living in some of the United Kingdom's most rural areas now benefit from a 5p per litre fuel discount thanks to the rural fuel rebate. Some £25 million has been made available to provide hundreds of new minibuses to community transport operators in rural and isolated areas. Further help with energy costs is provided through the £15 million Rural Community Energy Fund, which helps rural communities in England develop community-owned, community-scale renewables projects.

There are additional costs for delivering services in rural areas, as the noble Lord, Lord Taylor of Goss Moor, highlighted. Considerable progress has been made with local authorities in closing the urban-rural funding gap, demonstrating a positive uplift for rural communities. Since 2011-12 for shire districts this gap has closed from 19% to 11% and for unitary authorities from 11% to 6%.

Affordable housing allows people of all ages to live and work in rural areas. The noble Lord, Lord Cameron of Dillington, particularly referred to the essential element: “to work” in rural areas. I also listened very carefully to what the noble Lord, Lord Taylor of Goss Moor said in that regard. By encouraging sensitive developments we can ensure that communities remain vibrant and sustainable.

As the noble Lord, Lord Best, kindly said, I take a keen interest in these matters. It has been my privilege to open a number of rural housing schemes for Hastoe Housing Association, all of which have been enormous net contributors to their local communities. Almost 68,000 new affordable homes were provided in English rural local authorities between April 2010 and March 2014. Ten thousand of these homes have been delivered in settlements of fewer than 3,000 residents.

The right reverend Prelate asked about policy teams. I can assure noble Lords that Defra continues to have its own rural policy team. The responsibility for sustainable rural communities lies with a number of government departments but I can assure your Lordships that the Government are conscious of how vital it is to have cross-government working. When developing policies and programmes, it is important to take account of the specific needs of rural communities through rural proofing.

The noble Lord, Lord Cameron of Dillington, asked about workshops. Defra will continue to work closely, as I have said, with other departments and how we do this will be a key part of the review. I thank the noble Lord for his recent report on the effectiveness of rural proofing across government. Ministers are currently carefully considering all of the recommendations and will respond formally. Perhaps I may go off script and say to the noble Lord and your Lordships that this poacher turned gamekeeper will be keeping a close eye on this.

However, we want to go further in removing the barriers to growth and unleashing rural productivity. We announced last Friday that the Secretary of State will be publishing a ten-point rural productivity plan.

My noble friend Lady Byford and the noble Lord, Lord Cameron of Dillington, referred to the vital need for improved connectivity, and the noble Baroness, Lady Jolly, mentioned Cornwall in particular. From my days in DCMS, I know that Cornwall has got a good track record and the noble Lord, Lord Teverson, should be congratulated on what he has done to assist that. The Government are investing around £780 million to make sure that superfast broadband will be available to 95% of UK premises by the end of 2017 and everyone in the UK will have access to speeds of at least 2 megabits per second by the end of this year. I hope that helps the noble Lord, Lord Grantchester. We all want to ensure that we have the building blocks for success so that we can demonstrate by the end of certain periods that we are succeeding. In practice, 2 megabits per second means access to BBC iPlayer, YouTube, internet radio and audio streaming, as well as the use of government online services such as submitting forms to the RPA.

As the noble Lord, Lord Teverson, rightly said—I have sympathy with him about not only superfast broadband coverage but mobile coverage as well—there are many parts of the country where it remains a nightmare for people to proceed as we do in many

other parts of the country because of the need for improved coverage. The pilot schemes on the extension beyond 95% coverage are already exploring how to expand superfast coverage in remote areas using innovative fixed, wireless and satellite technologies, all of which I could not possibly invent but great people are going to do so for us. Extensive and reliable mobile connectivity is also crucial for businesses and local communities in rural areas. The deployment of new infrastructure is a key part of the Government’s manifesto commitment to hold operators to their legally binding agreement to provide 90% geographical coverage by 2017.

I say to all noble Lords who have raised the issue that the Government recognise that more homes need to be built and thereby ensure that many rural communities remain sustainable. For instance, we want more homes that people can afford, including 200,000 new starter homes exclusively for first-time buyers under 40. Indeed, we wish to fulfil the aspiration of many people to buy their own homes—it was, after all, in our manifesto—but I understand the concerns about right to buy in rural areas and we will work closely with the Department for Communities and Local Government on this.

We also recognise the importance of accessing high-quality services in rural areas. The future of rural post offices is clearly important. We will work closely with the health and education departments to make sure that essential areas of provision are properly reflected in the rural context. Areas such as transport, libraries and police are all absolutely essential for vibrant and sustainable communities.

Defra is also taking action to support sustainable rural communities. As part of the new rural development programme, for instance, we plan to invest nearly £500 million over the next six years for the benefit of rural businesses, people and communities. This will include £141 million for the Countryside Productivity Scheme, which will provide farmers and landowners with support for improvements in the productivity of their farming and forestry businesses, and £177 million through the rural development growth programme. Defra will be investing in rural businesses, food processing, tourism infrastructure, broadband and renewable energy projects. In addition, there will be £138 million through the LEADER scheme, allowing rural communities to decide their own priorities. I think the right reverend Prelate mentioned how communities are able to decide their own priorities.

The Government are absolutely clear about the importance of vibrant and sustainable rural communities across the land, built on a strong economy and making them great places to work, live and visit. We also champion the special way of life that makes our rural areas so splendid. Five per cent of the gross value added generated in rural areas comes from tourism and the GREAT campaigns have demonstrated the best of British landscapes and food to the rest of the world. Most importantly, sustainable rural communities need to be dynamic, resilient and ready to adapt for future generations. We should not just look to preserve them but instead provide them with the framework of support in which they will clearly flourish for future generations.

3.57 pm

Sitting suspended.

UK: Population

Question for Short Debate

4 pm

Asked by Lord Green of Deddington

To ask Her Majesty's Government what plans they have to prevent the population of the United Kingdom reaching an unsustainable level.

Lord Green of Deddington (CB): My Lords, I am grateful for this opportunity to raise a matter that is crucial to the future of our society, but which does not remotely receive the attention which it deserves. I thank the House of Lords Library for its comprehensive briefing pack on this subject.

There will be many views on what would be a sustainable population for the UK, but what is clear is that our current population growth of half a million a year is simply unsustainable—socially, practically and politically. Indeed, the speed of our population growth is propelling the train towards an inevitable crash. It is not a case of signal failure. The Office for National Statistics is flashing orange and red lights, but at rather a low intensity. It seems that the train crew, in the shape of Governments past and present, are determined to ignore them. They seem to fear that they will be accused of seeking to impose on the passengers a Chinese-style one-child policy. Or perhaps they fear that they will be accused of blaming those passengers who have only recently joined the train.

Whatever the reasoning, the whole issue of the growth of our population needs revisiting. It is now increasing at the fastest rate for nearly a century. In the year to last August, the UK population increased by nearly half a million—that is the equivalent of the entire population of the city of Manchester, or, indeed, of Bradford.

It is important to be clear that our birth rate has been below the replacement rate of 2.1 since 1972. Mortality is gradually falling, but in the long run immigration will be responsible for almost all our population increase, either directly or indirectly.

It is surely common ground that migration in both directions is a natural, necessary and desirable part of an open economy and society. Indeed, many immigrants have made an extremely valuable contribution to our society, including, of course, a considerable number of noble Lords.

Immigration becomes an issue only when its scale becomes excessive, leading to unacceptable increases in population. I believe that that is now the case in the UK, certainly in respect of England, and in recent years successive opinion polls have confirmed that three-quarters of the public share my view.

Until 1998, net migration was not much more than 50,000 a year and was even negative in some years. However, decisions by the Labour Government led to that flow increasing by a factor of five. Unfortunately, there was no substantial reduction under the coalition Government. As a result, average net migration over the past 10 years has been at an extraordinary 240,000 a year. If that level were to continue, as it might well, our population would grow from the present 65 million

to around 73 million in 15 years. That is an increase of almost 8 million, which is the equivalent of the combined population of the cities of—wait for it—Birmingham, Leeds, Sheffield, Bradford, Manchester, Edinburgh, Liverpool, Bristol, Cardiff, Newcastle, Aberdeen, Leicester, Coventry, Glasgow, Nottingham, Stoke-on-Trent, Portsmouth, Bolton and Doncaster, all in 15 years. That is frankly absurd; we cannot allow it to happen. Indeed, of the almost 8 million I mentioned, 7 million in that 15 years will be in England. It could even be worse. Last year, net migration reached 318,000. At that rate, the numbers are even greater. The UK population would soar to 75 million in 15 years and to 80 million in 25 years. That would make the UK the most populous country in Europe, overtaking Germany some years before that.

There are, of course, some who continue to claim that Britain needs migrants because our population is ageing. It is surely obvious that immigration is not the answer, for the very simple reason that immigrants themselves grow older. The effect, therefore, is to add to our population in some kind of giant Ponzi scheme. In fact, it is well understood by demographers, including UN demographers, that population ageing cannot be solved by immigration.

There are many ways to tackle an ageing population. The most important is for people to work longer in their longer and healthier lives. So the Government have been exactly right, in our view, to raise the retirement age in the way that they have. England, the destination of the vast majority of migrants, is already one of the most crowded countries in the world, almost twice as crowded as Germany and nearly four times as crowded as France. Yet successive Governments have ducked the issue of population. They are happy to discuss it on a world scale but are not willing to address it as a national problem, despite the fact that there are huge implications for all parts of our society and government.

One immediate impact is on education. In many parts of the country there are already shortages of places in primary schools. The Local Government Association estimates that three out of five local authorities will have a shortfall of places by 2018-19. Even now more than 100,000 primary school pupils are being taught in classes of more than 30 children. Only yesterday we learnt that the proportion of children born in England and Wales to foreign-born mothers reached a record level of 27%.

Collective heads are buried even deeper in the sand over housing. Successive Governments have long failed to ensure the construction of the estimated 250,000 new homes that are required every year. Last year, only 140,000 were completed. The most recent publication on household formation from the Department for Communities and Local Government did not even consider the impact of immigration on housing. It was left to the Office for National Statistics to estimate that 95% of the growth in households since 2010 have been households with a foreign-born head—technically a “household reference person”. That is the source of most additional housing demand and has been for some years. Indeed, in the previous debate the noble Lord, Lord Gardiner of Kimble, spoke of the need for more housing in rural communities.

Certainly, we need to build more homes, but equally, we must tackle demand and in practice that means bringing down the scale of immigration. Effective action of that kind would help very greatly in tackling the housing crisis. Otherwise, the situation is perfectly clear: we shall quite simply have to go on building large numbers of dwellings indefinitely. That seems to me to make very little sense.

We also have to ask whether we can really integrate 3 million immigrants into our society in the next 10 years. What would such an influx mean for our sense of community and identity? What is it doing to the character of our nation? How do we stop our society becoming less cohesive and, indeed, more fragmented? We cannot allow these matters to drift any longer. The train is hurtling along and it is time to apply the brakes. In practice, that means applying the brakes to mass immigration.

4.09 pm

Lord Hodgson of Astley Abbotts (Con): My Lords, the noble Lord, Lord Green, has done the House, and, indeed, the country, a service in continuing to raise this issue. In my view, the current and projected increase in the UK population represents if not the greatest, certainly one of the greatest, threats to our country, environment and society and to the cohesion of our entire settled population.

Historically, there has been an emphasis on growing the population because people have felt that an increasing population means economic strength and power. At a more atavistic level, it means larger military power because you have a greater number of people to enforce your will. Psychologically, it is a sign of national confidence if your birth rate is rising and people wish to come to your country. It shows that you are, as a nation, on the rise. Vestiges of those beliefs still affect our thinking on this issue today. But now, as the noble Lord, Lord Green, pointed out, we are faced with new challenges. He talked about population density. England has just overtaken the Netherlands as the most densely populated country in Europe. We always think of the Netherlands as quite a small country that is pretty densely populated but England is now more densely populated. As the noble Lord has just told us, the population of this country is increasing by 1,200 people a day, adding a large village or small town to the map of Britain every single week, 52 weeks a year.

As my noble friend Lord Bates has heard me say before, if we are to house those people to the same standard as we currently house ourselves—that must be right—which is 2.3 people per dwelling, we have to build 500 new dwellings a day. Noble Lords can do the mathematics—that is a new dwelling every three minutes, night and day. That is without improving the housing stock, which we all agree needs to happen, and before you consider the additional infrastructure demands of health, education, roads, fire services, police support and so forth. However, as the noble Lord pointed out, that is not the end of the story but just the beginning. As he said, the ONS projection for our population 20 years from now is an increase of at least 8 million. That is not the high or low projection but the mid projection. As he pointed out very graphically, 8 million people represent three times the entire population of

Greater Manchester, which is 2.5 million people. That will mean 3.4 million new dwellings. We are going to have to build a dwelling every three minutes for 20 years. I hope that my noble friend will tell us when he comes to wind up where these three Greater Manchesters, or 3.4 million homes, are going to be built. This is not theory according to Malthus or expectation: these projections affect us and our country today.

This is not just about the physical impact of housing and other infrastructure. Equally important, perhaps more important, are the consequent challenges to our social cohesion and the impact of what sociologists are increasingly calling “crowding out”. Crowding out will affect all parts of our society. Above all, it will affect those who have most recently arrived, so the less well integrated sections of our community will suffer most.

My noble friend has heard me talk about our Premier League footballers, of whom 21% are born in this country. Does that matter? It is an exceptionally successful economic export which earns much for this country, but that statistic means that several hundred young British males do not realise their dreams. Among those several hundred young British males will be an unusually high proportion of young black members of the minority community—people we wish to see integrate, have role models and succeed.

At a lower level, in my home counties of Herefordshire and Shropshire, local people find it hard to get jobs as fruit pickers because the fruit farmers prefer to hire 200 at a time from eastern Europe than engage people in this part of the world on an individual basis. It is not just at that level. I invite my noble friend to go and look at the number of secondary degree MA students enrolled over the last 10 years, and he will find that in our settled population, of whatever colour, creed or racial origin, the numbers have gone up by about 10% to 20%. But the numbers from overseas have doubled. That means that, to some extent, we are educating people from abroad at the expense of our own people, and we are doing so in part because it is beneficial for our universities to do that, because they pay more. Then you go to the property prices. The influx into London and the ripple effect of property prices has meant that large numbers of our own settled population are unable to buy a house or flat in their own capital city. More and more of them are being asked to live at home.

Those who continue to argue that, in the face of all these facts, we need to continue with high levels of immigration use two arguments. The first is the economic prosperity argument. The Select Committee in your Lordships’ House, which is referred to in the back of the briefing pack, has done some excellent work on this, but its report summarises that it has,

“found no evidence for the argument, made by the Government, business and many others, that net immigration—immigration minus emigration—generates significant economic benefits for the existing UK population ... Overall GDP, which the Government has persistently emphasised, is an irrelevant and misleading criterion for assessing the economic impacts of immigration on the UK. The total size of an economy is not an index of prosperity. The focus of analysis should rather be on the effects of immigration on income per head of the resident population. Both theory and the available empirical evidence indicate that these effects are small”.

[LORD HODGSON OF ASTLEY ABBOTTS]

We need much better data on population flows and the consequent impact on the country as a whole. We certainly need some restriction on the free movement of labour within the EU to form part of the Prime Minister's renegotiation package.

The second argument that is much used, and the noble Lord, Lord Green, referred to it, is what is known as the dependency ratio, expressed as the number of people in work for every person in retirement. It shows the extent to which a country is exposed as an ageing population. As the ratio falls, those in work will have to pay more, either directly by paying tax, or by taking responsibility for their relatives. So some of our huge increase in population is essential to offset those impacts, but that ignores the fact, pointed out by the noble Lord, Lord Green, that today's young people are tomorrow's old people. While you may have deferred the problem, you have compounded it, because they will in turn require a still larger number of people to support them in their old age. Indeed, people have pointed out that if we wish to maintain the present dependency ratio in the UK's population, we will have to approach 100 million towards the end of this century, 50% more than we are today. The answer must lie elsewhere. Noble Lords have pointed out that if people are going to live for longer they will have to work for longer, and that will adjust the dependency ratio—and technology wars have to help. Modern monitoring devices will enable people to stay in their own homes without direct supervision for longer—and many of them wish to do that.

Why is it so hard to get the Government to focus on this issue? First, population increase is made up of two parts—the natural increase, in excess of births and deaths, and net immigration. Both are highly sensitive issues. Well-meaning people avoid discussing immigration for fear of being called racist, so let me make it clear that I am not talking about racial or religious make-up; I am talking on behalf of every member of the settled population in the United Kingdom, irrespective of age, sex, creed or racial origin. Secondly, family size is seen as a highly personal matter—and quite right, too. It is one that the Government steer clear of. When Sir Keith Joseph 35 years ago made a speech about it, it was more or less the end of his political career.

That is one reason why there is an anxiety about raising this issue. The second is that all demographic policies have very long lead times—15, 20, 25 years. It is the Government after the Government after this Government that may benefit from changes that we make today. There is an ineluctable temptation to keep kicking the can down the road and do nothing now, but continuing to kick the can down the road could lead to the one sure way of stopping our population growth. If, as a result of population growth, this country becomes too overcrowded or too expensive or if our traditional values of tolerance, sense of humour and, above all, a high regard for a sense of fairness—those shared values that were the subject of an earlier debate today—are threatened, then people will vote with their feet, either by leaving the country or by not coming here in the first place. This seems to me to be a high price to pay for continued inattention to this vital issue.

4.20 pm

Lord Rosser (Lab): My Lords, this is clearly not a debate that has, if I may use the vernacular, packed in the punters—to the slight disappointment, I imagine, of the noble Lord, Lord Green of Deddington. Indeed, the noble Lord, Lord Hodgson of Astley Abbots, is the only noble Lord taking part who is not required to be here under our normal practices and procedures for holding a debate such as this. Whether that is due to a lack of interest in the subject matter or the fact that it is now well after 4 pm on a Thursday, or some other reason, is a question that I would probably be best advised to leave unanswered.

One thing is certain however: there is no lack of interest in the subject on the part of either the noble Lord, Lord Green of Deddington, or the noble Lord, Lord Hodgson of Astley Abbots. Indeed, I have heard the noble Lord, Lord Hodgson of Astley Abbots, speak on the issue more than once—I do not make that comment in any critical vein—in debates in the Chamber on, I believe, Home Office legislation. I know that he feels there are serious, basic questions that need answering, as he has made clear very powerfully today. I assume that this debate is about the issue of the size of this country's population both now and in the future, whether it is likely that the population size will reach a level at which it might become unsustainable and how “unsustainable” would be defined; I assume that the debate is not about the background of people who either currently or may in the future live in this country.

Questions that must arise from this debate on the Question tabled by the noble Lord, Lord Green of Deddington, are what is an unsustainable level of population for the United Kingdom, what are the criteria against which we should judge that level, and whether we think we have reached, nearly reached, or are a long way from reaching it? There is also the question of whether the issue of unsustainability or otherwise should be looked at on a United Kingdom basis or on a country or region basis, since the population is not increasing uniformly across the United Kingdom. In the year to mid-2014, for example, the highest population growth was in London—1.45%—and the east and south-east regions had the next highest population growth. I am not aware of the Mayor of London repeatedly telling us that the population of London has become, or is becoming, unsustainable. Indeed, he spends much of his time telling us what a marvellous problem-free place London is—apart from, in his view apparently, the Tube drivers—and giving every appearance of encouraging people to come to London, including to purchase new homes in the capital that they have little intention of living in themselves.

I could make extended comments about the effect on any discussion about population size of promises made before an election to bring down net migration figures to tens of thousands not so much not being delivered but resulting, in some years, in the figure going in exactly the opposite direction. The effect of this is to lead some people to believe that the population of this country must either already be or be becoming larger than the Government think is sustainable. I could also make extended comments about the failure to secure our borders not assisting the situation, including

the climate in which any discussion about population size takes place, which, on top of incomplete information for too long about whether those entering the country have or have not left again by the time that they should, means having a Government who apparently do not know how many people are in this country who should not be here. That too generates feeling among some that the population size is or must be becoming unsustainable.

I will not dwell on those points, though, because the size of our population is determined by other factors in addition to migration, including the birth rate and increasing life expectancy—the latter of which I am personally very much in favour of, albeit that I probably need to declare an interest. As the noble Lord, Lord Green, said, we have as usual been provided with a very helpful briefing pack for this debate by the Library. The population of the United Kingdom at the end of June last year was estimated to be just over 64.5 million, with the number of people resident in the UK over the year to mid-2014 increasing by nearly half a million, as has already been said. That includes natural growth of just over 226,000—that is, births minus deaths—and net international migration of just under 260,000, with net international migration in the year to mid-2014 being the highest since the year to mid-2011 and up by 76,300 from 183,400 the previous year.

Interestingly, the number of births occurring in the year to mid-2014 is down on that in the previous year, continuing the downward movement seen in births since the peak in the year to mid-2012. The number and proportion of older people continue to rise, with over 11.4 million aged 65 and over in mid-2014, compared to 11.1 million the previous year, with the number of deaths being, as I understand it, the lowest seen for over 50 years. These mid-year population estimates do not account for short-term migrants, whether they be people who come to the United Kingdom or leave the United Kingdom for a period of less than twelve months.

It is clear from the data that the population forecasts for the years ahead are not about whether the population will increase but the rate at which it will increase. A document from the Department for Communities and Local Government, dated 27 February this year, sets out the 2012-based household projections for England for the years 2012 to 2037. It states:

“The number of households in England is projected to grow to 27.5 million from 22.3 million by 2037, an increase of 5.2 million (24 per cent) over 2012. This equates to on average 210,000 additional households per year. The projected change in household population over the same period is an additional 8.4 million people, increasing the household population in England to 60.9 million by 2037 and representing a 16 per cent change”.

over 2012. The total household population in England in 2012 was 52.5 million. The projected figures through to 2037 also showed a projected total household population for England in 2017 of 54.4 million. The latest statistical bulletin from the Office for National Statistics states that the population estimate for England for mid-2014 is 54.3 million, which is very nearly the Department for Communities and Local Government estimate for three years later than 2014, namely 2017. That suggests that the projections through to 2037 already need updating, unless somebody is expecting a fairly dramatic reduction in the average annual percentage growth in population figure, which seems unlikely.

Of course, the population of this country has risen dramatically over the years and has not been found to be unsustainable or resulted in us grinding to a halt, but rather the opposite. The national infrastructure and public services have been developed to meet the needs of an expanding population and indeed to improve the quality of life of an expanding population.

I do not know how much the Minister will be able to say in response, but I would at least like to ask whether the Government think that the present level of population in the United Kingdom is unsustainable and whether they think that the present level of annual growth in our population is unsustainable. If so, for how many more years do they think that the current level of annual population growth can continue before we reach an unsustainable population size? What is the Government's definition of “unsustainable”? I also ask whether the Government believe that there is a level of population size for the United Kingdom beyond which any further increase is unsustainable, and if so on what the Government would base that conclusion. It would also be helpful to know whether the Government have any criteria against which they would judge whether any particular level of population size for the United Kingdom, or for any country or region within the United Kingdom, is unsustainable. Perhaps the Minister could indicate whether the Government are doing or have commissioned any studies or reports on these questions in order to inform future policy decisions.

It seems that unless we can find some generally accepted answers to these questions it becomes very difficult to have a meaningful debate on this issue, because one person's view on what constitutes an unsustainable population size will differ widely from another person's view. For some, a significant increase, for example, in the number of houses being built in their country town, and thus the population of that town and the proverbial concreting-over of the countryside immediately around the town, will be seen as an example of unsustainable population growth. For others, almost any likely increase in the population of the country will be seen as sustainable provided the necessary investment is made in the infrastructure and provision of public services to meet the needs of that higher population.

There is also a need to try to achieve rather more accurate projected future population figures, since estimates which are regularly, and rather too quickly, proved to have underestimated the growth in population will not inspire confidence in either government or the ability of government to address properly the issues that arise, and have always arisen, as the population of this country grows, if that indeed is what will continue to happen over the long term in this country. I look forward with interest to the Government's response to this debate.

4.31 pm

The Minister of State, Home Office (Lord Bates) (Con): My Lords, I thank the noble Lord, Lord Green, for tabling the debate on this important subject. I declare an interest: immigration is a subject which is dear to my heart, on account of a certain young lady who came to this country 25 years ago from China.

[LORD BATES]

Therefore, I will also commence my remarks by recognising the incredible contribution that the immigrant population has made to the UK, both to our culture and our economy.

However, the Government recognise that uncontrolled immigration makes it difficult to maintain social cohesion—a point to which my noble friend Lord Hodgson referred—puts pressure on the UK population and public services, and can drive down wages for people on low incomes. I will therefore take this opportunity to update the Committee on the actions the Government are taking across the system to bring net migration down to sustainable levels while ensuring that we continue to attract the brightest and the best migrants to the UK.

As all noble Lords referred to, the UK population increased by almost half a million—the noble Lord, Lord Hodgson, put it in more precise terms of 1,200 per day—or 491,100 between mid-2013 and mid-2014, with 53% of the growth in the UK population accounted for by net migration. Net migration currently stands at 318,000. These figures show how far the Government have to go to reach our goal of reducing net migration to the tens of thousands—but also why it is important that we continue to do so.

As we have said for some time, we have been blown off course by net migration from within the EU, which has more than doubled since 2010. The figures show that by focusing on key areas we can make a big difference to net migration. In 2014, 86,000 EU migrants came to the UK looking for work as opposed to having employment to come to. There was a gap of 91,000 between non-EU students who came to the UK and those who left. Some will have stayed legally; many will have not. These two factors alone added nearly 200,000 to net migration. This is why the Government are determined to deliver the manifesto commitments on reform in Europe and tackling abuse and overstaying by students.

The immigration system today is very different from the one we inherited in 2010. Over the past 5 years, we have taken steps to control immigration and have fundamentally changed the approach taken by the previous Labour Government. Our reforms are geared towards an immigration system which works in the national interest, attracting skilled migrants for occupations where we need them instead of unskilled workers who drive down wages, and genuine students for our world-class universities instead of bogus colleges, almost 900 of whose licences we have revoked.

The Immigration Act 2014 is making it much tougher for illegal migrants to remain in the UK by restricting access to work. In this regard I note the comments on housing, benefits, healthcare, bank accounts and driving licences. Since July 2014, under the Act we have revoked the driving licences of more than 10,000 illegal migrants and deported almost 1,100 foreign criminals who would have had a right of appeal. The immigration health surcharge has stopped people from outside the EU using the NHS for free healthcare and has generated more than £20 million in net income. We have also clamped down on fake brides and grooms entering into sham marriages to stay in the UK. The Government will go further. The new immigration Bill will create a

new offence of illegal working and extend our “deport first, appeal later” approach to ensure even more illegal migrants are removed from the UK.

The noble Lord, Lord Rosser, asked what the thinking was within government and what research was being done on the issue. We have commissioned the independent Migration Advisory Committee to reduce economic migration from outside the EU. We will form our labour market rules to crack down on the exploitation of low-skilled workers. As the Prime Minister has set out, we will address the incentives for migration from the EU—which has led to mass immigration from Europe—in informed negotiations. We will deliver these proposals and our commitments in the manifesto with a new immigration task force, chaired by the Prime Minister, which will ensure that every part of the Government plays its part in helping to control immigration. That is not ducking the issue, nor is it not taking the issue seriously. The Prime Minister is committed to addressing this important matter.

While the Government are committed to controlling immigration, that desire is in no way at odds with how proud we are of our diversity and we will continue to welcome the brightest and best migrants to the UK. All those talented workers who have come to work hard and the brilliant students who have come to study at our world-class universities will help Britain to succeed and add enormously to our economy. The Government have been clear that there is no cap on the number of overseas students who come to study at our world-class universities and since 2010 there has been a 16% increase in the number of visa applications for UK universities and a 30% increase in the number of visa applications for our world-class Russell Group universities, underscoring that the policy is working.

I noticed today that Portland Communications had published its soft power index. It measures soft power—cultural power, diplomatic power, media, digital, education, which is a key part of it, architecture, buildings, attitude and the respect in which the country is held in the world—and I was delighted to see that the United Kingdom is number one in the world. We beat Germany into second place and the United States is now in third place. That shows that it is possible to make the tough decisions necessary to bring immigration to the UK down to sustainable levels.

Lord Hodgson of Astley Abbotts: My Lords, could my noble friend write and give the Committee an estimate of how many students have overstayed their visas? There is clearly a major concern that while a great deal has been done—he has told us about that—nevertheless there is still a great deal of overstaying going on and morphing into the workforce.

Lord Bates: I mentioned early in my speech that the figure was 91,000 for the coming year for non-EU students. Overstaying is a significant problem that we face. The accuracy of that figure will increase significantly now that we have introduced exit checks at our borders. People who come here to study should study. If they want to come here to work, they should go back and then apply to come back to work here. In fact, from a technical point of view, tier 4 applicants, people who

are studying here at bone fide universities, are able to transfer to a tier 2 status, which is graduate-level employment, so that they can continue to contribute to the economy. They can do that directly and there is no limit on the number who can progress on that route. We want to get that message out.

Lord Rosser: This debate is now turning into one about immigration, rather than one about what is and is not a sustainable level of population for this country. I referred to the projections of future population. Is it the Government's view that, if those projections prove right, that constitutes an unsustainable level of population? What is the Government's definition of an unsustainable level of population?

Lord Bates: I hear what the noble Lord says. In essence, I am trying to answer in an indirect way but it is a way that may not be appropriate. I do not think that the previous Labour Government ever set out an arbitrary cap for a future level of population. There are certain things we can control. As the noble Lord, Lord Green, said earlier, we are not talking about embarking on some draconian clampdown on reproduction rates, or trying to make some forecast of mortality rates. The thing within our control is the levels of migration into this country, particularly from outside the EU, and that is where the attention of the Government is focused.

Lord Rosser: The noble Lord has the projected figures for the increase in population; they are in government publications. Do the Government believe that, if those projections prove right and the population increases in accordance with them, that will mean an unsustainable level of population?

Lord Bates: I understand that the noble Lord is doing a good job of seeking to draw out from me a statement that X number represents sustainability and Y number indicates unsustainability. I am trying to say—I agree that it is a slightly nuanced argument even for a Thursday afternoon—that we want to talk about migration levels because, effectively, we can deal with those. He is talking about something in the future which we cannot control. We are interested in dealing with the now.

Lord Green of Deddington: My Lords, the key point is that virtually all future population growth is as a result of immigration. We need to be clear about that. Therefore, as a practical matter, we do not need to say that we want 80 million, 90 million, 70 million or 40 million. If we think the numbers are getting too great and if we understand that three-quarters of the public think that, we have to bring the level of immigration down, as the noble Lord was outlining.

Lord Rosser: I agree, to an extent, with what the noble Lord, Lord Green, has said, but what I was trying to establish—and I appreciate that net migration has an impact on the figures, as do birth rates and mortality rates—was whether it is the Government's view that their own projections constitute an unsustainable

level of population. I am unable to get an answer from the Minister as to whether the Government believe that their own figures constitute an unsustainable level of population.

Lord Bates: I think I said early on that the Prime Minister has set this as a key priority. He is chairing the immigration task force. If we did not think it was a problem the Prime Minister has many other things pressing on his agenda and requiring his attention. For the reasons I have mentioned, he has rightly focused on an area that he wants to ensure we get a grip on; that is, to reduce the pressure on our public services and all the negative factors, but also balance that by recognising the positive contributions that the right people can make to the UK economy and to our relations with the world.

The Government believe in controlled immigration, not mass immigration. Immigration brings real benefits to the UK and we will always be welcoming to people from around the world. That is why we have that standing that I mentioned in terms of soft power. We also know that immigration must be controlled. When immigration is out of control, it puts pressure on schools, houses, hospitals and transport, as noble Lords have referred to. That is why our policies are aimed at reducing immigration and building an immigration system that is fair to British citizens and legitimate migrants, that is tough on those who abuse the system or flout the law, and that ensures that people come to the UK for the right reasons: to work hard and contribute to our economy and society.

4.45 pm

Sitting suspended.

Sub-Saharan Africa: Healthcare

Question for Short Debate

5 pm

Asked by Lord Boateng

To ask Her Majesty's Government what assessment they have made of lessons that can be learnt from the outbreak of Ebola in Sierra Leone regarding the strengthening and development of sustainable healthcare systems in Sub-Saharan Africa.

Lord Boateng (Lab): My Lords, I draw attention to the relevant entries in the *Register of Members' Interests*. In particular, I am adviser to Gilead Sciences Inc, chair of Christian Aid's In Their Lifetime Appeal and a trustee of the Planet Earth Institute. When I was fortunate enough to have my Question chosen, I had hoped that the debate would take place in the context of an end to the Ebola crisis, an end to the outbreak in Sierra Leone and that the last case would have been reported. Sadly, that is not the case and Ebola is still very much with us.

Lawrence Summers, the distinguished economist and a former Treasury Secretary in the US has described Ebola as a "stress test" on national health systems. Sierra Leone, Liberia and Guinea have clearly been found wanting. They simply could not cope. There were too few trained health professionals, too little

[LORD BOATENG]

equipment, too few supplies and too little capacity for public health surveillance and control. It is a stress test that the world cannot afford to fail, and a stress test that in some ways the WHO did fail, and the world was threatened. I suspect that if the perception of the threat had continued as it was at the outset of the crisis, more attention would be paid to the subject in our media and elsewhere today. But we are where we are.

The threat to the rest of the world is seen by all too many in the rest of the world to have passed and the circus is already beginning to move on. There is a sense that Ebola is yesterday's story. As those who are attending today's debate understand, that is not the case: it is still an ever-present threat and danger. This debate is particularly timely as it takes place at the same time as the world's leaders, including our Secretary of State, are considering the future funding of development and the millennium development goals in Addis Ababa. Their considerations will have a considerable bearing on our success or otherwise in responding more effectively to the test that Ebola has presented to the health systems of west Africa and the wider world.

However, it is worth noting that a real contrast is to be drawn—Lawrence Summers draws it—between what happened in Sierra Leone, Liberia and Guinea, and what happened in Nigeria where, to a certain extent, the stress test was passed in at least one respect. Nigeria's response to Ebola was able to be characterised by the WHO as,

“a piece of world-class epidemiological detective work”,

which it was. It was able to launch a response of aggressive, co-ordinated surveillance and control, using a system for Ebola that it already had in place for polio. That enabled Nigeria to have a response that was not able to be replicated in Sierra Leone, Liberia or Guinea where the health systems, for a variety of reasons, were already substantially degraded and underfunded. In Sierra Leone, that was most obviously because of the conflict from which it was recovering and from problems associated with that, including investment in health, healthcare and governance.

In the *Lancet* Lawrence Summers, building on his 2035 commission report, put the cost of health systems strengthening in the developing world at around,

“\$30 bn a year for the next two decades”.

He identified this sum,

“through a combination of aid and domestic spending”,

as,

“well under 1 per cent of the additional gross domestic product that will be available”,

from the expected growth in low and middle-income countries during the next 20 years, so that \$30 billion is affordable. He goes on in the report to identify a lack of investment in public health and a lack of innovative research and development in the field of infectious diseases that affect the poor as having contributed to the crisis. We have an opportunity at this time, at the conference in Addis and the upcoming conference in New York, to do something about it.

Save the Children has estimated that the cost of dealing with the Ebola outbreak has been nearly three times the annual cost of investing in building a universal health service in all three affected countries. We have to ensure that the world learns the lessons of the crisis by a renewed focus on supporting systems of universal health coverage in the developing countries of sub-Saharan Africa. Will the Minister please tell us what steps the UK Government are taking to promote universal health coverage to give developing countries the resistance to contain this kind of outbreak in the future?

I recognise that no one-size-fits-all approach is either possible or necessary to address the issues of developing universal coverage. No one is suggesting an NHS in every country, as if one were promoting a chicken in every pot. It is much more complicated than that but there is inevitably a need for a mix of public and private, such as a role for insurance-based systems. All that has a role to play but there is at the end of the day a need for an irreducible minimum. That is, a recognition that there are some public goods the provision of which requires a role for Governments, with properly resourced departments of health, science and higher education working together with the support of ministries of finance across government to mobilise all the relevant departments in developing sustainable, effective healthcare systems that are backed up by assertive policies for public health and which tackle the root causes of the outbreak of such pandemics.

There is a need for adequate funding mechanisms and cross-sectoral work, led by finance ministries whose streams of work programmes are not dependent on the vagaries of external funding but rooted in a local set of priorities, determined locally and with a focus on value for money, local accountability and meeting the needs identified through the grassroots participation of the citizenry, who are essential to effective public health responses. All the evidence shows, as Christian Aid has shown on the ground in Sierra Leone, that you get a better response when you mobilise communities—when you work with traditional healers and leaders, alongside community healthcare workers and others, all to develop a response that is firmly rooted in communities, reflects their priorities and is capable of winning their support and confidence. It is that challenge to trust and confidence, and the lack of those now in institutions and Governments, which is one of the greatest casualties to have emerged from this crisis. It needs to be restored.

Underpinning all that work are adequate flows of revenue and resourcing which are not solely dependent on aid and development assistance from donors but rooted in the need to do better at revenue-raising locally and make sure, for instance, that we address issues and failures in the collection of revenue from extractive industries. That was a recommendation from the Select Committee of the House of Commons. There is also the need to make sure, as the Prime Minister has emphasised in a number of his interventions in this area, that we do better on illicit flows between jurisdictions and the loss to country revenues as a result of companies actively arranging their affairs and individuals to avoid tax.

So all those issues, and the response to them, need to be examined if we are to learn the lessons of this crisis. How do the Government intend to implement the Select Committee's recommendations on improving DfID country funding and bilateral in-country assistance programmes? How do they intend to ensure that local communities are involved in that?

Finally, we need to ensure that we address an all too often neglected area of development policy—namely, the role of science and research and development. We need to make sure that diagnostic institutions and laboratories are established to build on the lessons we have learned from the Ebola crisis, and we must take account of the lack of trained personnel. The Ebola epidemic has decimated the health workforce in Sierra Leone. There are too few doctors to ensure effective recovery from the disease. The total absence of postgraduate medical training in Sierra Leone bedevils an effective response and the whole healthcare system in that country, rendering it unable to train its own doctors in-country. Will the Minister agree to receive a delegation from the Royal College of Paediatrics and Child Health, which has come forward with a proposal to address this need which it has forged, together with its partners in Sierra Leone, and other institutions in the United Kingdom, including King's College? So we have a crisis and a problem but also an opportunity to ensure that we put in place mechanisms that not just end the present suffering but avoid the possibility of yet further suffering in the future.

5.13 pm

Baroness Walmsley (LD): My Lords, I thank the noble Lord, Lord Boateng, for introducing this very important debate. It is a pleasure for me to pay tribute to the more than 1,000 UK health workers who have volunteered to go to Sierra Leone to help combat the terrible Ebola virus. Eradication of this virulent disease presents particular cultural challenges as well as the need for rigorous medical practice. That is what makes it special.

The UK has made a tremendous contribution to the global effort due to three things: first, the willingness of so many generous skilled people to go to Africa to help others; secondly, the preparedness of the UK to help in such medical and disaster emergencies due to the training and care programmes for volunteers of the UK International Emergency Trauma Register; and, thirdly, the support for the campaign offered by DfID, the Department of Health and the NHS.

That support has been vital in providing the cash and facilities necessary to ensure that the volunteers are well trained, well supported and well cared for on their return. It is a tribute to the rigour of the systems that UK-Med and its NGO partners have put in place that only a handful of UK health workers in Sierra Leone have contracted the virus. Thanks to the quality of care that they have received, they have, thankfully, survived.

Currently, despite a small resurgence in the disease that the noble Lord mentioned, the support that the UK has given to developing local health services has meant that UK-Med and the International Emergency Medical Register are not looking for any more UK volunteers for the Ebola programme at the moment.

In a way, that is encouraging, because it means that the local health services are sort of coping. Sadly, it is clear that the outbreak was so serious in the first place because the health system in Sierra Leone and the other victim countries was broken. However, local health services need to be forever vigilant, since rapid response to any small outbreak will be vital to ensuring that the outbreak is contained. So perhaps I could ask the Minister what the UK is doing to ensure that the improvements in local health services are maintained and taken even further, as the noble Lord demanded.

As for the NHS, we need to help the organisation to be geared up for releasing staff for this important work and other medical emergencies that will arise in future. We must remember that, by building a capacity to respond to health emergencies overseas, we increase our own capacity to respond nationally here at home at the same time. Following Ebola, we now have a cadre of NHS staff who have first-hand experience of treating and caring for patients with a highly contagious and lethal condition, exercising full barrier nursing and care. This will be a huge advantage when we have a major outbreak of what is likely to be an airborne infection in this country. We constantly hear about new virulent strains of influenza, for example, and the travelling habits of the world's population make it inevitable that they will reach our shores sooner or later. Not only are these well-trained former volunteers a direct asset themselves but they can also train their colleagues wherever they work, so that these difficult cases can be managed safely and effectively.

By responding to Ebola and, indeed, earlier medical emergencies, we have built a national emergency healthcare workforce, which can quickly be mobilised to respond to emergencies overseas but is equally available for emergencies in this country, should we need it. What is to be done to ensure that we continue to have that workforce? Three initiatives have been suggested to me by Professor Tony Redmond, a trustee of UK-Med and professor at Manchester and Keele universities, to help to strengthen our response readiness.

First, on humanitarian posts, as he points out there is a great deal of altruism within the NHS and many staff wish to volunteer to help vulnerable people in other countries. However, they can find it difficult to take a break from their job, so he proposes that humanitarian posts be established in specialties and areas where it is difficult to recruit and therefore there are vacant posts. Those who take these posts will be guaranteed a period each year where they can be seconded to work overseas, either in an emergency or to help to build the capacity in vulnerable countries to which the noble Lord, Lord Boateng, has referred.

Secondly, there should be cross-trust volunteering. At present, it is difficult to work across two NHS trusts when you are not formally employed by both. The suggestion is to establish an agreement across the NHS so that volunteers who are on the register and appropriately trained and accountable can also deploy as cover across different trusts when teams are deployed overseas. This volunteering to cover for colleagues should have equal recognition with those who actually go overseas. This would also strengthen the UK's resilience in the event of a major outbreak or mass casualty event at home.

[BARONESS WALMSLEY]

Thirdly, volunteering needs to be incorporated into job plans and appraisals. As I have highlighted, many staff in the NHS are already engaged in volunteering to help support more vulnerable countries and also support the emergency response to disasters overseas, but this work is not recognised in training or in professional development and appraisal. Not only does volunteering help some of the most vulnerable in the world, it also increases overall job satisfaction, because healthcare workers, by and large, enjoy the opportunity to exercise their altruism. Most importantly for the UK, volunteering builds up very relevant skills and experience in managing conditions in difficult circumstances, managing resources effectively, and being exposed to a wide range of conditions and diseases that are rarely seen in the UK but which are important to recognise and to know how to deal with when they occur. The All-Party Parliamentary Group on Global Health has produced a very good document on volunteering and Professor Redmond and his colleagues would look for its recommendations to be widely supported.

I would like to ask the Minister whether the Government will consider these proposals and let your Lordships know whether they will be supported. I know that the NHS is keen to have a positive legacy from its response to the Ebola crisis. By facilitating volunteering overseas, that legacy will be strengthened. However, it is vital that, for volunteering to be safe, effective and of true benefit to the countries to which volunteers are invited, those volunteers are fully trained, insured, vaccinated, accountable and registered to practise in the relevant country. All of these things are promoted and facilitated through the International Emergency Medical Register.

Finally, I will say just a word about those left behind after the Ebola outbreak. I understand from recent research that the number of women who have been widowed by Ebola is considerable. Many have children but find themselves unable to look after themselves, let alone their families. Widows and their female children are often left in particularly vulnerable situations. Reports in the media highlight the disproportionate effect that the situation is having, as it unleashes secondary effects on economic and social development, all of which have harmful implications for women and girls. The charity Street Child reports the story of a young girl who, on the death of her father, became pregnant when she sold herself for sex in order simply to get food for her family. Widows can also face further hardship and abusive practices, such as losing their property and being shunned by society because they have no man to protect them. Therefore, I ask the Minister whether the Government are adding something to address these problems to the very significant medical programme that they have launched to eradicate this disease. Ebola will never be yesterday's story for these people.

5.22 pm

Lord Giddens (Lab): My Lords, I congratulate my noble friend Lord Boateng on having secured this debate and introduced it so effectively. I hope that I am not the only person present who feels distressed

that there are so few contributors, as the Ebola epidemic still causes devastation across west Africa. As I discussed in a previous debate, the social and economic impact of the Ebola epidemic in Sierra Leone has been particularly severe. The country went from having one of the fastest-growing economies in the world to one that has shrunk by fully 25% of GDP. Rebuilding the healthcare system will require a great deal of direct financial aid, which can come only from the international community. In turn, a viable healthcare system cannot be built unless there is a sustained economic recovery.

The backdrop to this is not encouraging. We live in the most interdependent world ever. There was a point when people in many countries were perturbed about the Ebola outbreak. However, this is not a world that has effective global governance; the United Nations is probably at its weakest ever. In many fields one finds that pledges are made but no money is forthcoming. My great worry is that this will also be true in the case of the Ebola outbreak.

A meeting of the UN last week saw pledges of \$3.2 billion to help the recovery in the three countries most directly affected by the epidemic. As the Minister will remember, I mentioned in a previous debate that the World Bank has pledged \$1.62 billion. I ask, again, whether she knows whether those figures have any reality. To me, as someone who works on climate change, they sound eerily like the \$100 billion a year that developed countries have pledged to the poorer counties of the world to help alleviate the effects of climate change. Virtually none of money has ever become real; this must not happen in the case of the Ebola epidemic.

Zoonotic diseases are on the increase in Africa and are in fact connected with climate change—the chief connection is deforestation. They can cause havoc and have global implications. As the noble Baroness, Lady Walmsley, mentioned, Ebola could have become a worldwide pandemic if it had happened to be an airborne virus. In Africa, the impact of the Ebola epidemic overlaps heavily with diseases that are already putting great strain on existing healthcare systems. Sub-Saharan Africa suffers from the crippling effects of HIV/AIDS, malaria and tuberculosis. Over three-quarters of total malaria cases across the world are located in Africa and over 90% of malaria deaths occur in that continent. More than 20 million Africans are living with HIV/AIDS, a staggering number, although, it has to be said, about 70% are now obtaining antiretroviral treatment.

While most attention has naturally been concentrated on the three countries that have borne the brunt of the Ebola epidemic, states not directly involved in the epidemic have also been deeply affected, again with major economic consequences. For example, a recent survey of holiday operators found a decline of up to 70% in bookings, primarily because of fear of Ebola, including for countries quite remote from those directly affected, such as Kenya, South Africa and Mozambique. The overall knock-on effect economically, morally and socially across large areas of Africa has therefore been profound—and continues to be so.

If the Minister can overcome her terrible malady, I have three further questions to ask her. First, everyone now accepts that the response of the international

community to the Ebola outbreak—and especially that of the UN agencies—was too slow and fragmented. What are the main reforms that the Government would like to see put in place before the next potential global pandemic? We are in a situation where everybody is drawing lessons but the theorem that I mentioned at the beginning applies. These are mostly abstract; it is hard to see where the beef is—where the substance is. This is really dangerous, I think, for possible future pandemics. Any information that the Minister has on that point would be valuable. What would be the best reforms to produce a more effective response on the part of the international community to the next global pandemic? Any such pandemic will likely be zoonotic, as I have mentioned, but could be much more lethal.

Secondly, there has to be a step change—as I think the noble Baroness, Lady Walmsley, mentioned—in the training of medical personnel. When the epidemic started, Sierra Leone had only one doctor for every 70,000 people; compare that to Britain, where there is one doctor for every 360 people—and now they are going to have to work seven days a week. How could this process happen quickly? I cannot see any way except by the sustained involvement, again, of the international community, which means medical personnel being in the affected countries and surrounding countries for a sustained period—at least five years further. What contribution will the UK make to that and has it got that kind of timeframe? To me it seems absolutely necessary.

Thirdly, however, I think that there is a theorem of hope around. This is a period of fundamental innovation in medicine, largely because of the digital revolution. For the first time ever in human history, I think, cutting-edge technology is going directly to the poorer countries of the world. A major example is mobile phones and smartphones. The case of Nigeria, which my noble friend Lord Boateng quoted, is really interesting because Nigeria contained Ebola partly by means of text messages sent directly to millions of citizens daily to alert them to the actions needed so that the disease did not spread. This would not have been possible even 10 years ago.

We know that in Africa it has been possible to produce a kind of leapfrog effect with mobile phones—that is, African countries have gone directly to a phone system without having the stage of fixed telephone lines. It is possible that the same thing could happen with medical treatment if there is an effective response by the international community. In other words, that community should continue to bring front-line treatments, even experimental treatments that have not been fully tested, to west Africa and other parts of the continent potentially affected. It is at least conceivable that there could be a kind of breakthrough effect, because it is not just a matter of training medical personnel. If we could bring medical innovation on a large scale on that kind of model directly to poorer countries in Africa, it could be transformative in its potential impact.

5.31 pm

Baroness Northover (LD): My Lords, I, too, thank the noble Lord, Lord Boateng, for securing this important debate and introducing it so effectively.

The last time we debated this issue in the Lords was, I think, in a debate put down by the noble Lord, Lord Fowler, at that time my noble friend, and I was fortunate to be the DfID Minister replying. In that position, I was privy to the absolutely outstanding efforts made by DfID to counter this epidemic in Sierra Leone.

Ebola illustrated, in the most appalling way, how we are all interconnected. Not only did we have a moral responsibility to respond to what was happening in Sierra Leone, a country in the development of which we played such a key role after its civil war, but it was and is in our self-interest to do so. We are all so interconnected globally that an epidemic such as this can easily move across continents, as we have heard, out of control. When that patient arrived and died in Nigeria, the world was fortunate that a nurse, in effect, gave her life ensuring that this patient was not allowed to leave the clinic, with appalling consequences for the nurse herself but astonishing protection for the people of Nigeria and the wider world. Indeed, they used the system for polio, but it was helped by the first case being received in the private clinic that it was. Too easily, the epidemic could have reached widely round the world.

We were lucky too, in my view, that we had in DfID, as Chief Scientific Officer, the outstanding Chris Whitty, from the London School of Hygiene and Tropical Medicine. There could not have been a better person to set about organising the UK's comprehensive response to Ebola in Sierra Leone.

While the US concentrated on Liberia and France led in Guinea, work was undertaken at every level. Clinics were set up locally where patients could be identified, and those with Ebola sent to dedicated units. Lab facilities were improved to speed up diagnosis. Work with anthropologists was undertaken to work out practices which enabled those who had lost loved ones to have rites of passage which did not endanger all mourners. The development of treatments and vaccines was expedited. As my noble friend Lady Walmsley said, NHS volunteers were identified and trained to work as safely as possible in Sierra Leone. I pay tribute to them and to UK-Med.

When I answered the debate earlier this year, we seemed to be within striking distance of ending this epidemic. We seemed to have done so in Liberia. I would like to know whether the cases in the three countries are traceable to other known cases, or whether some do not fall into this category. What are the implications in either case?

The World Health Organization has rightly been criticised for its tardy response, lack of resources and inappropriate personnel in the region and elsewhere. What progress can be reported? What have we learned in terms of surveillance, early warning and response systems? How do we identify and respond to potential crises in future?

The Government of Sierra Leone were understandably keen to be supported as they rebuilt. Are we ensuring that such rebuilding is fully transparent and accountable? There was huge concern that other patients—for example, those with malaria—did not come to clinics lest they were infected with Ebola, and that

[BARONESS NORTHOVER]

vaccination and treatment for other diseases fell away. Will the noble Baroness give an estimate of the associated mortality and tell us what is being done to address this?

There has been huge concern, as others have mentioned, that children spent a long time out of school. What is being done to ensure that they make up for lost time? What is being done to support orphans, who have been mentioned? How are we best supporting women and girls, given that they are especially vulnerable, as my noble friend Lady Walmsley pointed out? The International Development Select Committee and others expressed concern about the weakness of the health systems that allowed the epidemic to take hold, and concern that these should now be strengthened. Like the noble Lord, Lord Giddens, I want to know what is being done to address that area. It is one thing to intervene in a humanitarian crisis like this, with popular support, but it is quite another to sustain long-term investment. What is the financial size of the commitment being made by DfID?

I would appreciate an update on treatments and vaccines. It was excellent that in the crisis, because of the work after 9/11, particularly by the Americans, there was some progress which could be built on. I would like to know how the vaccines from the UK, especially from the Lister Institute, have been faring. There was the proposal, of course, that we should take a shared public risk in developing these. Clearly, on the one hand, this could be an opportunity for drug companies to avoid their responsibilities. On the other hand, there could be a public good involved. The Minister's noble friend, the noble Lord, Lord O'Neill, has discussed such public pooling of risk in relation to the development of antibiotic-resistant drugs. Where are we in relation to Ebola treatments and vaccines? How do we protect from abuse by the pharmaceutical industry in this area? Are there proposals for delivering more rapidly clinical trials in this field? How might production be scaled up and adequate delivery put in place? What work is being carried out to assess other potential disease threats which may quickly cross borders in our globalised world?

I came across one bright note in relation to Ebola. Sierra Leone has a high incidence of FGM. From what I understand, in the civil war this stopped. It re-started thereafter. I heard that it stopped again in the Ebola epidemic. It seems to me to be vital—this is what I urged and I want to know exactly what we are now doing—that we build on that change. We cannot allow things simply to return to normal. If we can change people's burial practices, surely we can, and must, address this terrible practice as well.

I would also like to ask what lessons have been learned about the deployment of NHS staff. UK-Med seemed to do a remarkable job. Like my noble friend Lady Walmsley, I pay tribute to it. I am sure that it will be learning lessons, which we will need to apply in other humanitarian emergencies. I look forward to the Minister's response and pay tribute again to the astonishing efforts of those right across DfID, but especially Chris Whitty, Tony Redmond from Manchester and George Turkington and their teams, for their tireless work in tackling this disease.

5.39 pm

Lord Collins of Highbury (Lab): My Lords, I, too, would like to thank my noble friend Lord Boateng for initiating this debate. It was only a few weeks ago that we had a debate on this subject; nevertheless, I am extremely grateful that my noble friend has raised this issue again because it gives us the opportunity to focus on key priorities as we move forward. As my noble friend and all noble Lords in today's debate have stressed, the main lessons from this outbreak relate to the strengthening of health systems, increasing the number of primary healthcare staff, improving their training, building scientific capacity in diagnostics and public health laboratories and supporting public health messaging and outreach generally. These are all topics that we touched upon in the last debate but I want to come on to some specific points.

I, too, have previously acknowledged the Government's incredibly positive response to Ebola on the ground and the incredibly significant role of British volunteers and their bravery. In the previous debate I mentioned how much I appreciated the Government recognising their courage with a medal.

As we have heard from my noble friend, over decades Sierra Leone has had insufficient investment in its health systems. Universal health coverage can make countries more resilient to health concerns such as Ebola before they become widespread emergencies, as highlighted by my noble friend. I therefore welcome the clear commitment given in recent debates by Ministers—the noble Baroness in particular—to support universal health coverage, free at the point of access, in the language of the health goal in the SDGs. I welcome their commitment to this in the forthcoming New York negotiations in September.

Like the noble Baroness, Lady Northover, I think that we are extremely lucky to have someone like Professor Chris Whitty and I have attended many of his briefings about the crisis. In recent briefings he particularly stressed the impact of Ebola on other diseases. That is one of the key lessons for us to focus on. It is clear, as my noble friend Lord Giddens said, that gains made against malaria are at risk as health systems are pushed to breaking point and people avoid using them because they fear contracting Ebola. Many children have missed out on routine vaccination services since 2014. Modelling by the Johns Hopkins Bloomberg School of Public Health on the long-term impact of Ebola on routine immunisation suggested that as many as 1 million children could miss out on measles vaccinations as a result of the knock-on impact of Ebola.

One of the big issues affecting immunisation has been trust in the health service, another issue touched upon in today's debate. Rumours circulating in the region have falsely claimed that childhood vaccines, such as those protecting against measles, pneumonia and diarrhoea, could be linked to Ebola. Tackling that misinformation is key. This has dealt a severe blow to immunisation coverage, with parents refusing to allow their children to be immunised against common but potentially fatal conditions, leaving hundreds of thousands of children at risk. Additionally, as we have heard from all noble Lords, hundreds of health workers in

the three countries were among the 10,000 people who lost their lives to Ebola during the crisis and many were forced to abandon their posts as the epidemic took hold. As the three countries begin their return to normality, there is now a severe shortage of trained health workers to administer vaccines, let alone carry out other primary care work.

In her written response following the recent debate, which I managed to get this afternoon and which was quite helpful, the Minister outlined the immediate steps that were taken to reinstate basic healthcare as safely as possible. Picking up on the point made by the noble Baroness, Lady Northover, could the Minister set out for us today the longer-term strategy to develop more resilient and sustainable health services, particularly in Sierra Leone? What steps have been taken by the department to support the Government of Sierra Leone in developing a comprehensive strategy aimed at supporting communities to recover from the crisis and to put the country back on track to meet all the development targets that it has? Can the Minister tell the Committee whether the department, in considering the lessons of the outbreak, has examined the impact of previous changes to funding commitments to Sierra Leone? In doing so, can she tell us whether the department has reversed or rethought any planned funding cuts?

One other clear lesson on the outbreak highlighted by my noble friend Lord Boateng has been the role of community engagement—another issue that we touched on in the previous debate. I welcome the noble Baroness's written response in relation to this, particularly on the Social Mobilisation Action Consortium, which brought together BBC Media Action, Centres for Disease Control, GOAL and Restless Development, all funded by DfID. In the debate I touched on the issue raised by the noble Baroness, Lady Northover, about the lessons in terms of FGM. I am disappointed with the written response on that. I know—I share the concern of the noble Baroness, Lady Northover—that there are huge cultural issues but if we were able to address the issue and raise awareness during such a difficult period, surely we need to ensure that we continue with that and not back away from it.

It is important that we ensure this work continues and is extended to enable civil society organisations to work with communities, to hold meetings, to brief village chiefs and, as my noble friend said, to work with religious leaders not only on basic health issues but on the importance of immunising children. We also need to ensure that there are enough trained health workers to provide the vaccines to the children.

Last week I met with Dr Seth Berkley of Gavi, the Vaccine Alliance. Unfortunately I could not attend the briefing organised by the noble Baroness, Lady Northover, but I was able to meet him separately. He made clear that as the initial Ebola epidemic recedes we face a race against time to prevent outbreaks of other dangerous diseases by ensuring that children receive the vaccines they need to protect them. That is a key element of restoring trust. Rebuilding trust among parents and carers is critical, as is ensuring that they are provided with the services they need to protect their children.

5.47 pm

The Parliamentary Under-Secretary of State, Department for International Development (Baroness Verma) (Con): My Lords, I apologise for my coughing and spluttering throughout the debate. I tried hard to keep it under control but sadly have failed.

I join noble Lords in thanking the noble Lord, Lord Boateng, for securing this debate and I commend his long-standing commitment to international development. I thank everyone who has contributed today and pay tribute to the recognition that noble Lords have paid to DfID and its work and to the great work that volunteers and the National Health Service have also contributed.

As noble Lords are aware, we have played a major role in Sierra Leone and the region in tackling Ebola. It is good that we have come together to discuss the lessons that can be learned from the outbreak in regard to the strengthening and development of sustainable healthcare systems in sub-Saharan Africa.

There were a great number of questions. I hope that my contribution will answer some of them but I fear that time will beat me to it. I therefore undertake to write to all noble Lords by addressing a letter to the noble Lord, Lord Boateng, sending a copy to all noble Lords and placing a copy in the Library.

New cases of Ebola have reduced from 500 per week in November 2014 to around 10 to 14 per week at the last count we have been given, which was 12 July. The UK showed incredible leadership, mobilising the international community and supporting the Government of Sierra Leone to halt Ebola's spread. I join all noble Lords in paying tribute to the British, Sierra Leonean and other health workers who tackled this disease on the front line.

There are many lessons to be drawn from this unprecedented event. We are committed to identify them and use them to inform and reform, both inside the UK and with international institutions. We have called on the World Health Organization to up its game, securing reforms at the WHO executive board in January and the World Health Assembly in May. Dame Barbara Stocking reviewed WHO's systems for responding to health emergencies and the UK agrees with her report's recommendations. The noble Lord, Lord Boateng, said in his very eloquent contribution that Ebola posed a real challenge and a stress test on all health systems in Sierra Leone, Liberia and Guinea. This highlighted why we need to make sure that, in response to such crises, the World Health Organization looks at its internal systems better.

We will continue to apply pressure to improve global health security at the UN General Assembly, the World Bank autumn meetings and at the G20 update in November. The pressure needs to be continued. The European Commission has been a strong supporter of health systems in all affected countries. In particular, the Commission supports countries such as Guinea, where the outbreak started, but where the UK does not provide direct support as in Sierra Leone. The UK works as a critical partner of the Commission in Brussels and in countries, pressing it to do better.

[BARONESS VERMA]

As we identify lessons, we must remember that Ebola in west Africa is unique, as was SARS and as will be the next global health emergency. We need to be committed to improving resilience in relation to all infectious diseases. In 2013, only 10 countries were below Sierra Leone in the Human Development Index. It had the lowest life expectancy in the world. Ebola highlighted how fragile its health system was. We are committed to a “health systems approach” that helps a country organise health resources—money, workforce, buildings, supplies, services and information. Ebola shone a light on all these, but surveillance, rapid response and infection control limitations allowed the outbreak to get out of control.

We have learned three particular lessons for health systems in this respect. First, good surveillance makes the most of local context. I agree with all noble Lords that in countries with limited resources we must include local communities. People and community health workers must get basic training in what to look for. Health workers must have the right incentives to engage with local people, so that communities trust and are able to communicate with them. Communities must not fear formal health facilities.

Secondly, we have learned that health systems need capacity to respond to outbreaks fast, a functioning network of health centres and rapid mobile response teams with particular skills in managing outbreaks.

Finally, we have learned that infection prevention and control needs to be at the core of any health system. In addition to these lessons from Ebola, we have learned much about how to effectively support health systems from years of supporting health in developing countries around the world. For instance, we know from our experience that effectively supporting health systems requires a long-term approach. One reason why the UK engaged so effectively in Sierra Leone was our long-standing development partnership with the country and its Government. We also know that health workers are fundamental and in short supply in the health systems of most low-income countries. We know that they must be trained, motivated, supported and held to account.

We have learned that governance is critical. Whatever kind of health system you have—mostly private or mostly public—the Government must oversee and regulate the quality of care, and ensure that the poor are protected from poor services and financial hardship in buying services. In this respect, the UK helps by advising countries on how to finance their health systems, procure and distribute essential medicines, manage payroll systems and much more. Work to help countries build health systems needs to happen at several levels—national, regional and international. This is why we continually work to ensure that the international system is better equipped to help countries build health systems and support them in responding to disease outbreaks.

In building health systems other factors outside them are critical, including access to clean water, good sanitation and hygiene. We have learned that a good public health system must engage with private clinics. Because many people in poor countries use only the

private sector, private clinics need to be informed about outbreaks when they occur. In extremely fragile states where NGOs may provide most health services, NGOs also need to be part of the surveillance and response effort. More lessons need to be learnt. I assure noble Lords that we will be taking these into account as we help Sierra Leone recover from Ebola and continue to support health in developing countries around the world.

The UK is providing up to £37 million to the health pillar of President Koroma’s nine-month recovery plan. This will support health worker and patient safety in clinics through support for staff training, water and sanitation facilities, and strengthening laboratory capacity. It will also help to re-establish basic health services through the donation of drugs left over from the Ebola response. We have also committed £13 million to help countries in the region prepare for future infectious disease outbreaks. The UK has supported more than half of all beds for Ebola patients in Sierra Leone and more than 100 burial teams, trained 4,000 front-line staff, tested one-third of all samples collected nationwide and delivered more than 1 million PPE suits and 150 vehicles. Our support will not stop there as we work to help the country get to zero and stay there by rebuilding its health system.

In the two or three minutes that I have, I will try quickly to ramble through some of the questions posed by noble Lords. The noble Lord, Lord Boateng, asked about disease surveillance, what was in place and what the UK could ensure for future outbreaks of Ebola. My department and the Department of Health are seeking greater commitment from partner countries to implement the international health regulations. These regulations require countries to put in place a national system to protect, prevent and provide a public health response to the international spread of disease and other threats. The Fleming Fund is a five-year, £195 million programme, which was announced in the Budget and will be managed by the Department of Health. We are linking up with France, the United States and the Gates foundation, which have all recently announced plans to do more on disease surveillance.

The noble Lord also asked about illicit financial flows and tax evasion. At the Addis Tax Initiative in Addis Ababa, with the United States, Germany, Netherlands, Ethiopia and others, the Secretary of State launched an initiative to ensure that we commit to doubling support for tax reform in the developing world by 2020. This initiative specifically stresses the importance of tackling cross-border tax evasion and avoidance.

The noble Baroness, Lady Walmsley, and other noble Lords asked about vulnerable groups, particularly young girls and women. We know that about 10,000 children will have lost one or both parents, or their primary care givers, to Ebola. This loss of family and protection makes them absolutely vulnerable to abuse and exploitation. We are working with UNICEF and others to set up the observation interim care centres in all districts where children can be safely quarantined if they are suspected of having Ebola, families can be found if they have become separated and counselling can be received. There is a lot of ongoing

work to make sure that vulnerable people, particularly children, have the right support in place.

I have a feeling that I am running fast out of time and I am struggling to breathe. Perhaps noble Lords will agree to allow me to undertake to write. I hope

that at the next debate I will not be as infected as I am now. I have quite a lot of responses to get through and I fear that time and my own energy to keep upright are failing me. I thank noble Lords.

Committee adjourned at 6 pm.

CONTENTS

Thursday 16 July 2015

Questions	
Surveillance Legislation.....	683
Police: Ambulance Support.....	686
Building Stability Overseas Strategy.....	688
Carbon Emissions.....	690
Business of the House	
<i>Motion on Standing Orders</i>	693
Privileges and Conduct	
<i>Motion to Agree</i>	693
Standing Orders (Public Business)	
<i>Motion to Amend</i>	694
Hybrid Instruments	
<i>Membership Motion</i>	695
Human Rights	
<i>Membership Motion</i>	695
Responsibility to Protect	
<i>Motion to Take Note</i>	696
NHS: Reform	
<i>Statement</i>	726
BBC Charter Review	
<i>Statement</i>	741
English Votes for English Laws	
<i>Question for Short Debate</i>	754
Freedom of Religion and Belief	
<i>Motion to Take Note</i>	766
National Minimum Wage (Amendment) Regulations 2015	
<i>Motion to Approve</i>	804
Grand Committee	
Biodiversity	
<i>Question for Short Debate</i>	GC 81
Public Life: Values	
<i>Question for Short Debate</i>	GC 96
Rural Communities	
<i>Question for Short Debate</i>	GC 112
UK: Population	
<i>Question for Short Debate</i>	GC 127
Sub-Saharan Africa: Healthcare	
<i>Question for Short Debate</i>	GC 138
