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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS
OFFICIAL REPORT

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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, 21 January 2016.

11 am

Prayers—read by the Lord Bishop of Derby.

Health: Hormone Pregnancy Tests Question

11.06 am

Asked by **Lord Kennedy of Southwark**

To ask Her Majesty's Government what is the timeframe for the inquiry into the safety of hormone pregnancy tests, and when they expect the report to be published.

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): My Lords, an expert working group of the Commission on Human Medicines has been convened to review all available evidence on whether use of hormone pregnancy tests may have been associated with adverse outcomes in pregnancy. The group met twice in 2015 and a number of further meetings will be held in 2016. A report of the group's findings will be published once the review is complete, which is expected before the end of the year.

Lord Kennedy of Southwark (Lab): My Lords, the terms of reference of the inquiry still do not include past regulatory failures and the campaigners fear a veil of secrecy and an inability to get to the truth. What can the Minister say today to alleviate people's fears? Will he agree to meet a delegation of campaigners and interested Peers to discuss how we can shine a light on what happened to learn the lessons of the past so that they are there for the future?

Lord Prior of Brampton: My Lords, this issue goes back to the 1950s, so trawling back over that period may not be that helpful. What is helpful is that we learn lessons from the past so that the existing regulatory system can learn from those errors. I am, however, very happy to meet the noble Lord and others who are interested to discuss this further, if they wish to do so.

Baroness Walmsley (LD): My Lords, given that many of the survivors of Primodos, the drug in question here, were not told that they were taking part in a clinical trial, will the noble Lord assure us that today nobody would take part in a clinical trial without their knowledge?

Lord Prior of Brampton: My Lords, I understand that to be the case but I will double-check and, if it is not, I will of course write to the noble Baroness.

Lord Hunt of Kings Heath (Lab): My Lords, is it absolutely clear that there will be full disclosure of all public documents and the regulators' documents for this review?

Lord Prior of Brampton: I understand that all the relevant documents are being made available to the expert working group. The chair of the association looking after the children who have been damaged by these pregnancies is an observer on that committee.

Lord Winston (Lab): My Lords, with deference to my noble friend's Question, is it not a fact that 40 years on—it is actually more than 40 years because the last letter in the *British Medical Journal* was in 1977 on things that had happened previously—it is now really impossible to decide the precise nature of what happened after the dosage of Primodos? While an inquiry might be helpful to some people, it is very unlikely that we will uncover anything that will be really useful in the future. Is not the message to pregnant women that they are not advised to take any kind of drug during pregnancy?

Lord Prior of Brampton: My Lords, the noble Lord is clearly an expert in this field. If the advice is that pregnant women should not take any kind of drug during pregnancy, that must be the right advice. I agree with him that many of these documents go right back to the early 1950s and many are in German rather than English. The quantity of documentation is enormous. That is one reason why this review has taken so long. However, the people on the expert working group are very distinguished clinicians and are doing the best they can in very difficult circumstances.

Baroness Gardner of Parkes (Con): My Lords, will the Minister confirm the reply he gave that no one will be asked to take any of these experimental things without being aware of doing so, because pregnancy is a time of great anxiety, particularly in view of the accidents that have happened in the past?

Lord Prior of Brampton: All I can do is entirely agree with what my noble friend says. That must be right.

Baroness Deech (CB): My Lords, there has been great fuss about the Prime Minister's wish to ensure that all women, particularly Muslim women, learn English. What steps can the Government take to make sure that all pregnant women receive directly the medical advice that they need during pregnancy?

Lord Prior of Brampton: Much advice is available on NHS Choices and elsewhere. Clearly, GPs have a primary responsibility in giving initial advice to women, of whatever nationality, when they become pregnant.

Income Inequality Question

11.11 am

Asked by **Lord Foulkes of Cumnock**

To ask Her Majesty's Government whether they intend to commission research into the impact on social cohesion of income inequality.

The Commercial Secretary to the Treasury (Lord O'Neill of Gatley) (Con): My Lords, income inequality is falling and is close to its lowest level since the

[LORD O'NEILL OF GATLEY]

mid-1980s. The Government have taken action to reduce inequality and poverty by boosting the incomes of those in work through the new national living wage, by taking 3.8 million working-age individuals out of income tax since 2010 and by reducing worklessness, with more people now in work than ever before.

Lord Foulkes of Cumnock (Lab): My Lords, with FTSE 100 chief executives—only four of whom actually founded their companies—earning 183 times the median earnings for a full-time worker, and with the chief executive of HSBC, for example, receiving £7.5 million in the year that its profits went down by 17%, does the Minister agree that it is a miracle that there is not more social unrest in this country? Will the Government consider setting up a commission to make recommendations on ways in which this terrible income inequality can be dealt with?

Lord O'Neill of Gatley: My Lords, as I suggested in my opening formal comments—and I am happy to provide plenty of data to back up the substance because it is so wide—true measures of income inequality, whether in terms of disposable income or of what is called original income, have for many years shown a decline in income inequality. How chief executives are remunerated by their companies, particularly in the quoted sector, depends on the decisions of their boards and shareholders.

Baroness Kramer (LD): My Lords, do this Government expect that the planned changes to universal credit will increase or decrease the number of children living in households with below-average incomes? Given the public interest, will the Minister report back to this House on that measure?

Lord O'Neill of Gatley: My Lords, I am sure that we will have further debates on this topic in the weeks and months ahead, but, as has been clearly articulated by me and others on a number of occasions in this place and the other place, our prime policy is to ensure that as many people as possible throughout our society achieve employment, supported by an increase in the national living wage. I should add that I make these comments after remarkably strong employment data published yesterday.

Lord Kinnock (Lab): My Lords, this Question, as the Minister will have noticed, is about social cohesion. Is it not clear that there is a relationship between social cohesion and social equity? By not accepting the proposition in my noble friend's Question, is he really saying to us that the Government, who are supposed to be strongly committed to social cohesion, are not willing to investigate the relationship between social cohesion or lack of it and social equity or lack of it?

Lord O'Neill of Gatley: My Lords, the Government are focused primarily on pursuing the appropriate economic policies to promote sustained economic expansion and higher productivity, including better opportunities for those who have been most disadvantaged, whether it be commitment to the northern

powerhouse or the Midlands engine, and the devolution of policies that go with that, particularly skills and education. Those are the policies that are attracting more and more of our policy attention.

Lord Davies of Oldham (Lab): My Lords, the Minister says he has data that show inequality reducing. I would very much welcome any submission he intends to make. I can only assume that he is measuring the past few months and that some of the inequality that has been reduced is because assets have dropped in value for the very rich because of the collapse of prices on the FTSE. Let us be absolutely clear: from 2010 onwards, wages were effectively frozen in this country as there were no pay rises at all for workers. I cannot understand how the Minister can suggest that the Government have been pursuing policies of reducing inequality.

Lord O'Neill of Gatley: My Lords, it is very dangerous to goad someone with my background about data, but there are considerable and widespread data on these matters published completely independently of the Government. In fact, the data show that the so-called Gini coefficient, which is one of the widely accepted global measures of inequality, has been showing a slow decline in British inequality since the mid-1980s, as I said earlier, both at the disposable income level and before disposable income.

Lord Lea of Crondall (Lab): My Lords, the Minister mentioned the Gini coefficient. I was a member for some time of the Royal Commission on the Distribution of Income and Wealth. Obviously, there are different measures. I assure the Minister that we can swap anecdotes about data. But to be specific, is it not long overdue to remove the charity status of the public schools, given the inbuilt inequality of opportunity which that concrete part of our social structure creates?

Lord O'Neill of Gatley: My Lords, one of the widely regarded measures shows that inequality may have widened, which is the one that would include the broadest measures of wealth to account for house prices. That is the only one that shows that; all the others, as I have said, show the exact opposite of the tone of most of these questions. That is why we are also focused, as part of the productivity plan and otherwise, on trying to do something about broadening the supply of houses and to discourage the degree to which landlords have been influencing the housing market. These policies, along with the others I mentioned, will continue to attract the justifiable prime focus of our economic policies.

Lord Newby (LD): My Lords, will the Minister confirm that yesterday's employment figures showed a further fall in productivity? Why do the Government think that happened and what are they doing about it?

Lord O'Neill of Gatley: My Lords, of course one can infer some tentative implications about productivity from yesterday's data on employment, but it would be very premature to do so. We know from the very latest

productivity statistics that, if one uses a magnifying glass, there has been a modest increase in productivity in the last two quarters for which data have been reported. It is an ongoing observation that, in what are generally currently regarded as some of the most successful economies in the world, cyclically, the US included, they have, if anything, an even bigger apparent conundrum on this than we do here in the UK, because of the evidence of the past 12 months.

Lord McFall of Alcluith (Lab): My Lords, the latest figures indicate that the salary of a chief executive in the largest corporations in America is now 333 times the average wage, while in Britain it is now 180 times that. The Minister is right that inequality has been growing in Britain for the last three years. It is now at the level of World War 2; if in 20 years' time we continue this trend, it will be at the level of Victorian standards. As a distinguished economist, the Minister could do us all a favour by telling the privileged members of the Cabinet that GDP is not the best way to measure the prosperity of a country; it should be a measure of well-being. If we focused on that area, we might start to tackle this horrendous problem.

Lord O'Neill of Gatley: My Lords, I take the noble Lord's suggestions with great interest. I repeat that it is the responsibility of boards and their shareholders to analyse and support the compensation of their chief executives. As we have touched on in parts of the productivity plan, those boards and shareholders should think carefully on an ongoing basis about the justification for those levels of remuneration.

Lord Clark of Windermere (Lab): My Lords, I think that a number of us were surprised by the Minister asserting that inequality has actually been decreasing over recent periods. Does that take into account the zero-hours contracts and the regional variations?

Lord O'Neill of Gatley: My Lords, it is a reality of life that, when evidence gets in the way of perception, it surprises people. But on the widely accepted global measures—of which ours is one—measured inequality has been declining slowly since the 1980s, whether they include disposable income or are without it.

Marriage: Humanist Ceremonies

Question

11.22 am

Asked by Baroness Thornton

To ask Her Majesty's Government what plans they have to establish humanist marriage ceremonies in England and Wales.

The Minister of State, Ministry of Justice (Lord Faulks) (Con): My Lords, the Government gave an Answer to the noble Baroness on 2 June last year saying that given the broader implications for marriage law, they would consider the next steps after the Law Commission had reported in December on its preliminary scoping study of the law concerning how and where

people can marry in England and Wales. The Government are carefully considering the report and will respond in due course.

Baroness Thornton (Lab): I thank the Minister for his Answer. He will understand why I keep returning to this because Scotland is a long way for one to go for one's children to have a humanist marriage. Two gay people can now marry in a church but they cannot have a humanist wedding in England and Wales. It is two and a half years since this House agreed that it thought that should happen. Can the Minister say whether it would be possible, and indeed preferable, for a modest extension of the law to accommodate humanist marriage rather than overhauling marriage law, as recommended by the Law Commission report? If Scotland and other countries can do this in a simple way, should England and Wales not be able to do so as well?

Lord Faulks: What Parliament decided, in Section 14 of the Marriage (Same Sex Couples) Act 2013, was of course that the Secretary of State should arrange a review, which the Secretary of State did—that is the Law Commission review—and that he has a power rather than a duty to make the order which the noble Baroness refers to. It is of course quite right that Scotland has operated a different arrangement, whereby you may go to a registry office and have a schedule permitting you to get married anywhere. Marriages have taken place on the top of a mountain and in the middle of a loch, identified only by a GPS reference. However, these are serious matters. The Government think it necessary to consider marriage as a whole and it is interesting that the Law Commission's thorough report does in fact not recommend simply activating that order-making power, as the noble Baroness will have seen.

Baroness Barker (LD): My Lords, following that answer, can the Minister confirm that the system in Scotland is that the celebrants are registered rather than the locations where the ceremonies take place? That is the material difference. However, opinion polls consistently show public support for humanist marriages, so can he tell us why the Government keep trying to kick this into the long grass rather than using the powers that they have to bring it about?

Lord Faulks: The noble Baroness is quite right of course that it is a celebrant-based system. A schedule is issued by the register office stating where the marriage can take place, and the celebrant then goes back to the register office and the matter is registered there. The Government have considered the matter and will continue to do so, and will bear in mind the very cogent representations that have been made on behalf of humanists. At paragraph 3.20 of its report, the Law Commission said that,

“activating the statutory order-making power to permit marriages according to the rites of non-religious belief organisations is simply not, in our view, a viable option”.

The Government have to take that into account and consider the integrity of marriage as well as, of course, the wishes of individuals.

Baroness Warsi (Con): My Lords, is my noble friend aware that Islamic religious marriages are recognised in the UK in law only if they are conducted overseas and not in the United Kingdom? This anomaly is the main reason why women turn to sharia councils when their marriages fail, an issue which my right honourable friend the Prime Minister was discussing earlier this week. If he is aware of that, and if the recognition of these marriages would stop references to sharia councils and indeed the practice of polygamy, why will the Government not adopt this provision? They have been aware that this is a solution as far back as 2011.

Lord Faulks: These are complicated issues. As my noble friend quite rightly says, the Home Secretary has initiated a general inquiry into the use of sharia councils. One area of particular concern is the circumstances in which marriages take place and the fact that there are some people in the Muslim community for whom marriage can be used somewhat oppressively. It is certainly important that all the information is available before we come to any conclusions.

Baroness Whitaker (Lab): My Lords—

Baroness Butler-Sloss (CB): My Lords—

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): It is the turn of the Cross Benches.

Baroness Butler-Sloss: I find this very difficult to understand. Why, if it was right to have a review of marriage generally, did we have the same-sex marriage Act but not allow the same for humanists? There is an unacceptable discrepancy there, and I speak as someone who is not a humanist.

Lord Faulks: It is not of course, as the noble Baroness would confirm, that we do not allow humanist marriage—a civil marriage can take place followed by a humanist ceremony. The gravamen of the complaint is that they cannot take place simultaneously.

Baroness Whitaker: My Lords, speaking as a humanist, may I ask the Government what the majority of respondents to their consultation on this subject of humanist marriage thought about it?

Lord Faulks: The vast majority—well over 90%—were in favour of humanist marriage. Humanists represented by far the greater majority of those who responded to the consultation. Pagans and naturists also responded—the latter, for some reason, were particularly keen on outdoor ceremonies, which might be challenging at this time of year.

Baroness Hayter of Kentish Town (Lab): My Lords, it seems to me that the Minister is taking the Law Commission view ahead of Parliament. It was this Parliament that decided that the Secretary of State should have this power. Is it not now time to move on that?

Lord Faulks: I respectfully reject what the noble Baroness says. She is quite right that it is a matter for Parliament, and it is also a matter for the Government to consider. The Law Commission has produced a very valuable and thorough report—as I am sure she

will agree, having read it—which provides material for the Government to consider. The report was only produced just before Christmas. After considering that report, the Government will then make a decision.

Health and Social Care: State Pension *Question*

11.30 am

Asked by Lord Hunt of Kings Heath

To ask Her Majesty's Government what is their response to the suggestion by the Chief Executive of NHS England that they should look at all the options for adequately funding health and social care, including revisiting the guaranteed annual increases in the state pension until 2020.

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): My Lords, the Government are committed to both a state pension system that ensures financial security in retirement, and a sustainable health and social care system. We are increasing funding for the NHS by £10 billion a year in real terms to fully fund the NHS's plan. Alongside this, local authorities have been given access to up to £3.5 billion extra a year by the end of the Parliament with the social care precept and additional investment.

Lord Hunt of Kings Heath (Lab): I am grateful to the noble Lord. He mentioned billions of pounds, but he will know that the analysis by the King's Fund shows that over the five years of this Parliament the real-terms growth rate for the NHS is actually less than in the last Parliament, and social care will see a continuation of the cuts. Research published today shows that 25 other countries spend more of their share of GDP than we do on health; we have fewer doctors and nurses and less equipment and access to new drugs than many comparable countries. The NHS is facing a huge crisis. When are Ministers going to tackle this and get a grip?

Lord Prior of Brampton: My Lords, the NHS produced its five-year forward view 18 months ago, which called for additional spending in real terms from the Government over the five-year period of £8 billion. The Government have met that in full and are front-loading that investment, as the noble Lord knows, spending £3.8 billion in the forthcoming year. So the Government are fully supporting the NHS's plan.

Baroness Brinton (LD): My Lords, there are two issues here. One is the short-term funding issue, and the noble Lord, Lord Hunt, is absolutely right to say that there is a crisis. Simon Stevens's reference was about much more than just the pension; there are intergenerational fairness issues and a whole string of other things. My honourable friend in another place, Norman Lamb, suggested that there should be a cross-party commission to look at these issues, which cannot be resolved overnight. Is there progress on the Government accepting the principle of this cross-party commission and, if so, when might an announcement be made?

Lord Prior of Brampton: The Government believe that we have a plan—it is the NHS’s plan, which we fully support—and that to set up an alternative commission or other kind of look at the future would be a distraction at this time.

Lord Cormack (Con): My Lords, it is over 70 years since Beveridge and almost 70 years since the foundation of the National Health Service. In the debate brilliantly introduced by my noble friend Lord Fowler last week, there were many calls for a commission or an inquiry from all parts of the House—from the Cross Benches and all the political parties. Cannot my noble friend give us some hope that he has a chink of an open mind?

Lord Prior of Brampton: My Lords, I am afraid that I cannot today give my noble friend that chink or that hope, because we are supporting the NHS’s plan, which was developed and produced by the NHS. We believe that it would be wrong to set up an alternative at this stage.

Lord Lansley (Con): My Lords, would my noble friend agree that, while the Government are fully funding the NHS five-year forward view, which is very welcome, the sustainability of NHS funding depends on the sustainability of social care services as well? Before establishing any other commissions, would not it be advisable for the Government to make progress on implementing the Dilnot commission’s recommendations? In that respect, will the Government specifically consider enabling that to proceed by removing the exemption on one’s principal personal residence when calculating the means test for domiciliary social care?

Lord Prior of Brampton: My Lords, as my noble friend knows, the Government accepted the findings of the Dilnot review but felt that now was not the right time to introduce them, given the financial pressures on local government. We are committed to introducing the Dilnot reforms by the end of this Parliament.

Lord Brooke of Alverthorpe (Lab): Is not the plan inadequate? Many noble Lords come with requests for quite justifiable changes to health services and the Minister very generously and kindly kicks them back because of inadequate resources to meet those demands. Surely it is the case that in looking at the plan we need to look at the longer term and not just the short term in five years.

Lord Prior of Brampton: The NHS plan is for the whole five-year period—the lifetime of this Parliament. It was signed up to by all the arm’s-length bodies within the NHS. The Government support that plan and are front-loading the financing to support the plan as well, so we believe that the plan is achievable.

Lord Fowler (Con): Is not the key point exactly the one that has just been made? We are talking not about the five-year plan but about the years that come after that and how you get a National Health Service which can be financed over the long term. Surely that is what we should also be looking at, apart from the Government’s own plan.

Lord Prior of Brampton: I know my noble friend feels very strongly that we should have a royal commission to look at the long-term affordability and funding of the NHS. That is not the Government’s view.

The Lord Bishop of St Albans: My Lords, in last week’s NHS debate, which very helpfully explored a number of areas, a number of noble Lords referred to the independent American research pointing out that among the—I think—11 most developed countries, our health service came out right at the top, except in the area of prevention. The worry that many of us have is that a lot of the money is being front-loaded on to the NHS, which is responding to immediate needs, but that the long-term need for a cross-party agreement on how we get much better at preventing illness and having health programmes is lacking. Can we yet again press the Minister to see how we can get some sort of cross-party agreement on this proactive approach?

Lord Prior of Brampton: The right reverend Prelate is right to remind the House of the report by the Commonwealth Fund which indicated that the National Health Service is the most efficient and overall the best healthcare system in the world. He also referred to prevention. The childhood obesity prevention strategy is due to be announced by the Government in the next couple of months. We have made huge progress on reducing smoking and in other areas of prevention, but I agree with the right reverend Prelate that prevention is a critical part of our long-term approach to healthcare.

Baroness Walmsley (LD): My Lords, the Minister talks about the support for the five-year forward view, but is he aware that more than 80% of finance leads within the health service do not believe that the five-year forward view can achieve the savings that it says it can? It just cannot be done without extra resources. Surely, particularly with the state of affairs in social care, where the Government’s extra money is being back-loaded, not front-loaded, we need to take an overall holistic look at health and social care and how much we should be spending as a country and how we are prepared to raise that money fairly.

Lord Prior of Brampton: My Lords, I think that the same question is being asked in slightly different terms by many different noble Lords. I cannot really add to what I said before. We are supporting the NHS’s plan. By the end of this Parliament we will be putting another £3.5 billion into social care through the social care precept and an extra £1.5 billion into the better care fund. We believe that we have a plan for social care and healthcare over the course of this Parliament.

Business of the House

Timing of Debates

11.37 am

Moved by **Baroness Stowell of Beeston**

That the debates on the Motions in the names of Lord Fowler and Baroness Wheatcroft set down for today shall each be limited to two and a half hours.

Motion agreed.

Welfare Reform and Work Bill

Order of Consideration Motion

11.37 am

Tabled by **Lord Freud**

That the amendments for the Report stage be marshalled and considered in the following order:

Clauses 1 to 10, Schedule 1, Clauses 11 to 25, Schedule 2, Clauses 26 to 35, Title.

Baroness Evans of Bowes Park (Con): My Lords, I beg to move the Motion standing in the name of my noble friend on the Order Paper.

Motion agreed.

Prison Reform

Motion to Take Note

11.38 am

Moved by **Lord Fowler**

That this House takes note of Her Majesty's Government's proposals for prison reform.

Lord Fowler (Con): My Lords, I asked for this debate because it seems to me that the statements being made and the policies being introduced by the Secretary of State, Michael Gove, give more hope for advance in prison policy than anything I have heard for many years. My hope is that this debate, with the experience there is in this House, might contribute to that process.

Back in 1970, when I was first elected to the House of Commons, the editor of the *Times*, William Rees-Mogg, whom we all remember with affection, asked me to write a series of articles on prisons. Like Mr Gove, I had previously worked for the *Times*—you do not have to have done that, but it obviously helps in the course of penal reform. I went around the country visiting prisons. We called the series “The Prisons Crisis”, on the basis that for the first time the prison population had gone over the 40,000 mark. In those 1970 articles, which I have here, I wrote that already seriously overcrowded prisons were being stretched to bursting point, that there was no hope of replacing the string of 19th-century prisons that still remained in operation and that the pressure of numbers was placing in jeopardy the whole concept of training for many prisoners.

So obviously, when I came back to this area almost half a century later, I might have expected the kind of progress that there has been in almost all other areas of government policy, with overcrowding reduced and conditions transformed. Sadly, it has not been quite like that. On the position today, I quote not from the Howard League or the Prison Reform Trust, admirable bodies though they are, but from the Government's own Chief Inspector of Prisons, Nick Hardwick, the latest in a line of inspectors who have served this country very well. The chief inspector reports that the prison population today is not 40,000 but 85,000, with forecasts that, on present policies, that total will increase by the end of this Parliament to 90,000 or even more. He reports that the overcrowding that has resulted is, “sometimes exacerbated by extremely poor environments and squalid conditions”—

his words, not mine. He continues:

“At Wormwood Scrubs, staff urged me to look at the cells. ‘I wouldn't keep a dog in there’, one told me”.

He found:

“Conditions in many cells were unacceptably poor. Many were filthy, covered in graffiti, some of which was offensive, and furniture was broken or missing. Toilets were filthy and inadequately screened. Windows were broken. We found cockroaches in cells on C wing”.

Inside prisons generally, he found increasing violence; assaults have risen to more than 16,000 per year, including 3,600 assaults on staff. He says clearly that overcrowding is not just a question of two prisoners sharing a cell; it means that prisons simply do not have the activity places to support rehabilitation programmes, work training and education.

Perhaps worst of all, the reconviction rates are, by any standards, shaming: 45% of adults are reconvicted within one year of release. For those serving sentences of less than 12 months, that increases to 58%, and for under-18s it is 68%. Yet the cost of a prison place is more than £36,000 per year, more than Eton. Is it cost-effective to spend that amount of money to produce such reconviction rates? Surely it would be better to see whether there are better alternatives that we could introduce.

I do not wish to exaggerate my description of the lamentable state of our prisons—which in any event, frankly, would be difficult—and I pay tribute to the advances that have been made in some areas, such as some of the policies regarding women's prisons and with young people. It should be said that, were it not for the work of the prison staff, hard-pressed as they are, we would be in far more serious and public difficulty than we are. One of the better figures in the report was that 70% of prisoners feel that they are treated with respect by the staff.

Nevertheless, the position remains that much of our prison system is a disgrace to a civilised country. Prisoners should not be locked up in their cells for most of the night and day, yet about one-fifth of prisoners spend 22 hours out of 24 in their cells. We should be retraining and offering education to prisoners, but in all too many cases we are not doing that. We should not be keeping prisoners in cells where you would not keep your dog. This all spells out not years but decades of neglect and, frankly, public uninterest. If this were any other part of the public service, there would have been emergency debates in Parliament and demonstrations all the way down Whitehall.

For someone coming back to this area, the questions are not just about how we got to this position but, above all, what now needs to be done. It is against that background that I propose five actions that need to be taken and which I believe are in line with the Justice Secretary's approach. I do this with a certain humility, because I am aware that there are far greater experts than me in this House. After writing on Home Office issues for the *Times* for four or five years, I could once claim some knowledge, which was treated in the way you would expect when I went into government: I was appointed to head the Department for Transport. Finally, in my last Front-Bench post, I was made shadow Home Secretary, a position without power,

and at a time when we were being “tough on crime and tough on the causes of crime”. It occurred to me then that if we were half as good with policies as we were with slogans, we would be world-beaters. Sadly, we are not.

My proposals are as follows. First, we should continue to state clearly that the basis of policy is that the punishment of prison is the deprivation of liberty for the prisoner. The aim is not to make life as uncomfortable as possible for the prisoner, although we too often do this accidentally, but to retrain them so that they can become useful members of society and fulfil their own potential. There is no evidence whatever that deliberate discomfort is a policy that works; we should give rehabilitation a chance.

Secondly, we must end the overcrowding of our prisons that is defeating all our best efforts to achieve success. We should see whether the people who are in prison need to be in prison. We might review the number of women being held, as over 80% are in prison for non-violent offences. We might review the position of those being held on indeterminate sentences, not knowing when they will be released. In other words, we should allow prisons to breathe.

Thirdly, if we are to reduce overcrowding, we must reduce the number of people we send to prison. Like everybody else, I want to see professional and violent criminals, such as the Hatton Garden gang, inside prison and no longer a danger to the public. However, I do not believe that prison should be a social dumping ground for those with mental health problems and those with alcohol and drug abuse problems. We must find better ways to deal with these issues.

Fourthly, if we are to send fewer people to prison, we must re-examine sentencing and the power of the courts. One of the reasons overcrowding has taken place is that average sentences have increased. Another reason is that far too many prisoners have short sentences of below 12 months, in some cases serving only a few weeks or months. There is very little chance of doing anything constructive in that time. The better way would be to have sentences in the community that were not simply written off as a soft touch. A judge said to me that sentences must have the confidence of the judges who pass them, notably those sitting in the Crown Courts day after day.

Fifthly, and fundamentally, we should pass down responsibility as far as we possibly can to the governor and the staff of the individual prison. The prison department should lay down the strategy, but governors should be encouraged to develop their own policies. Mistakes will inevitably be made, but that should not invalidate the whole approach and the whole policy.

I started with an example from my days on the *Times* and I will end with another, which shows what I mean here. In 1967, when I was writing another article on prisons, I visited Dartmoor, built for the Napoleonic Wars and still going. At lunch, I drove out to have my sandwich and parked in front of the entrance to a field, and suddenly noticed, working in the field behind me, an immense man, broad and tall—a rather eerie sight. Going back, I told the governor and his top staff that I had seen this extraordinary sight. “For goodness’ sake don’t report that!” they said, “That’s Frank Mitchell,

the mad axeman”, so named after an incident some years before. “You would destroy all our work”. Who was I, a Fleet Street journalist on a day trip to Dartmoor, to challenge that view? So I did not. Ten weeks later, he escaped. It did not take much; all he had to do was to walk to the car that had been provided. As noble Lords will be able to imagine, a great row about prison security followed, only months after the traitor George Blake had escaped from Wormwood Scrubs.

In that case it was very easy to attack the governor, and a dozen editorials did just that. But the fact was that Frank Mitchell had been in one form of institution or another since the age of 12. The prison’s view was that the fires had burnt out and that it was possible to reclaim a man who was not yet 30. Of course, whether that policy would have been successful we shall never know. His escape had been planned by the Kray brothers and carried out by their men and, with a nationwide hunt in operation, the Krays did what they tended to do when cornered: they had him murdered.

My point is that all too often the safe thing for prisons to do from the public point of view is keep the prisoner locked up. The only trouble with that is that if you return a prisoner untouched by any serious attempt at rehabilitation to the same environment outside, you should not be too surprised when, a few months later, he appears in the reconviction figures.

I wish the Justice Secretary well. He has a massive task but he should take encouragement from the fact that our policy over the last 50 years has been a notable failure—not good for the prisoners and certainly not good for the public, who finance this system. We badly need not only new ideas but new ideas followed by action, and that action and that need is urgent. In 1970, we faced a prisons crisis; today, we face a prisons scandal. I beg to move.

11.51 am

Lord Harris of Haringey (Lab): My Lords, I think that the whole House owes a debt of gratitude to the noble Lord, Lord Fowler, not only for securing this debate but for what has, frankly, been a brilliant speech and exposition of the issues that the prison service faces and, potentially, some of the solutions.

I cannot declare an interest as having written extensively for the *Times*, as I appreciate that that is clearly an important qualification for considering these matters, but last year I submitted to the Government the independent review of the deaths of young people in prisons, *Changing Prisons, Saving Lives*. It was commissioned by a former Minister for Prisons and the Government’s response was published in December, just as the House of Commons rose for its Christmas Recess.

That review was probably the most comprehensive independent examination of penal policy for a generation. It was rooted in an enormous volume of evidence and research, and underpinned by a detailed analysis of the tragic cases of 87 young people who died in prison between April 2007 and the end of 2013. Since then, there have been a further 29 self-inflicted deaths of young people in NOMS custody. Each of those deaths represents a failure by the state to protect the young people concerned—a breach of Article 2 of the European

[LORD HARRIS OF HARINGEY]

Convention on Human Rights. The failure is all the greater because the same criticisms occur time and time again. As the noble Lord, Lord Fowler, said more generally about prisons policy, the lessons have not been learnt and not enough has been done to bring about substantive change.

Our conclusion in the review was that all young adults in custody are vulnerable. Some have had chaotic lives and complex histories; others have been subjected to child abuse, exposed to violence or repeated bereavement; many have been in foster or residential care; and their vulnerability is often further compounded by mental health issues or lack of maturity.

Let us be clear. Prisons and young offender institutions are grim environments, bleak and demoralising to the spirit. When that is coupled with impoverished regimes, it makes the experience of being in prison particularly damaging to developing young adults. Quite frankly, the experience is not conducive to rehabilitation. Therefore, I welcome in the introduction to the Government's response to the review that I led the ringing declarations by the Secretary of State for Justice, Michael Gove, about the primary purpose of prison being rehabilitation.

So, after those fine words at the beginning of the introduction to the Government's response, it was disappointing that 33 of the central recommendations in the review were rejected outright. That included the fundamental concept at the heart of the review: that there should be a suitably trained professional who has personal responsibility for the journey of each individual prisoner through the prison system—what we called a custody and rehabilitation officer. That person would have a caseload small enough for him or her to know each of the prisoners for whom they were responsible and a caseload that would enable them to ensure that the health, social welfare, security, education, training and rehabilitation needs of that individual were adequately addressed during that time in prison.

Frankly, it is difficult to see how the rehabilitation revolution to which Michael Gove has committed himself can be achieved without someone ensuring and owning what happens to the individual prisoner during their period in the prison system. I feel that this is a major missed opportunity and will mean that many lives continue to be wasted by a prison system that fails to find what Winston Churchill, when he was responsible for the prison system in 1910, called the, "curative and regenerating processes ... in the heart of every man".

When the review was submitted to Ministers I wrote that:

"Those who ignore the lessons of past failures are condemned to repeat them. And that will be the fate of policy-makers who fail to act on the proposals that we are putting forward."

Quite frankly, much more needs to be done to support young adults before and after they come into contact with the criminal justice system. In the 87 tragic cases that we examined, many of the young people's problems and vulnerabilities, including their mental health issues, had been evident from an early age, so why did so many of them end up in custody? There needs to be much earlier and much more effective intervention. That requires a cross-governmental input to address the multifaceted problems and needs of

children and young adults and to ensure that their problems are identified and effectively addressed at an early stage, comparable perhaps to the approach of the troubled families programme—targeted and concerted support.

If the Government are serious about the changes in prison policy that have been signalled by the Secretary of State, I welcome that. But we have to make sure that we intervene early enough to divert people from ever entering the criminal justice system and, for those who do, that someone takes personal responsibility to make sure that the rehabilitation that we all want to see takes place.

11.57 am

Lord Dholakia (LD): My Lords, I thank the noble Lord, Lord Fowler, for his excellent contribution and I declare an interest as president of the National Association for the Care and Resettlement of Offenders.

Although the Secretary of State is right to be shocked by the conditions that he has found in many of our prisons, purposeful activity is currently at the lowest ever level recorded. There are fewer staff looking after more prisoners than five years ago—nearly 14,000 fewer staff looking after around 1,200 more prisoners. Assaults in custody are at the highest ever level. The number of deaths in custody is also at the highest ever level. The reality is that, at the end of September 2015, 70 of the 117 prisons in England and Wales were holding more prisoners than they were built for. Furthermore, 45% of adult prisoners and nearly 70% of juvenile prisoners are reconvicted within a year of leaving custody.

I welcome Mr Gove's plan to close all decaying prisons and replace them with newly built establishments. I also welcome his plan to review prison education, to monitor educational outcomes more rigorously and to make governors more accountable for those outcomes. But we need to tackle the root cause of the problem—namely, this country's overuse of imprisonment.

Too many offenders are still sent to custody for short sentences, which was a point well made by the noble Lord, Lord Fowler. They are released after no more than a few months in custody. That serves very little purpose. These sentences are far too short for sustained rehabilitation programmes but long enough for offenders to lose their jobs and homes, which makes them more likely to reoffend. The syndrome of the revolving door process continues. They could be better dealt with through community orders. Research confirms that community orders have a reoffending rate which is seven percentage points lower than that for similar offenders given short prison sentences.

The penal system has had to face significant spending cuts over the past few years. When resources are so stretched, we need to make sure that we are using them in the best possible way. In my view, the Government should legislate to make sentencing guidelines take account of the capacity of the prison system. This proposal is not new. It was first made in the Carter report on the prison system in 2007, and it still makes sense. At a time when all other areas of public services have to work within the reality of limited resources, there is no reason why the courts should be exempt.

Sentencing guidelines should scale down the number and length of prison sentences except for the most serious crimes.

We should also convert the sentences of the many IPP prisoners who remain in our prisons by converting them to determinate sentences once they have served a period equivalent to double their tariff, an issue that has been discussed in previous debates. In essence, we should look to our judiciary to ensure that the courts send to prison only those whose offending makes any other course of action unacceptable, but more importantly to ensure that those who are sent to prison do not stay there for any longer than is strictly necessary.

We also need a clearer strategy to reduce the use of imprisonment for women. Proposals have been made in the past to establish a women's justice board to set improved standards for women's community sentences, resettlement and rehabilitation, mental health services, family contact and culturally appropriate support for foreign national women in our prisons. A restorative justice approach can provide an appropriate alternative to custodial sentencing.

The Secretary of State for Justice has made an excellent start by challenging punitive thinking. He must now follow that up by taking determined steps to move this country away from the unenviable position of having the highest prison population in western Europe. We need a prison system that can genuinely protect the public by rehabilitating offenders and reducing reoffending. He can make a start by supporting my Private Member's Bill, which will have its Second Reading next Friday, which seeks to raise the age of criminal responsibility.

12.02 pm

Lord Brown of Eaton-under-Heywood (CB): My Lords, as Jane Austen once so nearly said, it is a truth universally acknowledged that a new Lord Chancellor in possession of a marked inclination towards prison reform must be in want of a curable injustice. One such plain injustice, together with the means to cure it, lies immediately to hand: the ever-increasing plight of those still incarcerated under the IPP regime, the scheme for the indefinite detention of certain prisoners for the protection of the public, who are often comparatively minor offenders. It is a wholly discredited system which was finally abolished in 2012 through LASPO, but there still remain some 4,500 such prisoners, of whom around 3,500 have served longer than their tariff terms; that is, longer than the terms judged appropriate as punishment for their wrongdoing. Indeed, 392 prisoners have served more than five times their tariff terms, as this House was told in answer to an Oral Question of mine last November.

It is not every day of the week that one is able, as I was last week, to plead personally to a Justice Minister the existence of a deep and systemic injustice in the criminal justice system flanked, as I was, by two former Lord Chief Justices, the noble and learned Lords, Lord Phillips of Worth Matravers and Lord Judge, and for good measure by the noble Lord, Lord Cormack. None of them is an enthusiast for putting the public needlessly at risk but all, thankfully, are champions of justice and for change. I am hugely indebted to the

noble Lord, Lord Faulks, and, indeed, to the noble Baroness, Lady Evans, for having held a meeting and for the characteristically thoughtful and sympathetic hearing we were given.

There is no time today to outline even the rudiments of the case for the release of these post-tariff prisoners, but I will take the opportunity to put before the House some of the facts as set out in an article in the *Times*—again that newspaper—of December last. The article was written by three of the Lord Chancellor's highly respected erstwhile leader-writing colleagues, Rachel Sylvester, Alice Thomson and Richard Ford. They record that 740 IPP prisoners have served between two and four years beyond the tariff; a further 587 between four and six years post-tariff; 136 between six and eight years longer; and three are still in jail more than eight years longer than the tariff.

What is the solution? Surely it must be to make use of Section 128 of LASPO, the Act that abolished this regime, custom-built as that provision was, specifically to cater to the needs of the backlog of these prisoners still in jail—namely, by changing the test whereby they can finally regain their liberty. At the moment, they have to satisfy the Parole Board that they can safely be released; the Parole Board, perhaps unsurprisingly, has a defensive and risk-averse mindset, conscious that it might be blamed if people then reoffend. But the plight of these IPP prisoners, particularly those who have long since served terms for their punishment—in the early years of the scheme, these were often terms of only a few months—who are now being detained purely preventively, surely calls for a very different approach. If their continued internment is to be justified, it should now be for the authorities to establish a positive likelihood that, if released, they would pose a real, immediate and serious threat to life or limb.

Of course, some of those released would reoffend, but that is the price that we must pay to end this ever-growing stain on our justice system. We must consider the prizes to be won. Besides ending the basic injustice of internment, we would end the nightmare of uncertainty and hopelessness suffered not just by these prisoners—many of whom over the years, alas, have committed suicide—but their families, too. We would free up places in our already grossly overcrowded prisons and save countless millions of pounds which could then be devoted instead to some of the many other calls for prison reform which have been canvassed in today's debate.

12.07 pm

Lord Cope of Berkeley (Con): My Lords, like my noble friend Lord Fowler, who made such an excellent opening speech to this debate, I was much encouraged recently by the statements of my right honourable friend Michael Gove, the Justice Secretary. As it happens I have been involved with prisons in two ways in my life. As a Member of another place I had three prisons in my constituency which I visited and kept in touch with. I was also Minister of State in Northern Ireland with responsibility for security, including the Maze and the four other prisons which were there at that time. Of course, they had additional problems.

[LORD COPE OF BERKELEY]

The three prisons in my constituency were Leyhill open prison, Ashfield in Pucklechurch, a remand centre for both males and females, which became a young offender centre and is now an adult male prison. Eastwood Park was a young offender centre, and for some time now has been a female prison and remand centre. We also had a police officers' training school next to Leyhill which has now closed. The way in which these prisons have changed reflects the huge number of changes in prison policy and organisation by successive Governments over the years. These include, of course, the creation of the National Offender Management Service at one end and successive changes of uniform, rank designation and that sort of thing at the other end.

The most interesting prison in my constituency was the open prison. Some prisoners go to an open prison as a result of being convicted for white-collar crime; some are well qualified, even in the law and medicine—and even in accountancy, my own profession, some have fallen to the sin of greed, leading to the crime of fraud. A lot of the prisoners were serving long sentences for very serious crimes of one sort or another and being prepared for release. My noble friend Lord Fowler referred to the necessity of preparing long-serving prisoners for release. He cited one example, but of course there are numerous others. Such prisoners occasionally abscond—I think five did from Leyhill last year, a high number historically—which can give rise to concern in the local population, although generally speaking the prisoners get well away before they are a risk to anybody.

My noble friend also referred to the way in which the statistics of the prison population have gone. Between the two world wars, the prison population fluctuated not far above 10,000. It has since risen by roughly 10,000 every decade, though not entirely in a straight line. I agree with all five of the points that he made. Some of my right honourable friend the Justice Secretary's statements have been on those lines, especially on the third point. My right honourable friend was concerned with problem-solving courts, a good initiative and one that he should pursue.

Of course prisons are there to punish by the deprivation of liberty, as my noble friend said, and to prevent further crimes while the offenders are locked up. A book was published last year, *The Last English Poachers*, about two individuals in my part of the country. The mistake was made of sending one of them to Leyhill, an odd choice as he was by definition a specialist in moving unseen across exactly that part of the countryside by day and night. The first duty of prisons is to try to avoid their prisoners reoffending—that is ultimately the measure of success—and at present, for whatever reasons, the Prison Service is failing to achieve that. I support very much the idea that the avoidance of reoffending can be achieved only individually for each prisoner. Each is a human being with different problems and a different background, which is why I support what the noble Lord, Lord Harris, said about looking after the individual prisoner.

My noble friend said that new ideas were wanted. In a sense they are old ideas, but they can never be overemphasised. The renewed emphasis on

them by my right honourable friend the Justice Secretary is right, and I commend him for his thoughtful determination to make a difference.

12.13 pm

Lord Bradley (Lab): My Lords, I declare my interest as a trustee of the Prison Reform Trust.

It is clearly welcome that the new Secretary of State is considering prison reform again, and the proposals to invest in the prison estate are equally welcome. I commend the five-point plan introduced by the noble Lord, Lord Fowler, in his excellent opening speech. However, it is crucial to understand that prison reform starts with what happens long before someone is sent to prison. As we have heard, nearly twice as many people are in prison now than 20 years ago, costing the country an extra £1 billion annually. It means overcrowded prisons that are inadequately equipped to deliver the type of constructive service that successive Governments have always claimed to want. The Sentencing Council's review of guidelines affecting the decision to imprison is a necessary and welcome step in the right direction, but a wider review of sentencing is also needed to address significant inflation in sentence lengths—up by around a third over the last two decades.

In this brief contribution I will touch on two issues regarding the prison population and need for reform: first, people with mental health and learning disabilities in the criminal justice system; and secondly, release on temporary licence, or ROTL.

It is well known that a huge number of people in prisons suffer from mental health problems and learning disabilities. On Tuesday 19 January, the Prisons and Probation Ombudsman published a thematic report on prisoners with mental health needs. Its findings underline the need to improve the assessment and treatment of people in prison with mental health needs. It found that 70% of prisoners who killed themselves had one or more identified mental health needs. The review makes clear the importance of identifying mental health issues, as without accurate diagnosis it is very difficult to provide appropriate treatment and support. Once a need is identified, effective intervention is required. Therefore, further investment in prison healthcare is necessary, building on the success of the transfer of commissioning of such healthcare to the NHS.

The report's findings also underline the importance of expediting the rollout of liaison and diversion services, a subject I have some interest in. The current programme now covers 53% of the country and is already having a significant impact on the identification and assessment of people with complex health needs. Excellent partnership working, particularly between psychiatric nurses, learning disability nurses, the police, ambulance staff and other key agencies, often located in police stations and closely linked to street triage, is delivering extremely positive outcomes and over time should favourably impact on the prison population. Subject to Treasury approval, 100% coverage of the country for these services can be achieved over the next few years. I hope that the Minister will again support this ambition.

Secondly, release on temporary licence is a vital tool in resettlement and rehabilitation, which enables

people to gain training and education, sort out jobs and housing, and establish contact with their families in preparation for their release. Less than 1% of releases on temporary licence fail. Of these, only 6.1% involve an arrestable offence. This is equivalent to five arrests per 100,000 releases. A stricter ROTL policy was introduced in March 2015 following the review commissioned by the then Secretary of State, Chris Grayling. Ministry of Justice statistics now show that the number of people released from prison on temporary licence has fallen by 41% since the policy change.

Last week, the Prison Reform Trust and Clinks published a joint briefing on the impact of changes to ROTL on charities and businesses. The key finding was that almost two-thirds of respondents to the survey had seen a decrease in ROTL, with some organisations reporting that placements had completely stopped or become almost impossible. The National Offender Management Service's promised review of the policy presents a real opportunity to restore a more balanced approach, with less bureaucracy, more discretion for governors and more prisoners putting something back into society. Will the Minister confirm the timing and scope of the review, and whether charities and businesses will work with people on ROTL and be consulted?

These issues and many more being debated today should form the centrepiece of prison reform. I look forward to the Minister's response to the issues.

12.19 pm

Lord Forsyth of Drumlean (Con): My Lords, I congratulate my noble friend Lord Fowler on initiating this debate. I agree with every word that he said.

When John Major asked me to go to the Home Office to look after prisons in 1994, I was absolutely furious with him, and told him so. I did not want to go to an English department. I was hanging on by my fingernails in a Scottish constituency after three general elections. Why on earth would I want to go to a department with responsibility for England? He said, "I think it might benefit you". Of all the jobs I have ever done, it was the one that did me most good. I started with a view that prison was somewhere where you sent people and the longer, the better, as they could not commit crime while in prison. However, I discovered a completely different view of the world.

My predecessor, Peter Lloyd, had been ill and I had a backlog of six months of life tariffs. In those days we had the absurd situation that unqualified people like me set the life tariff for prisoners. Because a decision that involves one person is harder to take than one that involves half a million, I sat until three in the morning for a whole month going through this backlog of files on individuals who wanted to know what their life tariff would be. I was struck by the fact that in the main all these individuals shared the same characteristics: they came from broken families; had not done well at school; could not read or write; had become involved in petty crime; had drink and drug problems; and then got into a knife fight one night which led to their whole life being destroyed. When you went to the young offender institutions, you found that the inmates—

these monsters, according to the tabloid journalists—turned out to be frightened boys who had never really had an opportunity in life.

I was in that post for only a year because the Prime Minister took me at my word and moved me to the Scottish Office as Secretary of State. The only thing I achieved in that year was to strengthen the work of the boards of visitors. I thought those boards were fantastic and that their work was very important because they related to individuals. But even that has been pushed back. Those with responsibility for the bureaucracy did not like them because they did not like people coming in and interfering with the system. I regret that step.

I was also struck by the fact that our attempts to introduce rehabilitation programmes in the prisons were frustrated by the large number of people on short-term sentences, which made the programmes impossible to administer. Governors did not have very much local say or control in that very centralised system. Many of the prisoners should not have been there at all as they suffered from drug or mental illness problems, some of which were caused by the drugs they were taking. As Minister of State, I tried to introduce drug testing regimes among other things, but the fundamental problem was that many of the prisoners should not have been there at all.

If we are serious about reducing recidivism—my noble friend mentioned the appalling figures in that regard—we have to look at not just what happens in prison, which is very important, but also what happens when people leave prison, and whether they then go to a home and a job. There were many initiatives involving employers guaranteeing these people jobs but none of them has really taken off.

This morning I met people involved in the Duke of Edinburgh's award who are working in prisons. A young lady, Keeley, who is in Her Majesty's Prison Bronzefield, in Surrey, said:

"I proved to myself that I could do something, even though I am in here. I wanted to show my kids that I'd done something positive".

So work is being done in prisons. I declare an interest in that a friend has started a thing called the Clink restaurants in prisons, having successfully established a chain of restaurants. Those restaurants are run by prisoners, and attended by members of the public. They are doing extremely well and those prisoners are learning skills that they can use outside prison.

A lot of things to do with the prison system are gloomy and not good. The Secretary of State very kindly invited me to speak to him before Christmas and asked me to tell him about my former experience as Prisons Minister. I talked for half an hour—as I can, as noble Lords know—explaining all the problems. Then I said, "But, Michael, I am completely out of date. This all happened nearly 30 years ago". He replied, "It is exactly the same now". I believe that we have in our Secretary of State someone who has the drive and the ability to change things. Whatever the detail of our disagreements, we should back him 100%. What he has done for education in schools has been absolutely transformational—I have lost the Front Bench opposite now. The key thing

[LORD FORSYTH OF DRUMLEAN]

there was to allow headmasters to have more power and control and I believe the same thing can be done with governors, subject to proper performance indices and standards of achievement. Let us seize this opportunity and work with the Secretary of State because for far too long we have been cheating the people in prisons and the public, who depend on us to get value for money and protect their safety.

12.25 pm

Lord McNally (LD): My Lords, I start this speech in some confusion. I came along quite ready to explain to the House how much I agreed with the noble Lord, Lord Fowler. It is something of an emotional shock for me to say how much I agree with the noble Lord, Lord Forsyth, as well. An observer of the debate might say, “Well, where is the problem?”. I think that we all know where the problem is—and it is not in this House, which frequently has very liberal debates on issues such as this. The problem is down the Corridor, it is in the media and it is on the doorstep when we go canvassing. That is worth putting in perspective. We still have other audiences to convince.

I thank the noble Lord, Lord Fowler, for this timely debate, to which he has attracted some very well-informed contributors. I declare that I am the current chairman of the Youth Justice Board. It is always a delight for me to follow my noble friend Lord Dholakia, who has been my mentor on these issues over many years. I think that we are all grateful chiefly to the Prison Reform Trust for an excellent brief, which gave us the basic figures: 85,000 people in prison, nearly 4,000 of them women; fewer than 1,000 under-18s, fewer than 50 of them girls; 45% of adults reoffend within a year of release; and 67% of under-18s reoffend.

As the noble Lord, Lord Fowler, reminded us, quoting the Chief Inspector of Prisons, Nick Hardwick, there are genuine concerns about safety in both the adult and young people’s secure estate, and genuine questions are being asked about the capacity of our penal system to rehabilitate or reform, as the reoffending rates seem to indicate. But I also believe that, as others have said, there are grounds for optimism. Since Mr Gove became Justice Secretary, he has been asking the right questions and has gone about finding the right answers.

He has asked Mr Charlie Taylor to produce a wide-ranging report on the youth justice system, and the Youth Justice Board is co-operating fully in that exercise. The longer I am in this job, the more I am convinced that a successful youth justice system is how to cut crime off at its headstream. He has appointed Dame Sally Coates to look at education in our prisons. I am sure, as the noble Lord, Lord Forsyth, just indicated, that his experience at the Department for Education is of value in giving education and training the proper priority they should have within our prison system. Of course, his plan to close the Victorian inner-city prisons gets rid of some real eyesores, and makes the argument to the Treasury, as the MoJ becomes a property developer, that it can use some of that money to build proper modern prisons for the 21st century.

The case for reform also benefits from parallel work being done, often under the leadership of Members of this House. As we have heard, mental health has been championed by the noble Lord, Lord Bradley, in his two ground-breaking reports. We have had the recent report of the noble Lord, Lord Harris, on deaths in custody. The benchmark for the issue of women in prison is still the report of the noble Baroness, Lady Corston. There is the committee of the noble Lord, Lord Laming, on which I have the honour to serve, looking at the overrepresentation of looked-after children in our criminal justice system. The overrepresentation of black and ethnic minorities has been the subject of a report by the noble Baroness, Lady Young of Hornsey, and ongoing work by her. My noble friend Lord Carlile produced a very useful report on the effectiveness of the youth justice system and the magistracy. My colleague and noble friend Lady Tyler also works as chair of the Children and Family Court Advisory and Support Service. All will supply valuable assistance to a reforming Secretary of State, as will the views of our next speaker, the noble Lord, Lord Ramsbotham.

Time is too short to cover all the good work being done. Let me mention just two points, partly linked to what the noble Lord, Lord Bradley, was saying. There is good work being done by my old college, UCL, on brain development, while the Disabilities Trust Foundation is working at the Keppel unit at Wetherby on the impact of brain injury on young offenders. I intend to ask them to come to the Lords later this year to present their findings. Let me also refer to the point made by the noble and learned Lord, Lord Brown, on IPPs. I was the Minister who brought that Bill through this House and I can say, without equivocation, that the intention of Parliament at that time was to bring to an end the scandal of IPPs. Section 128 was put into the Act specifically for that purpose. I hope that the Minister has some progress to tell the House about.

There is another real reason for optimism, which is what Michael Gove has been saying. One of his first speeches as Justice Secretary was entitled, “The treasure in the heart of man”. That is a direct quote from the speech made by Winston Churchill as Home Secretary in 2010—no, in 1910. Would that he were here to make it now. He said then:

“The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unfailing tests of the civilisation of any country”.—[*Official Report, Commons, 20/7/1910*; col. 1354.]

And so it is. If it is in that spirit and mood that Mr Gove takes forward his reforms, he can certainly rely on support from all parts of this House.

12.31 pm

Lord Ramsbotham (CB): My Lords, in congratulating the noble Lord, Lord Fowler, on obtaining this debate, agreeing with his five points and thanking him for giving me and other noble Lords an opportunity to applaud the listening and learning style adopted by the current Secretary of State, Michael Gove—in stark contrast to the rushed and unresearched approach of his immediate predecessor—I have to admit that, other than statements of intent, we do not know much more

about the Government's proposals for prison reform than that they include the selling-off of some old Victorian prisons and reviews of education and youth justice. Currently, 84,550 prisoners are held in 117 prisons, 70 of which are overcrowded. These were described by the outgoing chief inspector, Nick Hardwick, to whom I pay tribute for a job outstandingly well done, as, "places of violence, squalor and idleness".

In agreeing that this was correct, Michael Gove said that no one should be held in such conditions, no matter what their offence—which is why those of us who have been campaigning for improvement for years share the hope for the future expressed by the noble Lord, Lord Fowler, in his magnificent opening speech.

Let me briefly illustrate some of what those three words of description hide. Prisoner-on-prisoner assaults went up by 13% last year, and serious assaults by prisoners on staff by 42%. Suicides were up by 14% and self-harm by 21%. It is not hard to see why. There are now 13,730 fewer prison staff than there were five years ago, looking after 1,200 more prisoners. Purposeful activity was at its lowest recorded level, being adjudged "good" or "reasonably good" by the chief inspector in only one-quarter of prisons. All this points to the urgent need to reduce the numbers in prisons which, as my noble and learned friend Lord Brown of Eaton-under-Heywood said, could begin by tackling the disgrace of the 12,053 currently serving indeterminate sentences and increasing both the numbers of staff and the amount of activities available to prisoners.

In making his plans, however, I am aware that Michael Gove is faced with some painful realities. First, holding a prisoner for a year costs on average £35,237, yet the Ministry of Justice is required by the 2015 spending review to cut its running costs by a further £600 million by 2020. Secondly, the changes made to probation by his predecessor, which are already running into serious trouble, limit the effectiveness of community sentence alternatives. Thirdly, the Prison Service lacks an effective operational structure, which is an essential of day-to-day working, let alone implementing reforms.

However, three changes are in the Secretary of State's gift. First, he should implement the recommendation of my noble and learned friend Lord Woolf, in his seminal report following the riots in Strangeways and other prisons in 1990. This was included by the then Home Secretary, the noble Lord, Lord Baker of Dorking, in the only White Paper on prisons, *Custody, Care and Justice*, published in 1991 but never implemented. The Secretary of State should also group prisons into regional clusters, so that no prisoner is held too far from home, with regions under a director of offender management who would be made responsible for the rehabilitation of their own.

Secondly, as in every business, school and hospital, named people should be made responsible and accountable for directing each type of prison and prisoner, ensuring, inter alia, consistency of purposeful activity and in the selection and training of staff. If the Secretary of State does not do this, little or nothing will happen—as little or nothing has happened over the 20 years since I first made this recommendation. The best evidence of this is the Prison Service's failure

to exploit the countless examples of good practice initiated by good staff, who see their improvements dropped when either they or the governor of their prison move.

Thirdly, the Secretary of State should abolish the expensive and unnecessary bureaucracy that is the so-called National Offender Management Service and change his useless contracts branch, which awarded G4S a contract to run Medway secure training centre, as seen on "Panorama" last week, at the same time as cancelling its contract to run Rainsbrook secure training centre. One bureaucracy is quite enough for any Ministry, and he could then give staff to those responsible for running prisons.

12.37 pm

Lord Suri (Con): My Lords, first, I thank my noble friend Lord Fowler for securing this debate. This is an extremely important discussion to drive forward, especially as the Lord Chancellor has indicated that he is willing to listen to all our proposals as part of his consultations. I have worked in a number of roles in prisons, including as a voluntary associate at Wormwood Scrubs and a visitor to HM Prison Pentonville and others, and I feel that I can add something to this debate.

My main point happily coincides with another issue that is very much on the agenda, which is mental health provision. According to the Social Exclusion Unit, more than 70% of the prison population have two or more mental health disorders. When I was a member of the board of visitors to Pentonville prison, I saw a large number of prisoners who had come from broken homes and were emotionally undernourished. Mental health provision must take account of this and the debilitating and lasting effects of substance abuse, which troubles the minds of prisoners long after they have left those substances behind. At present, there is not enough support for prisoners who arrive addicted and are taken off those substances. Opportunities for mental health assessment should be built into substance misuse care pathways to avoid overlooking individuals who also require psychiatric interventions, as recommended by the 2010 reform report.

Education is another key investment that requires additional investment and focus. In my experience, the most important step in reintegrating released prisoners into society is helping them to get a job. This holds true in almost all circumstances. Education can reduce reoffending, as mentioned by my noble friends Lord Cope and Fowler, and bring down the prison population. With a job, a regular income and something that keeps them focused, they can rebuild their lives and shape them how they want to. Most prisoners have low educational attainment and poor qualifications and dropped out of school early, with barely 5% holding a degree or equivalent. Teaching them in prison, when they have the time and motivation to learn, is crucial. For those who care most about the bottom line, this is an investment that pays back significant dividends.

It is not sensible for a country that wants to win in the global race to have such a significant chunk of human capital wasting away, being unproductive. It should be noted that vocational education is often a better route to employment than academic qualifications.

[LORD SURI]

The idea of prison apprenticeships has been suggested in the past and remains attractive, as shown by the recent cases in HM Prison Lincoln. If a financial incentive was offered, such as a tax break on national insurance, it would boost the offering and uptake of prison apprenticeships.

Finally, it would be good to see more exercise hours offered in prisons. It is not healthy to be sitting around all day; indeed, boredom is often a factor in people involving themselves in crime. If possible, gyms and open areas should be open for longer hours, and inmates encouraged to go and exercise there, rather than watch television.

12.41 pm

Baroness Healy of Primrose Hill (Lab): My Lords, I, too, congratulate the noble Lord, Lord Fowler, on securing this debate on prison reform at this critical time as pressure increases on staff in our overcrowded prisons.

I wish to raise the issue of women in prison. There is a growing consensus that most of the solutions to women's offending lie outside prison walls, in treatment for addictions and mental health problems, protection from domestic violence and coercive relationships, secure housing, debt management, education, skills development and employment. I acknowledge the Government's commitment to reduce the number of women sent to prison, but there are still far too many being incarcerated. Across the UK, more than 13,500 women are imprisoned each year. On 15 January this year, there were 3,817 women in prison, accounting for 4.5% of the total prison population. Women on remand account for one in six of the female prison population, and although less than half of those found guilty are given a prison sentence, the damage to family life has already been done. Six in 10 women in prison have dependent children, and 17,000 children are separated from their mothers each year.

The Government's review of sentencing policy is a key opportunity to encourage more community sentences for women with children. The Prison Reform Trust has proposed practical steps such as ensuring pre-sentence reports provide enough information about the woman's circumstances, including her caring responsibilities, to make courts aware of appropriate community-based sentencing options. Magistrates are still too unaware of community alternatives where they do exist and are reluctant to refer where they see poor services or fragmented support.

I welcome the Sentencing Council's definitive guideline on theft offences, which encourages the use of community orders where appropriate and which will come into effect next month. Most women are sent to prison for a non-violent offence, and the majority of these are for theft and handling. The average sentence for theft from a shop—the primary driver to women's imprisonment in 2015—was less than three months.

As is now widely acknowledged, prison does not reduce offending. More than half—51%—of all women leaving prison are reconvicted within 12 months, and for those serving less than 12 months, the reconviction rate rises to 62%. Not only do children suffer while

their mothers are imprisoned, but on release from these short sentences employment outcomes for women are three times worse than for men. Fewer than one in 10 women have a job to go to on release.

Prison is not the answer to women's offending, except in rare, violent circumstances. Specialist women's services, on the other hand, have been shown to be highly effective in supporting and rehabilitating women in contact with the penal system. Women receiving community orders have much lower reoffending rates, and there is an even greater reduction in reoffending for those who receive support from women's centres, according to the MoJ's own figures. Steps must be taken to increase the funding of women's centres, prohibit the use of short-term sentences under 12 months, limit the use of remand and reduce recalls to custody where there have been technical breaches of an offender's licence. Where the terms of a non-custodial sentence disregard a woman's responsibility for children, there is an increased risk of breach for non-compliance, which can lead to custodial sentences being imposed where imprisonment was outside the sentencing parameters for the original offence. This is surely wrong.

Finally, on the proposed closure of Holloway, there is widespread concern that moving women to another prison further away from many women's homes, therefore reducing access for families and resettlement opportunities, could result in worsening the rehabilitation prospects for those women, many of whom are vulnerable, have committed non-violent offences and have so often been victims of domestic violence and sexual abuse themselves. The implications of what the Government may see as a well-meaning improvement could have damaging outcomes, as there was no or little consultation with staff and other stakeholders, I am told.

The Prison Reform Trust has called for the current visitors centre on the Holloway site to become a women's centre providing support and supervision for women caught up in the justice system in London. Several women's centres across London are urgently needed to support women upon release. Could the Minister tell the House how much resource is going to be used rebuilding prisons for women compared to providing the more effective community alternatives to custody?

12.47 pm

Lord Carlile of Berriew (LD): My Lords, I start by endorsing the powerful speech that the noble Baroness just made on the subject of women in prison. We should pay very close attention to her every word. I also want to congratulate the noble Lord, Lord Fowler, on obtaining the debate and on opening it so powerfully. I applaud every word of his speech and the five measures he has proposed, which I shall address briefly a little later. I used to read the articles that he wrote for the *Times* all those years ago, and it is wonderful to see his consistency and continuing interest in this important issue.

We come to this issue at a time when we have a Lord Chancellor, with whom I have spoken about this subject, who I believe is completely credible in his determination to reform the penal system. He has applied his considerable critical faculty to whether the penal system is successful

or not, and I think the answer he has reached is a resounding “No”, or at least “Not very”. I look forward to him taking his officials with him, and I hope that he will be in post long enough and not be reshuffled before we can see real reform to the penal system.

I am not sure what I can add to this debate, but I suppose I have spent longer in the cells than almost anybody else in this House—barring two or three people. I have on occasion had to sit in the cells, in cases that I do not count among the forensic triumphs which I talk about all too easily at dinner parties, and explain to my clients why they have been sent to prison for short sentences. As an illustration, I have always found it very difficult to explain to a man or woman who has been sent to prison for causing death by driving without due care and attention what the utility of the prison system is in their case, particularly as they tend to be middle-aged or older people who have never been in trouble with the law before. We ought to learn from some of the, in my view, ludicrous guidelines that are set upon us. I have sat as a recorder in the Crown Court on numerous occasions and have felt I had to send somebody to prison because the sentencing guidelines were just too prescriptive and did not allow for the subjectivity that the case needed.

Perhaps the headline of this debate for me, so far, is this: if a probation officer was given a case load for one year of one person and acted as a sort of personal trainer for that person for one year, we would save money for the state. The noble Lord, Lord Fowler, compared it to Eton fees, but it may be even more powerful to say that, if we committed probation officers to looking after people who are not sentenced to custody, training them in their everyday lives, letting them understand how to manage their money, giving them real quality time, we would achieve a much better system than sending such people to prison.

I turn to the imperatives of the noble Lord, Lord Fowler, which, as I have said, I share. First, of course, punishment by imprisonment should be more than the deprivation of liberty; it should also be an opportunity. As does Michael Gove, I take the view that prison education needs enormous improvement. I absolutely applaud the decision to allow books to go to prison. What an absurd decision it was to say that prisoners should not receive books. Recently, I represented a man who was convicted of manslaughter—a rather intelligent man. He said as he was going to prison, after the case was over, “I’m going to do an MBA”. I asked him why, and he referred to what the current Lord Chancellor had said about the advantages of being educated in prison and about released early if you do that—and that is very good.

Secondly, it is not just overcrowding that is the problem; the sites of prisons are unsuitable. In places with young men, there is only one playing field and one gym, at which they have to queue to have their opportunity, as well as insufficient educational provision.

The noble Lord, Lord Fowler, referred, thirdly, to the dumping ground. We had an eloquent contribution from the noble Lord, Lord Bradley, about mental health. If somebody goes to a hospital and they are going to be in a hospital for a long time, they are given a designated nurse to look after their case and to

ensure that it follows the right track. Why, when someone is sent to prison for a long time, are they not given a designated officer to try to ensure, as if they were a sort of tutor, that every opportunity is made available?

I agree that we should use community sentences more, particularly problem-solving courses.

Finally, I totally agree with the noble Lord, Lord Fowler, that we should give more opportunity to governors. I was once taken by a governor to a falconry course in a young offender institution. One of the young offenders told me that he was leaving the following week, that he had a job on an estate in Scotland and how he was looking forward to it. I came back to this place and thought, “I’m not going to tell anyone about the falconry course because the *Daily Mail* will get hold of it and call for it to be abolished”. But how useful that was.

My coda is to say: let us now start to apply imagination to sentencing policy so that those who come out of prison come out better and those who might go to prison do not do so, wherever possible.

12.53 pm

Lord Cormack (Con): My Lords, I very rarely disagree with the noble Lord, Lord Carlile of Berriew, and I shall certainly not begin to do so today, because he made a powerful and convincing speech and I agree with every word. I also endorse most strongly all the comments that have been made about the admirable opening speech of my noble friend Lord Fowler and, again, endorse what he says. As I am in the business of endorsements at the moment, let me say how much I agreed with the noble and learned Lord, Lord Brown of Eaton-under-Heywood. How privileged I was to be with him, as well as the noble and learned Lords, Lord Phillips and Lord Judge, when we went to see my noble friend the Minister last week to talk about indeterminate sentences. He made a powerful plea, which I hope will be heeded and will lead to a speeding up of dealing with these appalling stains on our justice system, because that is what they are.

In his opening speech, my noble friend talked about the Prison Service and how, if the squalor of the prison system was replicated in any way in any other aspect of the public service, there would be a massive public protest. One of the problems is—and I am afraid that I am rather old-fashioned on this matter—that the Prison Service is not entirely a public service. One decision that I have deplored over the years is the privatisation of prisons. It should be the duty of the state. Again, I refer to Winston Churchill, who in effect said that one of the hallmarks of a civilised society is how it treats its prisoners. There is a public responsibility, exercised by the Government of the day, and I believe that it has been detrimental to farm it out on economic grounds to private providers. That is not to say that there have not been some admirable people involved and that some of the prisons are not well run, but I do not like the principle.

I had considerable experience of prisons, with two in my constituency—Featherstone, and Brinsford young offender institution. The noble Lord, Lord Ramsbotham, is only too familiar with both of them. He made

[LORD CORMACK]

reports on them, and his report on Brinsford is one of the best that I have ever read on any penal institution. Going to those two institutions, I discovered two things. First, many of the young offenders had such an appalling private background of deprivation that they needed rehabilitation in a way that was not always provided. I agree so much with the noble Lord, Lord Carlile, in his remarks about the falconry course, and so on. In Featherstone itself I ran for a considerable period a surgery for lifers, which brought me face to face with men who had committed the ultimate crime, many of whom could not be categorised as criminal people. They had done something—sometimes provoked and sometimes not—of an appalling nature. Of course they deserved a prison sentence, and they all recognised that, but they were human beings and there is very much good in the worst of us, just as there is very much bad in the best of us. I became very conscious of that in those visits.

As chairman of the Northern Ireland Affairs Committee in another place, I conducted an inquiry into prisons. One thing that convinced me more than anything else of the need for change was the experience that we had of the restorative justice system. It has been referred to during this debate, but I would like to underline its importance. The noble Lord, Lord McNally, and others have talked about keeping young people out of prison. A well-run restorative justice system on which proper money is expended would save a lot of money—it would not cost £36,000 per person per year—and do a great deal to help to implement the five Fowler proposals. I endorse all of them.

In Lincoln, where I have the privilege to live, we have just completely restored Lincoln Castle, which contained within it two prisons—a Georgian debtors' prison and a Victorian prison. The latter was based on Pentonville, and they operated there the separate system whereby every prisoner was kept separate from another, even in the chapel, where each prisoner occupied a cubicle. This is a pretty scary thing when you go to see it, but of course the motivation was entirely decent, because they wanted to try to ensure that people would not reoffend. It was a crude, simplistic and unsuccessful system that deserved to be castigated as it has been, but the motives were right. The motives here in this debate are all right, but we need to convince the admirable new Justice Secretary and Lord Chancellor that he has our support in his reforming zeal. May he keep it up—and I am sure that he will have the good wishes of every Member of this House if he does so.

12.59 pm

Baroness Benjamin (LD): My Lords, I, too, congratulate the noble Lord, Lord Fowler, on securing this important debate and on his excellent opening speech. I welcome the Justice Secretary's desire to introduce much-needed prison reforms because, as has been said repeatedly during this debate, far too many young men and women are ending up in prison for a variety of reasons, such as mixing with the wrong company, living most of their early life in care, suffering from mental problems, some sort of child-abusive background or maybe simply because society has failed them.

When I visit prisons, I find that young black men are disproportionately in this position, with no hope or encouragement to better themselves, and this often leads to a revolving door situation as they leave prison with no prospects or further education. Being in prison should offer them an opportunity to turn their lives around in a positive way, and this can be done through education, especially for those serving long-term sentences.

I visited Swaleside prison on the Isle of Sheppey last year to open officially a unique and original project in its A wing called the Open Academy. It gives long-term inmates the opportunity to change their future by studying for a university degree using distance learning. The feeling of enthusiasm and hope among the inmates was electrifying and inspirational. Men who never thought they could achieve anything in life were suddenly empowered to discover their potential and the world of education. As my beloved mother used to say, "Education is your passport to life". This is a perfect example of the kind of initiative we should be promoting as part of prison reform.

The Open Academy at Swaleside, which was praised in Dame Sally Coates's review of education in prisons, has been open for nearly four months now. During that time, Malcolm Whitelaw, the head of learning, skills and employment in the reducing reoffending department, along with two co-ordinators and prison staff, has worked tirelessly to ensure the continued progress and promotion of the project to all inmates. Prisoners are given the opportunity to move to A wing to live to enable them to be part of the community of learners. The project now has 30 students signed up to the self-study programme. Their academic levels and abilities are wide-ranging, but they work together.

However, this initiative has not been easily achieved. It happened purely through the vision and dogged determination of the then governor and her staff. They were fortunate enough to have the majority of the resources donated to them by libraries that had closed down and to have generous donations which enabled them to buy essential equipment. However, more resources will be needed to continue to engage all the inmates who want to learn and develop.

The staff on A wing have also benefited. They have responded positively to the change in the dynamics of the wing and, importantly, they have supported the work required in the Open Academy, as much of it has been somewhat different from their usual everyday job. They now share ideas and make contributions. The Open Academy has given them an identity and a positive purpose. Some staff have even shown an interest in engaging in distance learning themselves and will be using the facilities of the Open Academy to study and to develop their career path and abilities. What a success story this is.

Malcolm has said: "I have been very proud of the work that has been achieved and the commitment, dedication and passion shown by everyone. To see prisoners engaging in positive activity which no doubt aids in their rehabilitation and employment opportunities upon release, encourages my staff. Together we are achieving and impacting upon prisoners' lives". He also said: "I strongly believe that should other prisons use this unique model and roll this out in their prisons

then they too will see the change and progression which we have started to see at Swaleside. With the correct support and drive I believe it is possible across the prison estate”.

I agree with Malcolm. This could be a fundamental part of prison reform for the development of prisoners, especially those with medium and long-term sentences, as there is little progression available through the normal channels. To continue this important programme, prisons need relatively low investment and, more importantly, they need to involve and train their committed staff, who will be essential to the running of not just the Open Academy at Swaleside, but all future academies of this type. Will the Government consider funding Open Academies like the one at Swaleside? May I suggest that the Minister visits Swaleside prison, if he has not done so already, to see for himself the good work that is being done there?

1.05 pm

Lord Farmer (Con): My Lords, I, too, join noble Lords in congratulating my noble friend Lord Fowler on securing this timely debate and on his excellent opening speech. Momentous developments are taking place right now in the area of prison reform, which have the potential to make major inroads into social problems that have dogged our nation for decades. As part of the Secretary of State’s commitment to tackle reoffending by working with the whole person to find the “treasure in the heart of the man”, as he puts it, recent announcements have been made that the Ministry of Justice intends to put family at the heart of prison reforms.

Award-winning journalist Nell Bernstein observed:

“The dissolution of families, the harm to children—and the resultant perpetuation of the cycle of crime and incarceration from one generation to the next—may be the most profound and damaging effect of our current penal structure”.

Families can feel as if they, too, have been the victims of crime. For partners and children who have not themselves offended, it can seem as if they are also serving the sentence. An article last month in the *Times* told Sandra’s story—how her son’s life sentence for manslaughter at the age of 16 made her want to die too. She hated going into prison to see him—it was so heartbreaking. That is why all new prisons should have family-friendly visitor centres. They should be cheerful facilities where it is made clear to family members that they are welcome and valued. Staff should be trained to do all they can to prevent visitors feeling humiliated. One study found that reoffending rates are 39% lower if prisoners receive family visits, but they can be major undertakings that require travelling a long way with children. When I recently visited someone in Parkhurst prison on the Isle of Wight, it took a whole day to get there and back, and I was coming only from Chichester.

One of the longest-running longitudinal studies in the history of social science found that getting married can be a key turning point away from crime, even for the most prolific offenders. Research has also found that partnering relationships which bring structure, informal monitoring and emotional support decrease the likelihood of reoffending. It can make an enormous difference to a prisoner if they know their wife or

husband is willing to stick with them. The perceived strength, stability and quality of ex-prisoners’ relationships are particularly important in rehabilitation, so the opportunities presented by their being inside must be taken to help prisoners develop better relationship skills, and prisoners should, wherever appropriate, be helped by staff to maintain family ties. Yet this happens for only one-third of offenders. Will the Minister include the need to improve the stability and quality of family relationships in the outcomes governors are required to deliver as they are given more autonomy? Programmes with a solid evidence base, such as Family Man, can pay for themselves in the money they save by preventing reoffending. This course uses drama, group discussions and written work to improve family relationships as a way of developing skills essential to education, training and employment.

These synergies are important. If prisoners’ family-based needs go unmet, it can greatly undermine wider efforts to improve their employability and educational attainment. However, the National Offender Management Service’s review of parenting and relationship support found that currently there is significant variation in the quality and scale of family provision. There is also too little structured assessment of family need in sentence planning, yet, as my earlier quote suggested, it makes no sense to ignore the needs of the next generation. Two-thirds of young males separated from imprisoned fathers in childhood go on to commit crime themselves.

Will the Minister discuss with colleagues in the Department for Communities and Local Government how family support could also be joined up with work that goes on outside in the community, such as the troubled families programme? Similarly, schools should be able to use pupil premium money for children of prisoners on programmes such as Family Literacy in Prisons if this is the most effective means of improving their educational outcomes. Involving the imprisoned parents in their children’s education gives them a reason to go straight, and gives the children a better chance of avoiding criminality themselves. Given the Prime Minister’s inspiring mission to improve life chances for everyone in this country, can we assume that improving prisoners’ family stability will be at the heart of this Government’s rehabilitation strategy?

1.11 pm

Lord Judd (Lab): My Lords, I have long been an admirer of the noble Lord, Lord Fowler, and his contribution today has done nothing but strengthen that admiration. However, there have been many other important contributions to this debate. The contribution of the noble and learned Lord, Lord Brown, was crucial. What he described is a disgrace and a blemish on all our claims to a commitment to justice in our society. I draw particular attention to the words of my noble friend Lord Harris. In my view, his report is compulsory reading, and all of us who take these issues seriously should read it if we have not already done so.

I say to the Secretary of State: be careful. We live in an age of unprecedented cynicism about the political system, partly because large sections of the public see politics as a game of rhetoric without real commitment

[LORD JUDD]

to, and fulfilment of, the needs of society as a whole. The excellent priorities that he has set out on rehabilitation could too easily become part of that accelerating cynicism if they prove to be nothing more than rhetoric. We all have to realise that when commitments of this kind are made, it is necessary to face the discipline of the resources that are required. These things cannot be done cheaply. They cannot be motivated by a desire to have social provision, wherever it is, on the cheap; they must be motivated by the determination to make the resources available.

We talk about rather abstract statistics and figures when we discuss penal reform, when we should all be thinking of the huge number of terrible human experiences that individuals have within the system, with so many broken lives and nightmare experiences. It is not a great credit to us that all we can do in response is lock people up.

The first thing to do is to decide what we are trying to do and then say what is necessary to do it. Large warehouse prisons are certainly not the way to do it; what we need are far more well-designed individual establishments appropriate to individual needs. Almost nothing in this is more important than the mental health dimension.

Women are a particular challenge. I remember being told by a prison officer in Holloway, in absolute exasperation, "What are we supposed to be doing, particularly with women on short sentences? Their life is one of unremitting chaos, and with short sentences we are only adding to that chaos. Sometimes, I think the best that can be said for what we contribute is that we give them relief for a few days from the pressures that are ruining their lives outside". What a commentary.

That brings me to my last point. When I was president of the YMCA in England, I tried to give as much time as possible to the work with offenders. I was glad that in the leading councils of the YMCA we had a very experienced senior police superintendent from the north of England, who was a very effective policeman and very down to earth. He said, "I often feel that it is at the moment when the person is being sentenced and sent down that there should be someone at their elbow saying, quietly but firmly, 'What a terrible mess this is in your life. How are we going to sort it out?'. Such a person should take the sentenced person through the experience of imprisonment and back into a rehabilitated life outside. Without such an approach, we are just playing mechanical games that are destined to fail".

1.17 pm

Lord Beith (LD): My Lords, I share the feeling, expressed around the House, of enthusiasm that this debate is happening, that it was so powerfully introduced by the noble Lord, Lord Fowler, and that it takes place at a time when the relatively new Lord Chancellor appears genuinely open to new thinking and radical reappraisal of some of the kinds of ideas that I pursued when I chaired the Justice Committee in the other House.

I want to try to analyse why the problem is as it is. We have to do something; we have far and away the largest proportion of our citizens in prison of any

country in western Europe, at a time when there is enormous pressure on prison staff. Prison officers, instructional staff and others cannot really be expected to deliver very good results under that degree of pressure.

We all know that there are people who have to be in prison for public safety. However, we also know that the prison system is relatively weak in its record on rehabilitation. We know that it is of extremely limited deterrent value in relation to quite a few crimes and very many criminals, most of whom believe that they will not be caught and, if they are, that they will not receive a prison sentence anyway.

In the Justice Committee, I have had witnesses in front of me who said that they committed further offences in order to get back into prison; far from being deterred, they wanted to get back inside, in some cases because they could get access to drug treatment in prison that they could not get outside, and in others, frankly, because they did not really have anywhere else to go. At Christmas time or in the depths of winter, people were actually committing offences to get into prison. Another part of the problem is that the prison system pre-empts resources that cannot then be used to deal with the alcohol problems, drug addiction problems and failures in the care system and in the education system that put so many people into prison in the first place.

So why is the UK—this is true in Scotland as well as in England and Wales—set on a default course to the wrong place? Why is it that our system seems always to push up the prison population unless a real effort is made, as it is from time to time, to try to counteract it? These are the reasons I want to suggest to your Lordships.

First, it is institutionally dominant in the Ministry of Justice and the National Offender Management Service. Everything starts from the fact that we have this great big prison system and the effects of that within any management structure are quite powerful.

Secondly, prison is treated as a free good in the criminal justice system. It is commissioned nationally, whereas all the alternatives to prison are commissioned locally. When a court has an offender in front of it and is coming to a decision about what to do, at the back of the mind there will always be the simple fact that, if some kind of community sentence is required with several elements in it, it has to be established whether that is available—whether it is available locally and whether there is a place for someone to take it on. If the sentence is custody, a van will roll up outside and it will be somebody else's job to find a particular prison to put the person in, but prison will be found, with the resulting overcrowding if necessary. The commissioning system does not work well, because things are commissioned in completely different places, which creates an imbalance in the system.

The third factor is that the prison system has been exempted from the value-for-money questions which have been applied to every public service, including defence, which of course shares with prisons this crucial importance to the security and safety of our citizens. I was very pleased to learn that the Lord Chancellor has been to Texas. The Justice Committee

certainly went to Texas; that surprises most people you mention this to until you explain to them that what happened in Texas, particularly with regard to drug-related offences, is that right-wing Republicans and liberal-minded Democrats found that they agreed that they could not go on as they had been, putting more and more people into prison. The Republicans said, "This is the taxpayers' dollar—it's our duty as state senators to make sure that money isn't wasted in this way". Therefore, they reached an agreement that they should put more money into family-based programmes, nurse-family partnerships, problem-solving courts and keeping people out of prison, particularly when drug-related offences other than large-scale dealing had put them there. In our system, we now need to apply to the prison system some of the value-for-money tests which are applied to every other aspect of our system.

The final factor is that prison and the length of a prison sentence is the only yardstick by which society, and particularly the press, measures and asserts how seriously a crime is viewed. If you read a newspaper article it will ask, "Did he get more than somebody else got for a slightly less violent attack?". We use it as a measure and a yardstick. That will not do, because it does not lead to the most effective disposition for that offender—the choice of sentence for that offender which might make them much less likely to reoffend. We have to find ways to insist and demonstrate that crimes are taken seriously when the courts impose a demanding community sentence or a community element as part of a sentence which involves custody. That has to change.

1.23 pm

Lord Trefgarne (Con): My Lords, I start by confessing that my experience of prisons is pretty limited. I was briefly responsible—for a couple of years—for the Army detention centre at Colchester, but most of my relevant experience was under the direction of my noble friend Lord Fowler, to whom, naturally, I add my thanks for this debate. While I served as a junior Minister in the DHSS under his guidance, special hospitals were part of my responsibility and I remember visiting them on a number of occasions, including, if I may say so to my noble friend Lord Forsyth, one in Scotland at a place called Carstairs, which was also a special hospital at that time.

I will focus on a particular issue, namely the way in which we treat older prisoners. By that I mean those of, say, 80 years of age or more, although there is room for more than one view as to what the precise age should be. For example, I understand that in Italy nobody goes to prison over the age of 70 years, and I dare say there are similar age limits in other European countries.

My interest in this matter was roused by a case before one of the county courts, as I recall, about a year ago now, when a man in his late 80s was ostensibly convicted of leaving his shotgun in public view on the back seat of his car and was sentenced to a term in prison. I say "ostensibly convicted" because it turned out that the judge had got both the sentence and the law wrong, and the prisoner was, correctly, released very quickly. We are sometimes told that we ought not

to criticise the judiciary. I do not do so on this occasion, because there may have been considerations of which I am unaware, which did not seem obvious from the reports that I read.

In June last year, the Prisons and Probation Ombudsman, Mr Nigel Newcomen, delivered an important address on this matter. He of course draws on extensive knowledge and experience. Apparently, those aged over 60 are now the fastest growing segment of the prison population. The recent flurry of prosecutions for historic sex offences is no doubt one of the causes, but longer sentences also contribute. Thus it is, presumably, that increasing numbers of prisoners die from natural causes while in prison. Mr Newcomen refers to a number of cases in his lecture. He refers, for example, to one prisoner in his 94th year, who was removed from a care home to serve his first prison sentence for a historic sex offence and died a few weeks later after falling out of bed in his cell. In his lecture Mr Newcomen makes four recommendations for improving the arrangements for so-called geriatric prisoners. The Minister will no doubt be familiar with them; I should be glad to know which of them are now being implemented.

I am also concerned about the excessive use of restraints on older prisoners who in reality present little or no risk of escape. I have seen reference to one particularly shameful case where an elderly man in the last hours of life was eventually allowed to go to hospital and his restraint was finally removed only after he had died. That case was also referred to by Mr Newcomen. Can the Minister also say what arrangements are available for prisoners with serious medical problems; for example, double incontinence? Again, there are some quite shocking cases of the prison authorities simply ignoring these problems, which is quite unacceptable.

I also draw the Minister's attention to a recent letter in a publication called *Inside Time*, which I understand circulates among the prison population, which relates to the treatment of an 83 year-old prisoner who had serious medical problems. Another prisoner was appointed to look after him, which raised serious question about access to his medication and other related matters. If the account set out in that particular published letter is accurate, we will need better and fuller particulars and an explanation.

Our present policy in respect of older prisoners is wholly unsatisfactory. Prisons, almost by definition, are designed to hold younger, comparatively fit people, and if there are no proper arrangements for holding much older prisoners, they should be released on licence or some other solution found. No doubt there are one or two who, given the gravity and may be comparative recency of their offence, need to be kept inside, but that does not apply to the majority.

Before I sit down, I will refer to a slightly different matter, namely the arrangements for the imprisonment of younger women who may have small children. There are now some improved sentencing guidelines on this matter, which I hope the Minister will be able to refer to and confirm. We are a civilised and compassionate nation, and our present policies should reflect those qualities.

1.28 pm

Lord Marks of Henley-on-Thames (LD): My Lords, I echo the thanks of many noble Lords to the noble Lord, Lord Fowler, both for securing this debate and for the powerful and striking speech with which he opened it. The debate has demonstrated that the first priority in prison reform is reducing the numbers of people in prison and that to achieve that our aims must be rehabilitation to cut reoffending, and fewer offenders sentenced to prison when they do not need to be there. The whole House has welcomed the fact that the new Justice Secretary recognises the crisis in our prisons and is committed to change. However, there is much to be done.

The House also recognises that prison overcrowding is the main obstacle to rehabilitation—the noble Lord, Lord Fowler, made that point. The Howard League for Penal Reform, to which I am grateful for its briefing, points out that in 25 years the prison population has almost doubled, from less than 45,000 in 1990 to more than 85,000 now, in spite of the last few years of falling crime, and that the prison population is projected to increase to 90,000, plus or minus 8,000, by 2020. The institutional factors mentioned by my noble friend Lord Beith clearly have something to do with this.

My noble friend also pointed out the dependence on tariff sentencing, which is so prevalent and so powerful with the press. There is overwhelming evidence that short sentences do not work, yet far too many prisoners are serving them. We have had the depressing figures for reconviction rates. Through-the-gate supervision, introduced by the Offender Rehabilitation Act, may reduce the disparity but it has not done so yet. The fact remains that short prison sentences work far less effectively than community sentences in reducing reoffending. Short sentences may indeed increase the risk of future crime by removing offenders from their family and social supports, as my noble friend Lord Dholakia pointed out.

The unnecessary imprisonment of drug offenders has also contributed to prison overcrowding and to increased drug use and drug-related corruption in prisons. The extent of the problem was highlighted by a 2013 survey which showed that 64% of prisoners reported having used drugs in the four weeks before going into custody. On these Benches, in the face of overwhelming evidence that imprisonment or even punishment does not reduce drug use or cure addiction, we have long argued for drug possession to be treated as a health rather than a criminal justice issue. It is therefore welcome that the Justice Secretary has established a working group to consider establishing courts that would have as their aim solving drug and similar health and social problems through rehabilitation rather than imprisonment—the Texas solution mentioned by my noble friend Lord Beith.

Far too many women are in prison, as the noble Baroness, Lady Healy, pointed out. Eighty-two per cent of women in prison have been convicted of non-violent offences and probably do not need to be there. The evidence shows that among women there is a far greater prevalence than among men of serious social and health problems. Women suffer disproportionately from prison in their family and personal lives, and of

course their children and families suffer disproportionately, unnecessarily and unfairly from the separation that imprisonment of their mothers involves. The noble Baroness, Lady Healy, also made the point that there is an unduly extensive use of prison on remand for women who face a trial.

For young people, young offender institutions have for far too long been academies for crime to which we have sent our most deprived youngsters with the most intractable personal, social and health problems—mental and physical—and often with backgrounds of abuse, as my noble friend Lady Benjamin pointed out, only for matters to get worse for them. I applaud the contribution that my noble friend Lord McNally has made not only to this debate but to improving youth justice in the United Kingdom, which he continues to do. However, we also need to improve educational opportunity and vocational training, and, as the noble Lord, Lord Harris, pointed out, we need to ensure that personal responsibility is taken by the service for individual prisoners. The noble Lord, Lord Trefgarne, pointed out the difficulties of imprisoning too many older offenders.

The continued unjust incarceration of prisoners whose tariffs have expired but who are serving IPPs also contributes to the prison population. We have heard again from the noble and learned Lord, Lord Brown of Eaton-under-Heywood, taking up the cudgels of Lord Lloyd of Berwick. Both have repeatedly exposed the continuing injustice caused by these sentences, which were abolished as long ago as 2012, yet the Government will not use their power under Section 128 of the LASPO Act to change the test for their release, although for IPP prisoners the rate of reconviction within a year of release is only 14%.

Certainly one answer to overcrowding is to ensure that there are prison places to house the prison population in humane conditions, with an end to cramming and insanitary, squalid and filthy cells, lacking in privacy and destructive of self-esteem. The plan to replace old and inadequate city prisons with modern prisons that are fit for purpose is therefore welcome, provided that they are then used for the numbers for which they are designed and that we do not replace overcrowding in Wormwood Scrubs with overcrowding in its modern out-of-town-centre equivalent.

It is also clearly right that if costs to the Ministry can be saved by using modern videoconferencing technology to avoid unnecessary attendance at pre-trial court hearings, this is a sensible innovation. I would, however, add a word of caution about out-of-town prisons. It is important that, where possible, prisoners are placed close to their communities, particularly to enable their families to visit them. The Prison Reform Trust points to the evidence that prison visits help to reduce the risk of reoffending, which is 39% higher among prisoners who receive no visits than among those who do. We should not move prisoners miles across the country to far-away locations in large prisons where their links with their past, and therefore often with their futures, are cut, perhaps fatally. The noble Lord, Lord Ramsbotham, made that point.

The effects of overcrowding are exacerbated by chronic and serious understaffing. Staffing levels fell by 29% between March 2010 and December 2014—from

about 45,000 to about 32,000. That has meant more violence, more drugs, more drug-related corruption, more in-cell time, less education and less activity. The vicious circle inherent in all that is obvious. The understaffing increases reoffending, which increases the prison population and further strains staffing levels.

The Chief Inspector of Prisons has painted a chilling picture of violence in custody, as the noble Lord, Lord Fowler, pointed out. The review of the noble Lord, Lord Harris, was a terrible indictment of our prison system. As he pointed out, the Government have a fundamental obligation towards prisoners to keep them safe. His recommendations for safer cells, for understanding the vulnerability and differences of maturity of young adults and for keeping them out of prison where possible must be implemented.

The figures on drug use in prisons are alarming. A rise of 60% in incidents where drugs were found in prisons in 2014 can only partly be explained by better detection. Understaffing and a demoralised staff contribute to that problem as well.

The House considered the position and role of prison education in Tuesday's debate introduced by the noble Lord, Lord Hanningfield, and I will not repeat what was said then. However, the role of education has been mentioned by many and, although, as the noble Lord, Lord Forsyth, and my noble friend Lady Benjamin pointed out, good things are happening, understaffing, limited availability of courses, large disparities and poor continuity have all meant that we are not taking the opportunity to turn people round. We should applaud the idea of resettlement of prisoners close to their families and communities, but the effectiveness of that will be sharply reduced if prisoners cannot complete the courses they are undertaking because they are not available in the new prison.

The ways forward are not obscure. The plan of the noble Lord, Lord Fowler, has been clear and others have mentioned it. In short, we now need to turn a vicious cycle of prison letting down offenders and society and turn it into a virtuous cycle of improving prisons and of ensuring that we increase rehabilitation and save funds accordingly.

1.39 pm

Lord Beecham (Lab): My Lords, I join all those who congratulated the noble Lord, Lord Fowler, on securing this wide-ranging debate. My admiration for him was undimmed by the occasion when he spoke in a debate on a Motion of mine and described me as having risen from “the serried ranks” of the Labour Opposition, who consisted in their entirety of me and a single Whip.

In a similar vein, it would be churlish not to welcome Mr Gove's appointment as Lord Chancellor, although almost anyone would have been an improvement on his predecessor. Mr Gove's announcement about secure colleges, the reversal of the decision on books in prison, a review of prison education and the replacement of old and unfit buildings are most welcome. His speech, “Rescuing Broken Lives”, acknowledged in broad terms the failings of the present system and emphasised the importance of rehabilitation as a vital element in penal policy and of our justice system.

But perhaps understandably, his brief address did not really begin to make clear the scale of the crisis in our prisons. That emerges with stark and deeply troubling clarity from Nick Hardwick's last report as Chief Inspector of Prisons. The House will wish to pay tribute to him for his service and for my part—and I suspect many others—I regret his departure, which followed Mr Grayling's decision not to reappoint him but to invite him only to reapply for the job that he had done so well.

The Minister will no doubt be aware of the five-page letter that Mr Hardwick sent to the Permanent Secretary in December protesting about the latter's interference in the way that he was carrying out his responsibilities and reminding him that the chief inspector is and must be independent and is a Crown appointment. Will the Minister confirm that position and assure the House, the chief inspector and his successor that there will be no repetition of the matters about which Mr Hardwick complained?

As we have heard today, the fundamental problem in penal policy is that we have far too many people in prison—we have heard the figures: 85,000, which is twice as many as a couple of decades ago—and occupying in March 2015 97.7% of usable capacity. Even Texas, the jailhouse capital of the western world referred to by the noble Lord, Lord Beith, is striving to reduce its prison population. Furthermore, too many of our prisons are, as we have heard, overcrowded and understaffed, with the consequences that the chief inspector's report spelt out. As he noted, assessed outcomes in prisons fell sharply last year to be the worst in 10 years. Prisoners were more likely to die in prison, be murdered, commit suicide, be assaulted or self-harm than five years ago. Serious assaults in that time rose by 55%. Such assaults on staff rose by 58% and some of this has no doubt been fuelled by increased access to drugs in prison, where the incidence of drugs found in 2014 reached an all-time high since 2000 at 5,973—a 40% increase on the previous year alone. Meanwhile, as the noble Lord, Lord Marks, pointed out, staff numbers fell by 29%. BME and especially Muslim prisoners, and those with learning disabilities, are recorded as having experienced a worse time than others. As the noble Lord, Lord Trefgarne, pointed out, the number of older prisoners, some of them very frail, is rising sharply.

We debated education in prison earlier this week and, without going over that ground again in detail, it is apparent from the chief inspector's report that, as the headline to the relevant section of his report makes clear, “purposeful activity” presents a dismal picture, with only 25% of adult male prisons performing well or reasonably well—the worst position in a decade. In a former life, Mr Gove would no doubt have intervened in schools that failed. What action will now be taken in relation to failing providers of this service within prisons? I hope that he will take notice of the suggestions of the noble Lord, Lord Ramsbotham, in that respect. However, to judge by the reaction to the latest of many scandals affecting G4S, one must not be too hopeful that action will be taken where the provider is a branch of the oligopolies that increasingly dominate the provision of our public services.

[LORD BEECHAM]

It is a reflection of the depths to which the service has sunk that the welcome initiative to prescribe a core day of activities,

“was fatally undermined by staff shortages and this affected outcomes in all areas”,

so that:

“It is not currently possible to say how well it will work if staffing levels increase to agreed levels”.

But will they increase given the gap in salaries revealed by the University and College Union between prison education staff and staff in other sectors?

It is also deeply disturbing that 50% of prisoners were locked in their cells during the working day and 20% spent less than two hours a day out of their cells, with exercise in fresh air only 30 minutes a day in most closed prisons. Teaching standards were found wanting in two-thirds of the prisons inspected, and leadership and management of learning and skills in 74% of prisons were found inadequate or requiring improvement. That surely raises the question of whether it is not high time for more joint working in peer review across the sector to identify and promote good practice in this and other aspects of the service.

The report also echoed the concern of HM Inspectorate of Probation and Ofsted, mentioned by the noble Lords, Lord Farmer and Lord Marks, that family contact—a critical issue—was often seen as a privilege rather than part of the resettlement process. Therefore, welcome though the replacement of some of the existing prisons will be, we trust that the Government can give assurances in relation to the siting of new facilities, notably but not exclusively those that serve London, so that access will be facilitated rather than made more difficult.

Another area of concern relates to boys in custody where the use of restraint, including what are euphemistically described as “pain compliance techniques”, had increased in three establishments. Again, there were problems with access for families, which is particularly necessary in the case of young offenders, with a mere 35% saying that it was easy for family and friends to visit. While generally education and training were good, there was, again, much too little opportunity to exercise.

Two other areas outside the immediate Prison Service were also the subject of comment, namely; police custody and court custody. In relation to the former, there were found to be far too many vulnerable detainees for whom risk assessments were too variable, with some staff being too casual in their work and more monitoring required. The accommodation in police custody was often substandard and the quality of healthcare remained variable. I assume that that is a matter that should be taken up by the Home Office. Perhaps the Minister can convey that concern if that department has already not begun to grapple with it.

Shockingly, however, the report states:

“Court custody contained some of the worst conditions we saw on inspection. Leadership was fragmented and ineffective and there was unwillingness to ... address the filthy and unsanitary conditions we often found”,

on court premises. The needs of vulnerable detainees were little understood, and I was amazed to see that a

previous report had commented on the failings of the escort service, including the lack of seatbelt provision while transporting prisoners in vehicles.

The Ministry of Justice has a clear responsibility to address these issues and could perhaps learn from the good practice in military detention facilities, which were warmly commended in the report, in relation to a wide range of concerns that appear so far not to have been properly addressed within the rest of the custodial sector.

In addition to the low levels of educational attainment, especially literacy, which Mr Gove rightly stated characterised many offenders and with which he was of course familiar in his previous role, more recognition needs to be given to some other factors. Among those are the high levels of prisoners with one or more mental health problems, referred to by my noble friend Lord Bradley, and the disproportionate number and length of custodial sentences on BME defendants with comparable records to those of other offenders and in relation to comparable offences. Here, the sentencing clearly needs reviewing. The noble Lord, Lord McNally, and the noble Baroness, Lady Benjamin, referred to that important issue.

Mr Gove has made a very promising start in his approach to the crisis in our prisons, although I hope that he returns to the important report produced by my noble friend Lord Harris, and I join others in urging him to look again at the vexed question of IPP prisoners, referred to by the noble and learned Lord, Lord Brown, and other noble Lords today and on previous occasions. We must hope that he secures the support of his colleagues in a major effort to build on the aspirations of Transforming Rehabilitation by indeed transforming a dysfunctional and all too frequently failing Prison Service and, in so doing, make no longer contestable the claim of one former Home Secretary that “prison works”.

1.49 pm

The Minister of State, Ministry of Justice (Lord Faulks) (Con): My Lords, I thank my noble friend Lord Fowler for introducing this important debate and all noble Lords for contributing to it. There is a great deal of expertise in your Lordships’ House on this subject. As the noble Lord, Lord McNally, pointed out, a number of noble Lords contribute not just to debates but to reports, and by chairing committees. There is no lack of interest and, it is remarkable to report, a considerable consensus apparent in the House across all parties and among those of no party. I can report that the Secretary of State, who has received several plaudits for his endeavours so far, reads carefully the debates in your Lordships’ House, so everything that has been said will be noted by him. I will not respond in detail to all the many suggestions that have been made, but suffice it to say that the five points emphasised by my noble friend Lord Fowler received widespread support, and I find no difficulty in supporting any of them myself.

There are some positives about prisons as well as the litany of negatives that have been pointed out by so many of your Lordships. It is important to bear in mind the invaluable work undertaken in prisons. We have

many dedicated prison officers and governors working in difficult and often dangerous conditions. They strive to help offenders lead better and safer lives, and they take their duties to prisoners and to the public very seriously. I am shortly to visit their training establishment to gain a better understanding of the challenges they face and the training they receive. It is about not just prison officers but a whole host of professions, from psychologists to teachers and career advisers. There are also many from the voluntary sector. We should not neglect the charitable and voluntary sector for all it does for prisoners, a matter referred to by my noble friend Lord Farmer. But there are undoubtedly many challenges that face us.

It is helpful that the current political situation does not lead one to believe that there is any sort of arms race between the parties as to who can be tougher on crime. I think we have left those days behind. What we can all agree on is that reoffending has simply been too high for too long. Although the overall reoffending rate has come down slightly over the past decade, 45% of all adult prisoners reoffend within one year of release, with the figure rising to 59% for those serving sentences of under 12 months. The figures are significantly higher than for those who serve non-custodial sentences.

Perhaps I may pause briefly to say that although the current Secretary of State has received some qualified approval, his predecessor did not on the whole receive such approval in your Lordships' House. However, I pay tribute to him for all he did on the Transforming Rehabilitation strategy. A number of noble Lords made the point that those who serve sentences of less than 12 months are particularly likely to reoffend. They used to be allowed to leave prison with £46 in their pocket and it was no surprise that they immediately reverted to their old habits. Under the stewardship of the Secretary of State, the previous coalition Government brought in a system whereby all those offenders received support in the community from the probation service and before they left prison to enable them to rebuild their lives as best they could. That was a brave initiative and it is one that we should pay tribute to the previous Secretary of State for introducing.

To help prisoners leave custody, we need our prison officers to be able to work in an environment which is suited to supporting offenders. However, our current prison estate is ageing, inefficient and ineffective at doing that. There are numerous "dark corners" which facilitate bullying, drug-taking and violence, and, within prisons, violence towards prisoners and prison staff is increasing. In the last year, serious assaults have risen by a third and, tragically, 95 prisoners have taken their own lives while in custody. While referring to deaths in custody, I pay tribute to the impressive and thorough report produced by the noble Lord, Lord Harris of Haringey, and we have accepted a considerable number of the recommendations made in it. He mentioned particularly the identification of a custody and rehabilitation officer who would be responsible for each offender. I understand entirely what drives the suggestion, but, notwithstanding the wisdom that lies behind it, the Ministry of Justice believes that it could undermine the concept that reducing the risk of suicide is a key part of the role of all prison staff. Our philosophy

is that every contact matters and every individual matters. Of course, the noble Lord will know, as will the House, that the death of a prisoner is not only a tragedy for that prisoner and their family, but also very destructive to the morale of those who work in prisons. All prison officers should be concerned for the welfare of each individual.

Lord Harris of Haringey: I am grateful to the noble Lord for responding. The point of the custody and rehabilitation officer is not to get away from the concept that everyone should be responsible for the security and safety of an individual. It is to create someone who would take personal responsibility for ensuring that the journey of a prisoner through the prison system, particularly in relation to rehabilitation, so that it is owned by an individual who makes sure that that journey happens and that the right solutions are found for each person. That is what I think is being lost and is what will undermine the Secretary of State's desire to bring about a rehabilitation revolution.

Lord Faulks: I do not disagree with the objectives outlined in the suggestion; rather it is simply about how they can best be achieved. But the identification of the desire for continuity is of course important.

I was saying that one of the problems we must confront is the use of psychoactive substances, known as legal highs. Their use has been plainly linked with specific acts of violence and erratic behaviour, as referred to by the noble Lord, Lord Marks. This and the previous Government have already introduced measures to tackle the use of these substances, including the use of specialist dogs to search cells, and we are currently exploring the use of body scanners to reduce the threat posed by drugs being smuggled into prisons. This is a problem being confronted not only in prisons in this country but elsewhere throughout the world. It is proving particularly intractable, but it is vital that we do so. Despite the tireless efforts of all those working in our prisons, these issues, which were identified by many noble Lords, cannot be ignored. The Secretary of State has made it clear that our prison system is in need of reform. It fails to rehabilitate and it fails to ensure that criminals are prevented from offending again. Without reform, this cycle will continue.

What changes are we making? A key aspect of these reforms is the proposed changes to the prison estate itself. We will close down ageing and ineffective prisons, replacing them with buildings fit for today's estate. We will invest in a high-quality modern prison estate, with appropriate facilities for training and rehabilitation. This is receiving enthusiasm across government. Some £1.3 billion will be invested to reform and modernise the prison estate to make it more efficient, safer and focused on supporting prisoner rehabilitation. The Chancellor announced that the Government will build nine new modern prisons, five of which will open during this Parliament, with better education facilities—as referred to earlier this week in a debate answered by my noble friend Lady Evans, which I shall not go into now—and other rehabilitative services, while selling ageing and inefficient prisons to free up land for new homes.

[LORD FAULKS]

This includes the closing of Holloway prison. The female prisoners held there will be transferred to better prison environments, including HMP Downview, which we will reopen as a women's prison. Downview provides better facilities for family visits as well as being a better rehabilitative environment for women. I do not in any way disparage what was achieved in Holloway, which I visited, because it was a remarkable prison. However, we feel that we can do better.

A number of noble Lords, among them the noble Lord, Lord Judd, and the noble Baroness, Lady Healy of Primrose Hill, mentioned the problem of women in prison. In 10 years of sitting as a recorder, I always found reasons not to send women to prison and I can hardly remember ever doing so. I am glad to say that the female prison population is now consistently under 4,000 for the first time in a decade. We are modernising the prison estate to provide the best rehabilitative regimes and hold women in environments better suited to them. We want to ensure that they serve their sentences in appropriate surroundings and to maintain their strong family ties. My noble friend Lord Farmer made the point that family ties are vital to assisting rehabilitation not only for women but for all the prison population.

Of course, it is not just the structure of the estate that we need to reform, but how we manage offenders. I entirely agree with my noble friend Lord Fowler that prison is a place where people are sent as punishment, not for further punishment. If we ensure that prisons are calm, orderly and purposeful places—I entirely accept that there is a need for more purposeful activity—the skills and habits that they acquire there will prepare them for outside life. We can all benefit from that.

The Secretary of State clearly set out his commitment to “liberating offenders through learning”. Prisoners must use their time in prison advantageously. We must offer them a chance to obtain qualifications and skills—I note what the noble Baroness, Lady Benjamin, said about that. I welcome the opportunity to visit prisons where that is going on: it is a vital part of the Government's reform agenda.

We know that one in five prisons has an “inadequate” standard of education provision and two in five require improvement, according to Ofsted. That is why we have commissioned Dame Sally Coates to chair a review into the quality of education in prisons, which will report in the spring. Talking of reporting, of course I accept what the noble Lord, Lord Beecham, said: Mr Hardwick is there to provide an independent report to the Government on the state of prisons. That is important for him and his successor, and we should be able to take criticism robustly and respond appropriately. Their independence is crucial.

While the review by Sally Coates is going on, work is under way to improve the quality of learning and skills provision in prison. These measures include improving support for prisoners with learning disabilities—unfortunately, many have them—developing more creative teaching methods and collecting better management information. Giving poorly educated adults a basic level of literacy and numeracy is vital, following tried and tested methods, and the current failure to

educate prisoners well is hard to defend. I do not think the House will need much convincing about the Secretary of State's attachment to the importance of education.

Meaningful employment is crucial. It is a vital part of the Government's approach to support those who have committed a crime to get out of the cycle of offending. We are keen to increase the number of employers who engage with prisoners and offenders to offer them employment opportunities. We hold an Employers' Forum for Reducing Re-offending, chaired by the CEO of Timpson, James Timpson, which brings together employers who support the employment of offenders to share their experiences and promote the benefits of employing offenders to other businesses. We have built a relationship with several employers, including Halfords, which provides work for prisoners in its academy, which is run in a prison and employs the prisoners on release if they positively engage on their 16-week course. I have had several conversations with the Prisons Minister, Andrew Selous, who is particularly keen on and pleased with the progress that has been made in this regard.

We are also anxious that there should be greater autonomy at a local level for prisoners—a point made by my noble friend Lord Fowler and the noble Lord, Lord Beith, with his considerable experience of justice issues. That is a form of localism in the Prison Service. The noble Lord made the interesting point that Texas has brought about a strange consensus between the political parties on the way forward in that regard.

I could respond on the issue of IPP prisoners at considerable length; unfortunately, I do not have time to do that. Suffice it to say that we are progressing well in the number of courses available to IPP prisoners. We are also in the process of reducing the backlog for hearings before the Parole Board. As I told a number of noble Lords at a recent meeting, there remains the question of the Secretary of State's powers to change the test for release. That is a matter which he continues to consider carefully. I will make sure that I faithfully transmit all messages from this House and noble Lords about the need to do something about that.

The points of the noble Lord, Lord Bradley, were well made. We are aware of the importance of reviewing the working of ROTL and liaison and diversion services. The Secretary of State has well in mind a possible wider review of sentencing. Similarly, several noble Lords, including my noble friend Lord Cormack, emphasised the importance of restorative justice.

Finally, my noble friend Lord Trefgarne rightly drew our attention to the plight of older prisoners, who are becoming a particular, somewhat unusual, feature of the prison population. That is partly to do with so many offenders having been committed for ancient offences of sexual abuse and the like. All prisoners, regardless of age, need to be treated in a humane manner that reflects their needs. That is a matter we should attend to particularly carefully.

I am grateful to all those who have taken part in this excellent debate and to my noble friend Lord Fowler for initiating it. The Secretary of the State and the Ministry of Justice will have learnt a great deal from it.

2.06 pm

Lord Fowler: My Lords, I thank the Minister very much for his reply, which was very constructive and will be well received. There were two significant features of this debate. First, there was vast agreement on the changes that are required. Prison is not remotely the right place to tackle mental health problems or, for that matter, drug abuse, points made by the noble Lord, Lord Bradley, and my noble friend Lord Suri. The central issue remains the overuse of prison and the overcrowding that goes with it. That point was made by my noble friend Lord Cope and the noble Lords, Lord Dholakia, Lord Beith and Lord Ramsbotham, to whom we owe so much. More needs to be done to consider the position of women prisoners, as mentioned by the noble Baroness, Lady Healy, and the noble Lord, Lord Judd. There is a range of other issues, not least the roots of crime going way back to life before prison, raised by the noble Lord, Lord Harris, and my noble friend Lord Cormack.

The second significant feature of the debate was that it just showed how much good will there is for the new Justice Secretary. I hope that is recognised. It was shown in the powerful speech of the noble Lord, Lord Carlile. It was shared by the noble Lord, Lord McNally, who agreed—reluctantly, I think, but he agreed nevertheless—with old Tories like me and my noble friend Lord Forsyth. The noble Lord, Lord Beith, also mentioned the rather strange Texan coalition. The message of this debate is that we wish the new Justice Secretary well and now look forward to the action that is so necessary to reform a Prison Service which cries out for change. Above all, we wish him well in this vastly important job.

Motion agreed.

North Korea: Nuclear Test *Question for Short Debate*

2.08 pm

Asked by Lord Alton of Liverpool

To ask Her Majesty's Government what is their assessment of the security and human rights challenges on the Korean Peninsula following North Korea's recent nuclear test.

Lord Alton of Liverpool (CB): My Lords, 2015 marked the 70th anniversary of the division of the Korean peninsula. That division was the prelude to the 1950-53 war, which led to the deaths of about 3 million people, including 1,000 British servicemen.

Throughout the intervening seven decades, the danger of a repetition of that carnage has hung like a pall over the region. For more than 10 years, during which I have chaired the All-Party Parliamentary Group on North Korea, that group has tried to shine a light on security threats and the day-to-day egregious violations of human rights. These are themes of the Question before your Lordships today. I am particularly indebted to all noble Lords who will participate.

North Korea's failure to make constructive moves on these questions was thrown into sharp relief by the unverifiable claim in North Korean state media on 6 January that it had conducted its first hydrogen bomb—thermonuclear weapon—test. Ban Ki-moon described these actions—this fourth nuclear test—as “a grave contravention”.

When the Minister replies, I hope that she will give us her own assessment of the test which has taken place, and perhaps say how long she thinks it will be before we know whether this was fusion rather than fission and whether hydrogen isotopes were used in the nuclear chain reaction. Also, how far away do we think North Korea is from miniaturising a nuclear weapon and from utilising its submarines to launch nuclear attacks? These have obvious security implications for the United States of America and Europe, as well, of course, as for North Korea's regional neighbours.

What we do know is that Chinese citizens living in the neighbouring Jilin province, which I visited, felt the buildings shake and residents feared an earthquake. The Comprehensive Nuclear Test-Ban-Treaty Organization reported seismic signatures with a magnitude of 4.85, consistent with previous North Korean nuclear tests. Whether a hydrogen bomb or not, this action is yet another road block in securing a lasting peace and it represents a serious international security threat and destabilises the region. In addition, it is in flagrant violation of the United Nations Security Council Resolutions 1718, 1874, 2087 and 2094. I should be interested to know from the noble Baroness what more the Security Council will be saying about this.

I hope that she will tell us what response the Foreign and Commonwealth Office received from the North Korean ambassador when he was summoned to the Foreign Office on 7 January, and what the Foreign Secretary had in mind when he told the House of Commons that North Korea will,

“face increasing isolation and further action by the international community”.—[*Official Report*, Commons, 13/1/16; col. 22WS.]

I wonder whether the Foreign Office sees this test as an act of defiance by Kim Jong-un and an attempt to bolster his authority. What does it make of the continuing systematic executions, including members of his family? In 2013 his uncle, Jang Song-thaek, who was seen as reform-minded and close to China, was executed. Jang had questioned an ideology which has paralysed economic development and incarcerated hundreds of thousands of citizens, and which has conferred pariah status on the country. He was close to China and admiring of its reform programme. His death was followed by the execution of around 70 officials in the last year. North Korea's Defence Minister, Hyon Yong-chol, was shot with an anti-aircraft gun from close range in April. It was then reported that North Korea's vice-premier Choe Yong-gon was executed by firing squad this year, after showing discontent with Kim Jong-un's policies.

Kim Jong-un knew these men well, but this did not save their lives. In this reign of terror, killing those who are not part of your circle is even less of an issue. The purges, the reign of terror, the falsifying of history, the show trials, the network of gulags—where an estimated 200,000 people are incarcerated—the 400,000 said to have died in the prison camps in the

[LORD ALTON OF LIVERPOOL]

last 30 years, and the attempts to obliterate religious belief and all political dissent bear all the hallmarks of a regime that has carefully studied, admires and imitates the visceral brutality of Joseph Stalin. The authoritarian dynastic regime in North Korea ruthlessly crushes dissent, and through its policy of guilt by association, collective punishment and the execution of men like Jang is trying to ensure that there is no Kim Dae-jung, Lech Walesa or Dow Aung San Suu Kyi able to become a focal point for opposition.

We can see these killings either as a display of strength or the actions of a weak regime, paranoically trying to cling to power at all costs. Of course, the creation of mass fear is a time-honoured technique of dictators from Nero and Caligula to Ceausescu and Stalin. But China's role in all this is surely crucial. I wonder how the Minister evaluates the extent of China's influence on the regime. It previously described North Korea's actions as "brazen", but notwithstanding the presence of a senior Chinese emissary at last year's Workers' Party anniversary celebrations, what do we make of China's relationship with North Korea today? Will China's irritation be reflected in energy assistance to North Korea, or will it be dissuaded through fear of regime collapse and the flow of refugees across its 800-mile border with North Korea?

If North Korea is in total contempt of its obligations under the nuclear non-proliferation treaty, and by its refusal to permit full access by the International Atomic Energy Agency, its contempt for human rights puts it in a league of its own. The publication of the United Nation's Commission of Inquiry report into human rights violations in North Korea, described by the commission as "without parallel", was a defining moment. In that 400-page report, it said that North Korea's crimes against humanity are *sui generis*. It stated:

"The gravity, scale and nature of these violations reveal a State that does not have any parallel in the contemporary world".

It is in breach of pretty well all of the 30 articles in the 1948 Universal Declaration on Human Rights.

Hea Woo, a Christian who escaped from one of the camps, gave graphic and powerful evidence at one of our Westminster hearings. She described routine torture and beatings and how prisoners were so hungry that they were reduced to eating rats and snakes or even searching for grains in cow dung.

I ask the noble Baroness: how have we taken forward the Commission of Inquiry report and its call for the prosecution of those responsible? Why, of the 2016-17 FCO fund for human rights and democracy, which has been doubled to £10.6 million, has just £4,261 been spent in Pyongyang in nearly two and a half years? Can she also say what we have done to raise the plight of the more than 50,000 North Korean workers sent overseas to around 20 nations, where they are treated as virtual slave labour but earn the regime \$300 million annually? What action are we taking on companies, third-party banks and countries which are breaking sanctions and providing revenues to this regime? Crucial to transforming North Korea will be the breaking of the information blockade. I applaud the decision of the BBC to commence broadcasts to the peninsula and hope that we will be given an update on this important development.

Does the Minister accept that hand-outs can bolster this regime? Although food should never be used as a weapon of war, it is worth saying that North Korea's food gap could be closed for something in the order of \$8 million to \$19 million. That is less than 0.2% of its national income, most of which is currently being used on military programmes.

Last year, following an influx of food aid, the regime sent groups of students around to destroy private agricultural plots. The regime's opposition to reform has led to starvation and death. People suffer while the regime spent more than \$1 billion on the launching of two rockets in 2012 and 2013, \$200 million on Kim family celebrations, and \$300 million on luxury facilities, including ski resorts and riding grounds.

North Korea is surrounded by three of the world's largest economies, yet close to 70% of the population suffer from malnourishment. It persists with its vast and brutal network of concentration camps, and millions of women are subjected to unimaginable levels of sexual and other violence while children are indoctrinated and forced to endure manual labour.

Since 2000 we have had diplomatic relations with the DPRK and in that time the regime has conducted four nuclear tests, launched unprovoked military attacks on South Korean targets, has bolstered its standing army—one of the largest in the world—and has been condemned for the worst human rights record in the world. It is not unreasonable to ask how and in what ways we think we are making some kind of difference. I look forward to the debate that will follow and to the Minister's reply.

2.18 pm

Baroness Berridge (Con): My Lords, thankfully North Korea is the only closed country and I think this should give us hope, as many who grew up in or in the era of Eastern Europe and the USSR thought that freedom would never come, but it did. Kim Jong-un's leadership will end, and through the work of people like the noble Lord, Lord Alton, awareness of the plight of North Koreans has risen dramatically over the last decade.

These unparalleled systematic human rights abuses in North Korea are indeed well documented by the commission of inquiry of Michael Kirby, and in relation to religious freedom violations by the inquiry of the all-party parliamentary group, which was chaired by the noble Lord and published its report last year. The only detail that I can add to that report that moved me recently was to hear that teachers in schools in North Korea are asking pupils to tell them whether their mum and dad have a hidden little black book at home. Unwittingly these children come forward, and of course, what is hidden is a Bible and their parents are arrested and disappear. These reports have shown the need to break the information blockade. There is also a need to prepare the leadership of the future. There may be more that can be done to prepare, and I wish to focus this afternoon on practical solutions and things within our power here in the United Kingdom.

The decision, referenced by the noble Lord, of the BBC to begin a daily short-wave news service is a step forward in breaking this information blockade. It would

be helpful to know the detail from my noble friend the Minister. When does the Foreign Secretary expect to be asked to agree to this service and what is the current Foreign and Commonwealth Office position on whether it can extend beyond news to other broadcasts?

There are many interesting studies on the growing cultural, linguistic and religious differences between North Korea and South Korea. In the 70 years since the division of the peninsula, North Koreans have been taught to worship their political leader like a god, but South Korean society is pluralistic and has recently seen a huge growth in the Christian faith in particular. In 1945, only 2% of South Koreans were Christian; now 30% are. Those growing differences mean that the 26,000 or so North Korean refugees in South Korea often find it hard to integrate, and feel like second-class citizens. According to a BBC report late last year, 14% of defectors from North Korea in South Korea who have died committed suicide. I would be grateful if my noble friend the Minister could confirm whether Her Majesty's Government had spoken to South Korea outlining our concerns around the integration of those refugees into its society. Until the South Koreans address this problem, the push factor forcing North Koreans to flee South Korea will mean that some will continue to arrive here in the United Kingdom, applying for asylum. Australia and Canada, among others, face a similar issue.

Even highly qualified doctors from the north struggle to make the transition to the south. Surely the international community can help with specific plans to skill up professionals for the future of North Korea, and not see those valuable skills go to waste. I can fully understand the comments in the Security Council last November that the international community had struggled to agree a plan of action in relation to the Kirby report. However, a plan to ensure that North Koreans can remain in the region and that those abroad are trained up, ready for reunification, is in the doable category, which is often sparsely populated with solutions to many of the tragic situations that we discuss in your Lordships' House.

I turn briefly to the leadership of the future. Even if the South Koreans solved the integration problem tomorrow, there would still be approximately 1,000 North Koreans who have been granted refugee status here in the United Kingdom. If North Korea became free tomorrow many might travel there, hoping to be part of the future of the country. Then the Westminster Foundation for Democracy would ask MPs and Peers, via our political parties, to go out there to train up the future politicians. As North Korea is a unique case—we have no access to train people in North Korea—could the Foreign and Commonwealth Office or the human rights and democracy fund merely ask the WFD specifically to see if half a dozen folk among our 1,000 refugees had the potential skills and competence to be future leaders and invest in them here? I am sure that many in your Lordships' House would respond to the persuasive power of the noble Lord, Lord Alton, and be happy to help. That would really cost very little—definitely cheaper than flying us out there, and so much better value for money for the UK taxpayer in the long term. If your Lordships were involved, we could make requests of the royal colleges, Bupa or

AXA to train up one North Korean doctor; we would not be requesting them to do something that we had not started doing here ourselves. More things could be done to prepare for reunification than we at first think, and many of our allies—particularly Germany—may have other relevant experience to offer.

I hope that there is a plan for the future under the leadership of South Korea, as well as a plan to bring to justice those who have committed human rights abuses. When nations change, there is often a symbolic moment. In Iraq in 2003, that was the toppling of the statue of Saddam Hussein. In North Korea when that moment comes, many statues of Kim Jong-il and Kim Jong-un will be toppled. I believe that that will happen in my lifetime, and I hope that we are ready for that moment.

2.24 pm

Lord Rowe-Beddoe (CB): My Lords, I thank my noble friend Lord Alton for securing this short debate. The DPRK—the Democratic People's Republic of Korea—is in itself a name that would not qualify under any trade descriptions Act. It is not democratic; it does not represent the people; neither is “Korea” correct, for that implies the whole peninsula. However, that is but a comprehensive illustration of the nightmare that this world has to confront and face.

Unlike my noble friends Lady Cox and Lord Alton, I have never had the opportunity to visit, although I have certainly viewed the 38th parallel closely on my many business trips to the south over the past 20 or so years. I speak therefore from second-hand knowledge, by study, by observation, by discussions with people from the south and—all-importantly—from encounters with refugees living in or visiting the United Kingdom.

I wish to use these few minutes to highlight one thing: the importance of breaking the blockade of information, as was mentioned by my noble friend Lord Alton. Why have we not seen a popular uprising against the regime, or perhaps acts of mass civil disobedience? It is due partly to the physical brutality of the regime but, significantly, also to the indoctrination of the North Korean people, whose Government wish to ensure complete psychological control over the entire population. It is therefore forbidden to access foreign media. All North Koreans are exposed to state-controlled media in their homes, work and public spaces. As well, all television and radio—state information—is broadcast through fixed-line speakers in every household. Those speakers are inspected frequently to ensure that they function and cannot be turned off. One refugee stated to a United Nations commission of inquiry:

“You are brainwashed from the time you know how to talk ... North Korea is ... a fenced world ... They want the people to be blind, deaf to the outside world”.

The United Kingdom Government had been unconvinced that radio broadcasts would reach sufficient numbers of North Koreans due to a lack of radios. However, after persistent lobbying discussions—if I may use that word—by members of the all-party group, at last, in 2015, our noble friend Lord Hall, director-general of the BBC, declared that the World Service would reach out to North Koreans through a daily news programme on short wave. The BBC is of

[LORD ROWE-BEDDOE]

course aware of the consequences for those caught consuming foreign media, but should it not broadcast into North Korea for fear that citizens, if caught, are tried and perhaps executed for listening? I believe the answer to be emphatically no. Although the risks are high, there are even greater consequences of inaction. Pyongyang will of course attempt to answer, censor and jam the broadcasts. No doubt it will lodge formal protests to our embassy and open, yet again, the bag of threats. However, in an age of global interconnectivity, it is my belief that such actions will be diminished in their harm.

For a BBC service to become a reality today, the corporation has to put together a team to decide and deliver the content. I hope that this will include UK-based North Korean refugees. Once that is done and costed, I understand that the plan will be submitted to the Foreign Secretary, who will then be required to approve the service. Perhaps the Minister will comment on a timetable. It is my sincere hope that the Foreign and Commonwealth Office sees such broadcasts as complementary to its own efforts to improve human rights within that country.

2.29 pm

Baroness Miller of Chilthorne Domer (LD): My Lords, I thank the noble Lord, Lord Alton, for giving us this opportunity to debate this important issue. I will concentrate my remarks on the security aspects following the nuclear test. In doing so, I declare my interest as co-president of Parliamentarians for Nuclear Non-proliferation and Disarmament.

It is both heartening and disheartening that, in these last few weeks, we have had the great example of success of talks in Iran and then the very disheartening example of the nuclear test in Korea. It shows what the nuclear non-proliferation treaty and associated treaties are up against. It goes to the heart of our obligations under the NPT—by “our”, I mean in particular the nuclear weapons possessing states, the P5 plus.

Noble Lords will remember that the nuclear non-proliferation treaty began life in 1970. In fact, North Korea acceded to it in the mid-1980s, but it never came into compliance and it withdrew from the treaty in 2003. The treaty has an unprecedented number of countries belonging to it—191, in fact—which could make it the most successful arms-limitation and disarmament treaty that there is. Only four UN member states have never joined the NPT: India, Israel, Pakistan and South Sudan. Today’s debate is not the time to discuss the implications of that, but it is something that we need to keep in mind.

The point I make is that the situation in North Korea has been decades in developing. In nuclear terms, we knew, once it withdrew from the treaty in 2003, that we had a real problem on our hands. The question for the Minister is: who does she believe is in the best position to start that dialogue with North Korea about nuclear issues now? I noticed the comments of Mr Blinken, Deputy Secretary of State for the US, that China should take the lead. He said that the United States believes that, “China has a special role to play”.

If China is to be the one to take the lead, there has to be a real push from all of us other countries for China to do so.

The point I would really strongly like to make is that every country concerned with nuclear material has a special role and responsibility. Being part of the so-called nuclear club may, some believe, give you added status as a world power and the added security of owning a deterrent. Personally, I do not believe that either of those is inevitably correct. However, it is indisputable that, as a member of that nuclear power club, one has a special duty to ensure the safety of non-nuclear states and the rest of the world. In this context, China has a duty to do everything it can do to denuclearise North Korea. Because it is probably closer to North Korea than anyone else, China is in the best position to do so. I have no doubt that there are incredibly complex political considerations and insecurities that will influence this, but the overwhelming danger of proliferation of nuclear weapons means that that issue has to take priority.

For our part, we—the UK, USA and France—should see nuclear material as a potential continuum from energy to material for bombs. The purpose of the various treaties—the Fissile Material Cut-Off Treaty, the CTBT and the NPT—is to contain it and make it as safe as possible. Of course, the USA undermined the NPT with its civil nuclear deal with India, which, as I mentioned, is not a member of the NPT, even though it had not joined the club. Israel is allowed to remain in the position where it does not declare its nuclear weapons. In that continuum, the UK also made a decision—there may have been behind-the-scenes talks about this, I do not know—to allow the Chinese to buy into Hinkley Point. That is tacitly saying that all is satisfactory with the Chinese attitude to nuclear material in general and the treaties governing it, but clearly that is not in the case as far as North Korea is concerned.

The logic by which the P5 plus decide who shall and shall not be a nuclear state has not been historically arrived at by the logic of those that are the most responsible countries. But it is by virtue of being in the P5 that we have to exercise our responsibilities in every possible sphere, including trade, and make it quite clear to those whom we trade with and those who can influence other people—in this case, China and North Korea—that there is a continuum in nuclear material and that we have to stay within the terms of the treaty.

2.35 pm

Baroness Cox (CB): My Lords, I warmly congratulate my noble friend on his tireless work on North Korea, and on opening this debate with characteristic comprehensiveness. I have had the privilege of travelling to DPRK with my noble friend three times, and of meeting many refugees and escapees, whose heartbreaking accounts of horrific violations of human rights remain ingrained in my heart and conscience.

In addition to echoing the serious concerns highlighted by my noble friend and other noble Lords, I wish to highlight specific concerns regarding infringements of freedom of religion and belief, including the recent arrests of two foreign nationals. First, Hyeon Soo Lim,

a South Korean-born Canadian Christian, is a 60 year-old pastor. He is a Canadian citizen, but he was sentenced last December to life imprisonment with hard labour, accused of using religion to overthrow the state and harming the dignity of the supreme leadership. He had previously made many visits to DPRK and engaged in humanitarian work supporting an orphanage, a nursery and a nursing home. A CNN report emphasised:

“It is this tremendous love for the people of the DPRK that motivated Mr. Lim to travel (there)”.

Unusually, he was recently able to give an interview to CNN, in which he described being forced to work for eight hours a day digging holes. He is believed to be in poor health, but all he asks for is a Bible and letters from his family. I understand that Canadian government officials have so far been denied access to him. Secondly, a Korean-American pastor, Kim Dong Chul, has been arrested on spying charges.

The arrest and detention of these two foreigners is deeply disturbing as they illustrate the Pyongyang regime’s attitude to human rights and religious freedom. I ask the Minister: what response is the United Kingdom making to these arrests, and, particularly given our diplomatic presence in Pyongyang, what support has the UK given to the efforts of Canada and the United States regarding these two cases? More generally, what more can the United Kingdom do to address the violations of freedom of religion or belief in the DPRK?

On the same topic, I highlight serious concerns about a recent statement by the World Council of Churches. On 28 October last year, the WCC’s Forum for Peace, Reunification and Development Cooperation on the Korean Peninsula issued a Pyongyang appeal following a visit to DPRK. I entirely support efforts to pursue constructive and critical engagement with the DPRK. Indeed, my noble friend Lord Alton and I have participated in such direct engagement during our visits, so I endorse some of the WCC’s recommendations, particularly for exchanges between North and South Korean citizens, cultural and academic exchange, and engagement.

However, I and many others are deeply concerned that the WCC’s statement and an accompanying report issued by the Asia secretary of the Church of Scotland’s World Mission Council ignore the horrific human rights violations and the severe persecution of Christians, documented by the UN commission of inquiry report. Instead, the WCC’s statement calls on,

“all churches, church-related organizations and people of good will around the world”,

to resist,

“the confrontational misuse of human rights”,

avoid,

“the promotion of enemy images”,

and lift economic sanctions. The WCC describes North Korea as,

“a society that is visibly advancing, demonstrating great resilience and self-reliance despite the longstanding and recently strengthened international sanctions”.

In an article published on the Church of Scotland’s website, Sandy Sneddon describes visiting tourist and cultural sites in Pyongyang, including a Protestant church. My noble friend and I visited this Protestant

church and three other churches in Pyongyang—another Protestant church, a Catholic church and a Russian Orthodox church. While we welcome their existence there, they are tightly controlled by the regime, and are widely believed to exist largely for the benefit of foreign visitors. In the rest of the country severe violations of freedom of religion or belief are well documented. The UN commission of inquiry concludes that,

“there is an almost complete denial of the right to freedom of thought, conscience and religion, as well as the rights of freedom of opinion, expression, information and association”.

The regime, according to the UN inquiry,

“considers the spread of Christianity a particularly severe threat”, and, as a result,

“Christians are prohibited from practising their religion and are persecuted”.

Severe punishments are inflicted on “people caught practising Christianity”.

The WCC report makes no reference to the UN inquiry. As my noble friend highlighted, it concluded that,

“the gravity, scale and nature”,

of the violations of human rights in North Korea,

“reveal a State that does not have any parallel in the contemporary world”.

It claims the systematic and widespread violations, described as “unspeakable atrocities”, are continuing, “because the policies, institutions and patterns of impunity that lie at their heart remain in place”.

They amount, according to the inquiry, to,

“crimes against humanity in international law”,

and these crimes,

“clearly merit a criminal investigation”.

In conclusion, I ask the Minister for reassurance that the brutal violations of the rights and freedoms of people of DPRK, including freedom of religion and belief, will be at the centre of any engagement with Pyongyang by Her Majesty’s Government, alongside the priority concerns about the security situation.

2.41 pm

Lord Williams of Baglan (CB): My Lords, like others, I commend the noble Lord, Lord Alton, for obtaining this debate on a country rarely discussed in this Chamber, but one which uniquely suffers from perhaps the most oppressive regime in the world. It is no accident, perhaps, that its godfathers were Josef Stalin and Mao Tse-Tung, who did so much to bring this state into existence in the 1950s.

More than 30 years ago, I worked as the head of the Asia department of Amnesty International and one of the most remarkable documents that we published then was the testimony of a Venezuelan communist, Ali Lameda, who had worked in Pyongyang as a translator and editor and found himself caught up in its Kafkaesque workings, and was arrested and tortured for many years.

Thankfully, in today’s world there are few countries where one can say the human rights position is little better now than it was decades ago. But if one reads the reports of Amnesty International, Human Rights Watch, the US State Department and the Foreign Office itself, it is clear that this is still the case in North Korea. In no significant manner is the human rights

[LORD WILLIAMS OF BAGLAN]

situation any better today than it was 30 years ago. That this is the case is abundantly clear from the report of the Commission of Inquiry on Human Rights in the DPRK, referred to by several other noble Lords, and written by the Australian judge Michael Kirby and the distinguished Indonesian lawyer Marzuki Darusman, and published in February 2014. It reports:

“The gravity, scale and nature of these violations reveal a State that does not have any parallel in the contemporary world”.

For decades, it argues, North Korea has committed, “crimes that shock the conscience of humanity”, which,

“raises questions about the inadequacy of the response of the international community”.

The international community must accept responsibility to protect the people of North Korea. This responsibility is a heavy one for the UK as we are one of only five countries that are permanent members of the Security Council. In that regard, can the Minister assure us that in our dialogue with China, enhanced by the state visit of President Xi Jinping last year, there are regular discussions about North Korea with Beijing? It must, and should, be part of our dialogue with China, the single most important country in terms of influence on North Korea. We also sit on the 47-member UN Human Rights Council, together with China. Can the Minister assure us that we will continue to use that forum to follow up the excellent work undertaken by Judge Kirby and Marzuki Darusman? As Michael Kirby himself stated:

“If the Human Rights Council is not the place to speak up about the atrocities ... then where is the venue?”.

He went on to argue that the crimes against humanity were of such gravity that a case should in his judgment be taken to the International Criminal Court. Can the Minister tell us whether this has been considered with like-minded partners in the international community?

As the register of interests makes clear, I am a trustee of the BBC with a special interest in the World Service, where, indeed, I worked for seven years. In September 2015, the director-general, Tony Hall, declared that the BBC wished to reach out to ordinary Koreans through a new daily news programme via shortwave radio. The director-general wrote about this to the Chancellor on January 5 this year, outlining plans for a Korean service, among other World Service projects. There will also be an online presence. I am delighted that in a letter on 8 January, the Chancellor, George Osborne, agreed to provide £85 million of new funding for the World Service through a grant from the Foreign and Commonwealth Office. In due course, a proposal to establish a Korean service will be placed before the Foreign Secretary, whose approval is needed for the launch of any new language services. Such funding from the Government is imperative for the establishment and continuation of the new service. Some will inevitably question its impact on North Korea, although I am sure that it will gain attention in South Korea as well as the diaspora. However, there is growing evidence that North Koreans, especially those who have worked and lived in China—and hundreds of thousands have—have access to devices that would enable access.

The regime itself has recently allowed the French news agency Agence France-Presse, as well as Associated

Press, to open news bureaux in North Korea. In due course I look forward to a BBC Korean service making its contribution to the improvement of human rights and security on the Korean peninsula that we all wish to see.

2.47 pm

Lord Collins of Highbury (Lab): My Lords, I, too, thank the noble Lord, Lord Alton, for initiating today’s debate and enabling us to focus on a country with probably the worst human rights situation in the world, with summary executions, arbitrary detentions, abductions and disappearances—a country where the tools of the state include forced labour, prison camps, torture and rape. Such flagrant human rights violations cannot go unchallenged.

Shortly after it detonated its fourth nuclear test, North Korean state media issued a lengthy statement justifying the explosion. Their primary grievance justifying it was the 2014 UN commission of inquiry report that accused the regime of grave, systematic human rights abuses against its own people. In the opinion of the North Korean leadership, the United Nations report was nothing more than a,

“conspiratorial human rights racket against the DPRK”—

the Democratic People’s Republic of Korea. The official North Korean rebuttal ran to 50,000 words and claimed that the,

“popular masses enjoy genuine human rights”,

and accused the West of pursuing a “false and reactionary” agenda designed to interfere with national sovereignty.

The DPRK has always been extremely sensitive about its human rights record. The fact that it focused on this issue, after such a significant military provocation, shows how central the issues have become to its battle against the world. It may be that, by bringing the diplomatic spotlight back on to itself, North Korea is hoping to prompt the international community, particularly the US, to negotiate. I have no doubt that it would like to see an end to the state of war and international sanctions, which, whether or not it admits it publicly, have led to huge deprivation and extreme poverty in the country.

The Foreign Secretary, Philip Hammond, quickly issued a Statement strongly condemning the nuclear test as,

“a grave breach of UN Security Council resolutions”.

Of course, as we have heard, the UN Security Council’s swift condemnation following its emergency meeting on 6 January indicated that there should be a robust response, including immediate work on “further significant measures” in a new Security Council resolution. I ask the Minister: what does she believe those “significant measures” should be, and when does she expect the new resolution to be considered?

The Foreign Secretary has also called for concrete action by the DPRK to improve human rights. Last November, Fiona Bruce asked in a Written Question in the other place whether he would request information from the DPRK on the measures it has taken to meet the recommendations of the UN report. The Written Answer referred to a meeting last October in the United Nations and stated:

“We were informed the accepted recommendations were being discussed by the relevant domestic DPRK institutions”.

Has there been any further contact on the need for implementation plans to be shared with the world community?

Peter Wilson, the UK’s Deputy Permanent Representative to the UN, said in the Security Council in December:

“The United Kingdom fully supports the call for the Council to consider how it can best ensure accountability”, of this regime, which of course is so important, “including through considering a referral to the International Criminal Court”.

In answering a Written Question from the noble Lord, Lord Alton, on this issue, the Minister said that the United Kingdom,

“worked with the EU and Japan to co-author a UN resolution on the human rights situation in the DPRK which calls for accountability”.

What further progress has been made on achieving strong support for this resolution?

With South Korea assuming the chair of the United Nations Human Rights Council on 1 January, there is a chance that this could seriously raise tensions on the peninsula. If South Korea leads a global coalition in referring North Korea to the International Criminal Court, I have no doubt that that would be interpreted by the regime as an act of provocation. As the noble Lord, Lord Alton, reminded us, the two countries have been technically in a state of war since 1950 to 1953. The point of raising this is that whatever the tensions and provocations, they must not stop us raising the horrendous violations of human rights in North Korea.

2.53 pm

The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns) (Con): My Lords, I thank the noble Lord, Lord Alton of Liverpool, for calling this important debate and raising these serious issues relating to the DPRK. I, along with fellow Ministers in the Foreign and Commonwealth Office and DfID, appreciate the invaluable work of the All-Party Parliamentary Group on North Korea, of which he is a co-chair. There is a long-standing interest in North Korea, across a broad range of serious and challenging issues, which has informed today’s debate.

As noble Lords have pointed out, it is only a fortnight ago that we saw the regime’s flagrant disregard of multiple UN Security Council resolutions by conducting a fourth nuclear test. It would be inappropriate to go into the technical detail of our assessment of the capabilities of the DPRK’s military position with regard to its current and potential future development but clearly it is something we watch very carefully. Although the noble Lord, Lord Alton, and others referred to the thermonuclear test, we ought to take into account the fact that North Korea also continues to develop its ballistic missile programme—also in contravention of UN sanctions. We know that it has launched missiles from submarines as recently as last year. That is something that we have to consider always.

With regard to the thermonuclear test, the UK responded swiftly and decisively to condemn this serious violation. The Foreign Secretary spoke to his counterparts

in Washington, Seoul, Tokyo and Beijing and called for a robust and united international response. I say to the noble Lord, Lord Collins of Highbury, who raised these matters—absolutely rightly—that we are working within the United Nations Security Council and the EU to deliver this response, which will include a resolution on further significant measures. He asked me for a timetable. I am afraid I am not able to say when that will be achieved but technical work is under way to look at what further sanctions may be imposed that will be significant and effective. We will consider the full range of options open to us during negotiations on those new sanctions measures.

The United Kingdom has also expressed our concern directly with the North Korean regime. I was asked about this by the noble Lord, Lord Alton. My right honourable friend the Minister of State at the Foreign and Commonwealth Office, Hugo Swire, summoned the North Korean ambassador to the Foreign Office on 7 January. My right honourable friend further condemned the test and made it clear that North Korea had a choice: to reform its approach or risk facing further international isolation and sanctions. He added that amid reports of widespread hardship and human rights abuses, the priority must be the health and welfare of the North Korean people rather than the nuclear programme.

Of course, China remains vital to resolving issues related to North Korea and the Korean Peninsula. I was pleased to hear noble Lords concentrating on the importance of China’s role. The Foreign Secretary made it clear on his recent visit to China, as did the Prime Minister when he met President Xi on his recent state visit to the UK, that we share the same goals of security on the Korean Peninsula and respect for United Nations resolutions, and that we fully understand the role of China and the importance of its influence. China, like the UK, does not want a nuclear-armed North Korea. As a P5 member, as the noble Baroness, Lady Miller, pointed out, China has a vital role to play in the implementation of UN sanctions, and we continue to work closely with it on this. We consistently engage with China on DPRK issues, including nuclear and human rights, across the board. That involves specifically the enforcement of sanctions.

As set out in the strategic defence and security review last year, the UK’s independent nuclear deterrent remains essential to our security today and for as long as the global security situation demands. History shows us that threats can emerge without notice but the tools for defending ourselves cannot be built overnight, so the Government will not gamble with the security of future generations of British people. We judge that a minimum, credible, independent nuclear deterrent, based on continuous at-sea deterrence and assigned to the defence of NATO, remains vital to our national security to ensure that the UK is protected from extreme threats that cannot be countered in any other way.

Turning to the critical issue of human rights, we remain concerned by the continuing reports of widespread and systematic state-sanctioned human rights violations in North Korea. The regime’s actions, its lack of international engagement on human rights and its rejection of the United Nations commission of inquiry report remain of deep concern. As the Foreign Office

[BARONESS ANELAY OF ST JOHNS]

Minister for human rights, I am indeed engaged in seeing what negotiations can take place with our like-minded partners. I was asked about this by the noble Lord, Lord Williams of Baglan. It is important that we use the range of expertise and influence at the Human Rights Council as well as at the United Nations to be able to exert influence on international views of the DPRK.

Comments by the UN special rapporteur on forced expatriate labour, if accurate, appear to provide further evidence of North Korea's lack of respect for international norms. It is important that any country around the world that is hosting North Korean workers should respect the rights of those workers. We continue to press the regime to make tangible progress on its absolutely appalling human rights record, including in the meeting that Hugo Swire had in December with senior visiting North Korean diplomats.

It is only a few weeks ago that the UN Security Council met to discuss the human rights situation in North Korea. So while we consider security as part of this debate today, crucially, we must never ever lose sight of the fact that the regime's appalling approach to human rights denies ordinary North Koreans the rights that we, and many others across the globe, demand for ourselves. The noble Baroness, Lady Cox, outlined a critical issue: it is vital that people should have the right to freedom of religion or belief. Indeed, the constitution of North Korea makes provision for it. It is about time that it took note of its own constitution.

What action are the British Government taking? We work hard in international fora to press for action that addresses North Korea's serious human rights violations. We play a vital role through our policy of critical engagement. The British embassy in Pyongyang works to ensure that the regime is not oblivious to the condemnation of its approach to security and human rights. Our ambassador and embassy staff consistently raise human rights with the North Korean authorities, including freedom of religion or belief, and encourage their Government to implement all the recommendations of the UN's universal periodic review. This work is valued by many of our allies, who may of course not have based an embassy within Pyongyang or North Korea and, as I told the current British ambassador before he assumed his duties recently, it is important that this engagement continues. The embassy also runs a series of projects where we engage with ordinary North Koreans. For many, this is their first encounter with a non-Korean and it is an opportunity to showcase our own values.

I was particularly asked about spending. On Monday, I launched the new Magna Carta Fund for Human Rights and Democracy, in which we have doubled the FCO's democracy fund money for this year to more than £10 million. That funding is available for bids from NGOs and others who work within North Korea but there is a much broader range of spending from government than just that fund. We have a programme spend which has covered humanitarian projects aimed at improving the lives of some of the most vulnerable people in North Korea, including helping to improve food and nutrition for people in rural areas, the funding

of equipment for disabled people and support for children affected by the recent floods in Rajin. Many of our projects are about encouraging change.

My noble friend Lady Berridge asked about the Westminster Foundation for Democracy. In fact, I happened to meet its board yesterday as part of our regular engagement. I will make sure that it takes note of our debate today but it is not for me to tell it what to do. That is not the role of government, but I will invite it to take note of what Parliament wishes it to do. Although DfID does not have a bilateral aid programme with North Korea, its programmes are based on the fact that we can give contributions to multilateral agencies that are working in-country.

The noble Baroness, Lady Cox, asked about two consular cases. We are indeed aware of the media reports regarding US and Canadian nationals. The British embassy in Pyongyang has been in close contact with the Swedish embassy and we remain in that contact because Sweden has consular responsibility. That does not mean to say that we do not take an interest—we do.

With regard to engaging North Korean refugees, which was another question from my noble friend Lady Berridge, the British embassy in Seoul also works towards improving the future prospects of the North Korean refugee community in the Republic of Korea through its English for the Future programme. We also engage with the North Korean refugee community in the UK to share information and listen to their views on our policy towards North Korea, so that we may better address the very issues that my noble friend outlined about the needs of refugees.

I was asked particularly about the BBC World Service, which remains the world's largest international broadcaster. My right honourable friend the Foreign Secretary has discussed proposals for a range of new World Service programming, including for the DPRK, and he will make a decision on whether to support additional services on the basis of any formal request from the BBC Trust. I am not in a position to give a date about when that may happen but when a formal request comes forward, he will make that decision.

The noble Lord, Lord Collins, raised the most important issue—there should be no impunity for crimes such as serious human rights violations. It is not only Governments who have responsibility for this. NGOs take on that responsibility, too, and I pay tribute to the human rights defenders around the world, including those in North Korea, who carry out their work in very dangerous conditions. It is a long battle ahead for us all to achieve conditions of humanity in North Korea. We will not give up, and I know that the British public and this Parliament will not give up.

Litvinenko Inquiry

Statement

3.06 pm

The Minister of State, Home Office (Lord Bates) (Con): My Lords, with the permission of the House, I will repeat a Statement made in the House of Commons earlier today by my right honourable friend the Home Secretary.

“Mr Speaker, I would like to make a Statement about the death of Alexander Litvinenko on 23 November 2006, and the statutory inquiry into that death, which published its findings this morning. Mr Litvinenko’s death was a deeply shocking event. Despite the ongoing police investigation, and the efforts of the Crown Prosecution Service, those responsible have still not been brought to justice.

In July 2014, I established a statutory inquiry in order to investigate the circumstances surrounding Mr Litvinenko’s death, to determine responsibility for his death and to make recommendations. It was chaired by Sir Robert Owen, a retired senior High Court judge. It had the Government’s full support and access to all relevant material, regardless of its sensitivity.

I welcome the inquiry’s report today, and I would like to put on record my thanks to Sir Robert Owen for his detailed, thorough and impartial investigation into this complex and serious matter. Although the inquiry cannot assign civil or criminal liability, I hope that these findings will provide some clarity for his family, friends and all those affected by his death. I would particularly like to pay tribute to Mrs Marina Litvinenko and her tireless efforts to get to the truth.

The independent inquiry has found that Mr Litvinenko died on 23 November 2006, having suffered a cardiac arrest as a result of acute radiation syndrome caused by his ingestion of polonium-210 on 1 November 2006. He ingested the fatal dose of polonium-210 while drinking tea at the Pine Bar of the Millennium Hotel on the afternoon of 1 November 2006. The inquiry—which in the course of its investigations has considered “an abundance of evidence”—has found that Mr Litvinenko was deliberately poisoned by Andrey Lugovoy and Dmitry Kovtun, who had met him at the Millennium Hotel on the afternoon of that day.

The inquiry has also found that Lugovoy and Kovtun were acting on behalf of others when they poisoned Mr Litvinenko. There is a strong probability that they were acting under the direction of the Russian domestic security service—the Federal Security Service, or FSB. The inquiry has found that the FSB operation to kill Mr Litvinenko was probably approved directly by Mr Patrushev, the then head of the FSB, and by President Putin.

The Government take these findings extremely seriously—as I am sure does every Member of this House. We are carefully considering the report’s findings in detail and their implications. In particular, the conclusion that the Russian state was probably involved in the murder of Mr Litvinenko is deeply disturbing. It goes without saying that this was a blatant and unacceptable breach of the most fundamental tenets of international law and of civilised behaviour. But we have to accept that this does not come as a surprise. The inquiry also confirms the assessment of successive Governments that this was a state-sponsored act. This assessment has informed the Government’s approach to date.

Since 2007 that approach has comprised a series of steps to respond to Russia and its provocation. Some of these measures were immediate, such as the expulsion of a number of Russian embassy officials from the UK. Others are ongoing, such as the tightening of visa restrictions on Russian officials in the UK. The

Metropolitan Police Service’s investigation into Mr Litvinenko’s murder remains open. I can tell the House today that Interpol notices and European arrest warrants are in place so that the main suspects, Andrey Lugovoy and Dmitry Kovtun, can be arrested if they ever travel abroad. In light of the report’s findings the Government will go further, and Treasury Ministers have today agreed to put in place asset freezes against the two individuals.

At the time, the independent Crown Prosecution Service formally requested the extradition of Mr Lugovoy from Russia. Russia refused to comply with this request—and has consistently refused to do so ever since. It is now almost 10 years since Mr Litvinenko was killed. Sir Robert Owen is unequivocal in his finding that Andrey Lugovoy and Dmitry Kovtun killed him. In light of this most serious finding, Russia’s continued failure to ensure that the perpetrators of this terrible crime can be brought to justice is unacceptable. I have written to the Director of Public Prosecutions this morning, asking her to consider whether any further action should be taken, both in terms of extradition and freezing criminal assets. These decisions are, of course, a matter for the independent Crown Prosecution Service, but the Government remain committed to pursuing justice in this case.

We have always made our position clear to the Russian Government, and in the strongest possible terms. We are doing so again today. We are making senior representations to the Russian Government in Moscow and at the same time will be summoning the Russian ambassador in London to the Foreign Office, where we will express our profound displeasure at Russia’s failure to co-operate and provide satisfactory answers. Specifically, we have demanded, and will continue to demand, that the Russian Government account for the role of the FSB in this case.

The threat posed by hostile states is one of the most sensitive issues that I deal with as Home Secretary. Although not often discussed in public, our security and intelligence agencies have always—dating back to their roots in the First and Second World Wars—had the protection of the UK from state threats at the heart of their mission. This means countering those threats in all their guises—whether from assassinations, cyberattacks or more traditional espionage. By its nature, this work is both less visible and necessarily more secret than the work of the police and the agencies against the terrorist threat, but it is every bit as important to the long-term security and prosperity of the United Kingdom.

The House will appreciate that I cannot go into detail about how we seek to protect ourselves from hostile state acts, but we make full use of the measures at our disposal from investigatory powers right through to the visa system. The case of Mr Litvinenko demonstrates once again why it is so vital that the intelligence agencies maintain their ability to detect and disrupt such threats.

The environment in which espionage and hostile state intelligence activities take place is changing. Evolving foreign-state interests and rapid technological advances mean it is imperative that we respond. Last November, the Chancellor announced that we will make new

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funding available to the security and intelligence agencies to provide for an additional 1,900 officers. In the same month, I published the draft investigatory powers Bill so that we can ensure that the intelligence agencies' capabilities keep pace with the threat and the technology, while at the same time improving the oversight of and safeguards for the use of investigatory powers.

In the Government's recently published national security strategy and the strategic defence and security review, we set out the range of threats to the UK and our allies, including from Russia, and our comprehensive approach to countering these threats. Since the publication of the previous SDSR in 2010, Russia has become more authoritarian, aggressive and nationalist. Russia's illegal annexation of Crimea and its disturbing actions in Ukraine have directly challenged security in the region. These actions have also served as a sobering demonstration of Russia's intent to try to undermine European security and the rules-based international order. In response, the UK, in conjunction with international partners, has imposed a package of robust measures against Russia. This includes sanctions against key Russian individuals, including Mr Patrushev, who is currently the secretary of the Russian Security Council.

This Government are clear that we must protect the UK and her interests from Russia-based threats, working closely with our allies in the EU and NATO. This morning I have written to my counterparts in EU, NATO and Five Eyes countries, drawing their attention to both the report and the need to take steps to prevent such a murder being committed on their streets.

We will continue to call on President Putin, and Russia, as one of the five permanent members of the United Nations Security Council, to engage responsibly and make a positive contribution to global security and stability. They can, for example, play an important role in defeating Daesh, and, together with the wider international community, help Syria work towards a stable future. We face some of the same challenges, from serious crime to aviation security, and we will continue to engage, guardedly, with Russia where it is strictly necessary to do so to support the UK's national interest.

Sir Robert Owen's report contains one recommendation within the closed section of his report. Honourable and right honourable Members will appreciate that I cannot reveal details of that recommendation in this House, but I can assure them that the Government will respond to the inquiry chair on that recommendation in due course.

Finally, I reiterate the Government's determination to continue to seek justice for the murder of Mr Litvinenko. I repeat my thanks to Sir Robert Owen and, in particular, to Marina Litvinenko. As Sir Robert Owen says in his report, she has shown 'dignity and composure' and,

'has demonstrated a quiet determination to establish the true facts of her husband's death that is greatly to be commended'.

Mr Litvinenko's murder was a truly terrible event. I sincerely hope that, for the sake of Marina and Anatoly Litvinenko, for the sake of Mr Litvinenko's wider

family and friends, and for the sake of justice, those responsible can be brought to trial. I commend this Statement to the House".

My Lords, that concludes the Statement.

3.16 pm

Lord Rosser (Lab): My Lords, I thank the Minister for repeating the Statement made earlier today in the other place by the Home Secretary. The inquiry report confirms that the Russian state at its highest level sanctioned the killing of a citizen on the streets of our capital city in an unparalleled act of state-sponsored terrorism. We accept that time must be taken to digest the findings of the report and consider our response.

Before I proceed further, I express our appreciation to Sir Robert Owen and his inquiry team, without whose painstaking work the truth would never have been uncovered and known. I extend our thanks to the Metropolitan Police Service for what the report calls "an exemplary investigation", and to the Litvinenko family's legal team, who, as I understand it, supported them on a pro bono basis.

We express our sympathy to Marina and Anatoly Litvinenko, who have fought so courageously to make this day a reality. While the findings of this report raise international and diplomatic issues, this was first and foremost a family tragedy. Has the Home Secretary met, or does she intend to meet, Marina and Anatoly to discuss this report, its findings and the British Government's response?

We welcome what the Home Secretary has said today in the Statement about Interpol notices and European arrest warrants, along with her announcement about asset freezes. Will she also directly approach all EU, NATO and Commonwealth allies, asking for immediate co-operation on extradition in respect of those named in the report as having poisoned Mr Litvinenko? Since there may be other individuals facing similar dangers, has a review been undertaken of the level of security provided to Mr Litvinenko by the relevant British services to see whether any lessons can be learned for the future?

No individuals commit crimes of this type alone, and today's report confirms that there is a network of people who have known about and facilitated this crime. I understand that Mrs Litvinenko has prepared a list of names to be submitted to the Government, of those who have aided and abetted the perpetrators against whom, she believes, sanctions should be taken. That could include the freezing of UK assets, property and travel restrictions. Will the Minister give an in-principle commitment today to look seriously at that list and those requests?

The Statement indicates that there will be new diplomatic pressure, which we welcome, but given what we know about the way the Russian state operates, do the Government believe there is a case for a wide-ranging review of the nature and extent of our diplomatic, political, economic and cultural relations with Russia?

On diplomacy, do the Government consider that there is a case for recalling the ambassador for consultation and for making any changes to the Russian embassy in London? Given the proven Federal Security Service involvement, are the Government considering expelling

FSB officers from Britain? Has the Prime Minister ever raised this case directly with Vladimir Putin, and will he be seeking an urgent conversation with him about the findings of this report?

On cultural collaboration, given what this report reveals about the Russian Government and their links to organised crime, on top of what we already know about corruption within FIFA, do the Government feel that there is a growing case to reconsider our approach to the forthcoming 2018 World Cup and to engage other countries in that discussion?

On the economy, are the Government satisfied that current EU sanctions against Russia are adequate, and is there a case to strengthen them?

We ask these questions not because we have come to a conclusion but because we believe they are the kind of questions this country needs to debate in the light of today's findings. While the Home Secretary ordered this review, I believe I am right in saying that she originally declined to do so, citing international issues. Will it be considerations of diplomacy or justice that influence the Government's response?

Finally, will the Government commit to coming back to update Parliament on whatever final package of measures and steps they intend to take in the light of this report and its disturbing findings? The family deserve nothing less than that after their courageous fight. Alexander Litvinenko's last words to his son Anatoly, who was then 12 years old, were, "Defend Britain to your last drop because it saved your family". He believed in Britain and its traditions of justice and fairness and of standing up to the mighty and for what is right, and we must now make sure that we find the courage to show his son and the world that his father's faith in us was not misplaced.

Lord Paddick (LD): My Lords, I, too, thank the Minister for repeating the Statement made by the Home Secretary. The death of Mr Litvinenko, although it happened almost 10 years ago, is shocking and tragic, and we hope Marina Litvinenko and her son can find some solace in the findings of this report.

There are fundamental issues at stake here. Sir Robert Owen cites as the motivation for the murder of Mr Litvinenko his criticism of the Russian domestic security service and of the Russian President, Mr Putin, and his association with other Russian dissidents. He concluded that Mr Litvinenko may have been consigned to a slow death from radiation to "send a message". Freedom of expression and freedom of association are fundamental human rights, and we cannot allow foreign Governments to murder people in this country, let alone a British citizen, for expressing such views or for associating with critics of a particular regime. Such an act cannot be left without serious consequences for Russia.

We acknowledge with gratitude the role of the security and intelligence services and the police in keeping us safe, and we accept the Home Secretary's assertion that some of the work the security and intelligence services carry out in combating the threat from hostile states must remain secret. We also acknowledge the constant struggle the police and the security services face in trying to keep abreast of

developments in technology. Any increase in investigatory powers must none the less be necessary and proportionate and must not unnecessarily undermine the right to free speech and the right to private and family life.

Will the Minister explain how the conclusions of this report have come as such a surprise to the Government that it is only this morning that the Home Secretary has written to the Director of Public Prosecutions asking her to consider whether further action should be taken? It is the Government who should already have taken action in freezing the assets and banning the travel of all those linked to this murder. I accept that a head of state cannot be subjected to a travel ban, but there is no reason why the Government cannot signal their intention to impose one as soon as Mr Putin leaves office.

Why are the Government limiting themselves to expressing their "profound displeasure" at Russia's failure to co-operate and provide satisfactory answers? Why are they not expressing their outrage that state-sponsored murder by Russia to silence its critics has been carried out on British soil? The Government's response is late, lame and lamentable.

Lord Bates: I am grateful for the points made on this report by the official spokesmen for the opposition parties. The noble Lord, Lord Rosser, is absolutely right to say that it is a substantial report, and it is right, given that it has been a thorough exercise to undertake this study, that we give it due consideration before we come forward with all our recommendations. He is also right to point to the sections of the report that talk about the exemplary Metropolitan Police Service investigation into this crime, and I know that that will be welcomed as well by the noble Lord, Lord Paddick. Often in such circumstances the police are criticised, but the chair of the inquiry goes out of his way to point out how exemplary they have been.

The noble Lord is right also to pay tribute to the legal team involved in this, and to ask about the security of individuals. The security of individuals is of course first and foremost the responsibility of the police with, where necessary, advice from the security services. We are confident that the police will be looking at the situation very carefully, particularly for individuals who may be at risk.

The noble Lord, Lord Rosser, asked if the Home Secretary will meet Marina Litvinenko, and the answer to that is absolutely. The Home Secretary wrote to Marina Litvinenko last night, and she was provided with advance sight of the report so that she could prepare her responses to it. That meeting will take place very shortly. When it does, that will be the appropriate time to consider Marina Litvinenko's list of names on which she feels further action should be taken. Following that meeting, I will be happy to update the noble Lord and the House on what actions have been taken.

The noble Lord talked about what actions would be taken and whether we would be recalling our ambassador. At present—of course, we are only dealing with the report that has been received now—we certainly feel that the diplomatic channels have immense value in communicating to the Russian authorities our shock

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and outrage at this incident, which did not just involve the murder of a British citizen in the capital of the UK but involved the use of radioactive material that could have had a lethal effect upon many more people. In fact, some of the most disturbing parts of this entire report are those that show how lazy the two people who carried out this crime were and how unaware they were of the danger of the material that they were handling. There are examples of spills that were mopped up with towels. It was horrific behaviour and incredibly irresponsible, and it is amazing that only one person died as a result of it.

On the points made about this by the noble Lord, Lord Paddick, I understand the frustration that will be felt but I draw his attention to appendix 1 of the report, which sets out in some detail the action that was taken. The Home Secretary has taken the action of writing to the Director of Public Prosecutions; following the conclusion of the report, we believe that that is the right course of action. The arrest warrants were issued under the previous Labour Government in 2006 and 2007—very prompt action was taken. Further action has also been taken in the light of the events in Crimea and Ukraine through the European Union, which has gone to the heart of some of the issues which were touched upon as regards cultural and commercial links. The European Union has frozen the assets of five banks, looked at commercial restrictions—and arms embargoes, as one would expect—as well as restrictions on movement. On whether there is more to be done, that is one of the reasons why the Home Secretary has written to her EU counterparts and will continue those discussions in the Justice and Home Affairs Council to see what more can be done, as well as through NATO, to see what more can be done there.

Ultimately, our objective is to ensure that the two people clearly identified as having carried out the murder are brought to the United Kingdom so that they can stand trial and so that the Litvinenko family can get justice for the crime which has been committed. We will not rest or resile from that commitment.

3.31 pm

Lord Blair of Boughton (CB): My Lords, I am not entirely sure that I should declare this as an interest, but this appalling crime took place during my term as Commissioner of the Metropolitan Police. I endorse the Home Secretary's Statement and I am very conscious that the implications of Sir Robert Owen's report are far wider than having anything to do with the police. However, I would like the Minister further to acknowledge something which appears to have been omitted from the Home Secretary's Statement. I would like the Minister to take note of the fact that this investigation was into a homicide by a method never seen before in the history of the world. It presented a unique and immensely dangerous challenge to the investigators themselves. In these days, when the Metropolitan Police faces sustained criticism over a number of unrelated matters, this investigation was in the finest tradition of that organisation. It was not only exemplary but innovative, intelligent, unstinting and astonishingly brave.

Lord Bates: I certainly echo the noble Lord's remarks and pay tribute again to the work of the Metropolitan Police Service. I also pay tribute to the work of the Cyclamen network, which tracks nuclear materials as regards potential terrorist threats, as well as the Atomic Weapons Establishment, which provided important scientific input into the inquiry by identifying what had happened. I am therefore happy to endorse those remarks and confirm my agreement with them.

Lord Judd (Lab): My Lords, I think many of us in this House on all sides will want to congratulate the Government on their firm Statement and in particular to thank Sir Robert for the clear and detailed work he has done and for his honest, forthright report. Particularly in view of what the Minister has just said about the wider implications as regards the lethal radioactivity spread around the capital, London, its transport system and the rest, how will the Government raise this matter in the Security Council of the United Nations, with fellow Governments in the European Union, and, most particularly, in the Committee of Ministers in the Council of Europe? The Council of Europe is of course committed to human rights, and we have a very good opportunity there with other Ministers to put the Russians under close scrutiny as regards this report. I was rapporteur for some years to the Council of Europe on the conflict in Chechnya, and what has happened here is all too characteristic of the gruesome repeated action I came up against in Chechnya and in the north Caucasus in general.

Lord Bates: References to that engagement in Mr Litvinenko's background in Chechnya are contained in a report, which makes very interesting reading. The noble Lord asked about the UN Security Council. There are issues that could be addressed through that forum, but the fact that Russia is a permanent member of it makes some of the discussions that need to be had a little more difficult. However, we have said that the European Union plays a crucial part in our security here, and we have made it clear that NATO also plays a very important part, as do the Council of Europe and the Organization for Security and Co-operation in Europe. We need to get the message out that this is unacceptable and to communicate that as widely as possible.

Lord Cormack (Con): My Lords, my noble friend has rightly paid tribute to the courage and dignity of the widow and the bereaved son. Can he give the House an assurance that he is utterly confident of their security in this country and of their financial security for the future?

Lord Bates: That is a very good point, and it is characteristic of my noble friend to focus on the humanitarian aspects of this matter. I do not have a sufficient understanding of the situation but I give an undertaking to ensure that it is on the agenda when the Home Secretary meets Marina and Anatoly Litvinenko to make sure that any personal needs they have are met.

Lord Ashdown of Norton-sub-Hamdon (LD): My Lords, the Minister mentioned Syria. I do not understand why we regard it as necessary to be weak on the rule of

law at home in order to persuade Russia to do what is in its national interests in Syria. I am sorry to strike a dissenting note to the general tenor so far, but in my view this Statement pretends to roar like a lion but in fact ends up squeaking like a mouse. There is only one new action, and that is to freeze the assets of the two perpetrators, who have no assets in Britain anyway, and shortly to be rude to the Russian ambassador. That is it. Moscow has been found by a British court to have murdered a British citizen using a nuclear weapon in daylight and in public in our capital city, and that is it. Perhaps I may suggest to the Government that they should go away and consider what further action should be taken. When they do so, perhaps they will bear in mind what Mr Putin would do if the tables were reversed and perhaps frame their actions around that.

Lord Bates: We might not go quite that far with Mr Putin as a role model for action. In a sense, I understand the point that the noble Lord is making, but let us remember that this report has come out into the open. It contains some damning verdicts on the Russian Administration, on the FSB and on the Russian President himself, and it poses a number of questions in the international community which we have said need to be answered. I think that the report itself is a step along the path of ensuring that we get justice in relation to this crime and of making sure that it does not happen again.

Baroness Berridge (Con): My Lords, the Minister has outlined the carelessness with which this material was treated here in the United Kingdom. With regard to how this material came to enter the country in the current security context, can he say whether there are proposals to review the systems that we have in place? We are used to being checked thoroughly as we go out of the country but it seems that we do not have any systems for checking that people do not enter the country with this kind of material. Do we need any such systems?

Lord Bates: The Cyclamen co-ordination group, which works with the Border Force and the security services in tracking down this material, does a lot of work in this area. Sections of the inquiry findings point to the fact that, because polonium-210 consists of large molecules, it is extremely difficult to detect through the normal detection methods. We will have to look at that to ensure that we are better at detecting this type of material when it crosses borders or is used within the UK—or anywhere else, for that matter—in the future.

Lord Hayward (Con): In his comments, my noble friend emphasised that he wanted to ensure that the two perpetrators were brought to justice in this country. I heard the Russian ambassador earlier today trying to rubbish the report on the basis that it was written without having been tested in a court. Will my noble friend take this opportunity to send a further message to the Russian ambassador that we are quite willing for these two individuals to be tried in a British court of justice and, if necessary, will he give

consideration to the process that was undertaken for Lockerbie to protect those individuals until that process is complete?

Lord Bates: I am very happy to do that. Of course, that is what we are aiming for. That is the direction and thrust of our policy. We want those two individuals to come to the UK so that they can be put on trial and all the evidence can be put to them, they can seek to defend themselves and a judgment can be made.

Lord Wallace of Saltaire (LD): My Lords, does the Minister think it possible or even likely that the polonium could have entered Britain in a diplomatic bag?

Lord Bates: The report does not go into that level of detail—or certainly not the parts that I have read. That is something that will be examined very carefully because, again, that would ratchet up this issue to a further level of deep concern.

Lord Rea (Lab): I am sure that Marina Litvinenko is extremely pleased that this inquiry was held and that the findings are so definite, but she would be even more pleased if the findings could be tested in law with regard to the two main suspects being accused. Although it seems impossible to get them to come to this country, would there not be a precedent for having a trial in absentia?

Lord Bates: I am afraid that I am not qualified to know whether that is an option. I think that it would be immensely difficult. In effect, there has been an inquiry without their contribution. The evidence was considered and it has produced a pretty damning judgment. As to what the legal options are, I hope that the Director of Public Prosecutions might be able to come forward with something in response to the Home Secretary's letter.

Women: Businesses

Motion to Take Note

3.43 pm

Moved by Baroness Wheatcroft

That this House takes note of the contribution women are making to businesses, the economy and the future economic growth of the United Kingdom.

Baroness Wheatcroft (Con): My Lords, it gives me great pleasure to introduce this timely debate, for it is a chance to celebrate—to celebrate the huge success both of the country and of individuals.

Women have come a long way in a short time. Let us not forget that it was only in 1928 that women gained equal voting rights with men, but it is less than 100 years ago that the Sex Disqualification (Removal) Act enabled the first women to become barristers and solicitors and only in 1997 that a woman became chief executive of a FTSE 100 company. Such was the amazed reaction to Marjorie Scardino getting the top job at Pearson that many appear to regard the event as akin to Dr Johnson's response to a woman being a preacher: "a woman's preaching is like a dog's walking on his hind legs. It is not done well; but you are surprised to find it done at all".

[BARONESS WHEATCROFT]

Well, to find women succeeding in business is no longer any surprise. There are many examples of that success in this Chamber, and I am delighted that we will be hearing from so many of them today, and that the Minister who is to respond had herself a highly successful career in business before turning her hand to politics.

In particular, I am delighted that we will be listening to two maiden speeches, both from women who are making a serious contribution to the business world. My noble friend Lady Rock is a director of a FTSE 250 company, and my noble friend Lady McGregor-Smith, runs the mighty Mitie company and chairs the Women's Business Council, which aims massively to increase the contribution of women to the economy. I have no doubt that they will both have some very interesting things to say.

For too long, women were a wasted resource in the economy. There is now a clear understanding that we cannot afford to squander the talent of half the population. If we could equalise women's productivity and employment with that of men, it could add £600 billion to the economy. I applaud the moves that the Government are making to encourage this change: the right to request flexible working, shared parental leave, and now 30 hours of free childcare for the parents of three and four year-olds.

But it takes time to change attitudes. When I was a working mother, I was somewhat taken aback at a school parents evening to be shown the work of the eldest son, who was then aged five. "My daddy is tall and thin. He is a publisher", he had written. That was largely accurate, if perhaps slightly flattering on the size front, but never the less he was indeed a publisher. He went on, "My mummy is short and fat. She is a typist". It was true because I was pregnant and I typed, but I did so as a journalist on the business pages of a national newspaper. Prejudices are formed early and they can be absorbed from seemingly innocent sources such as children's books.

The remarkable Dame Stephanie Shirley built a fantastic business in the tech field. At the time she started it, in the 1960s, a married woman needed her husband's permission to open a bank account. So she decided to work as Steve rather than Stephanie, because she was sure that someone with a man's name would have a better chance of persuading customers to join the business than a woman would. She built the business up to be worth hundreds of millions of pounds, making 70 of her staff, largely women, millionaires in the process. She has since become one of our leading philanthropists. Her experience, however, led her to remark that, "You can always tell ambitious women by the shape of our heads. They're flat on top from being patted patronisingly".

Things have improved since then. Led by the dynamic and determined noble Lord, Lord Davies of Abersoch, the drive to get more women on to corporate boards has been very successful. In 2011, just 12.5% of FTSE 100 directors were women. Last year that proportion overtook the 25% mark. Now the drive is to increase the number of women directors among the FTSE 350 companies. Astonishingly, in 2011 there were 152 all-male boards in the 350 index. In four years, that number has

been cut by 90% and the Government target now is to bolster the proportion of women on those boards to a third.

I was so relieved that the noble Lord, Lord Davies, and the Government set targets and not quotas. I do not believe that quotas would have been for the long-term benefit of the country or of women. It would inevitably have led to women being put on boards because of their gender and not their ability. Promoting token women is not to anyone's benefit. What boards need is a diversity of experience, skills, talent and outlook.

I believe that women are as diverse as men. I hope that I will not be seen as being disloyal to the sisterhood if I say that, just as women can be thoughtful, caring, kind and ambitious, so can men, but not all women are paragons. Some can be as scheming, ruthless and mean as any man. Both men and women can fall victim to the groupthink that is so damaging to a business. Various studies purport to show that having women on the board has a positive effect on performance. That may be, but might the positive factor be having a board that is not so blinkered, old-fashioned and prejudiced as to close its doors to anyone who does not fit the stereotypical male, pale director image? Diversity is what is required.

I should probably take this opportunity to say that I currently sit on two company boards, one of which is a FTSE 100 company and is, I am delighted to say, chaired by a woman. My experience of being on boards is that generalisations are dangerous. Getting the right mix of people is what is important, irrespective of gender, so it makes sense to choose from the biggest possible talent pool. That means looking at men and women and, equally important, looking at people from diverse backgrounds and, in this global business world, diverse countries.

Although we are making progress at board level, it is among non-executive directors rather than executives that the biggest changes have come. When it comes to executives, we now have six female chief executives of FTSE 100 companies, but the ratio of male to female senior execs is pitiful. I think it is more likely that a man called John will be a senior or chief exec than a woman of any name.

Is this because of a glass ceiling, or is it because many able women choose not to take on those roles? Here, we should not—cannot—ignore the realities of family life. The issue of childcare and, increasingly, the need to look after older parents, undoubtedly impacts on careers. It is true that families are moving towards more shared care between parents, but it still tends to be the mother who carries the bulk of domestic responsibilities.

There is more that companies could do to make it easier for people to balance work and life. For all the talk of flexible working—some companies pay much more than lip-service to it—we still have a long-hours culture in this country and presenteeism is rife. It is interesting to note that this does not in any way equate to world-beating productivity—on the contrary.

One thing I find remarkable is that for many executives, a huge amount of travelling seems to be required. Why should this be the case in an age when videoconferencing is highly sophisticated and Skype is readily available?

It may be that people still believe that it is imperative to do business face-to-face and, on some occasions, it certainly is, but if companies could make better use of technology instead of business class seats and comfortable hotels, more mothers might be encouraged to take on senior executive roles.

I have to say that, in my career, I have never felt discriminated against for being a woman. Indeed, I often found it something of an advantage. As a journalist, when I was younger, older captains of industry seemed quite responsive to being interviewed by a younger woman. Later on, I suspect that younger captains of industry felt comfortable talking to someone who reminded them of their mother.

However, it saddens me to admit that women are still discriminated against when it comes to the matter of pay. There are explanations for why there should be the apparent gender pay gap, but it is so glaring, so consistent, that it is hard to avoid concluding that there is an element of discrimination at work. It would be charitable to think that it was always unintentional. Fifty years ago, it was still largely taken for granted that women would be paid less than men. But the Equal Pay Act came into force in 1970, so it is remarkable that the gap between average earnings of men and women remains so wide—a staggering 19.2% in this country, which is nearly 3% higher than the average for Europe.

Work by the Fawcett Society shows an even bigger gap at the top: the highest-earning 2% of men earn an average of £117,352 while the average for the highest-earning 2% of women is just £75,745—an extraordinary gap of 55%. Now, of course, there are factors to explain the gap, not least the fact that women are slow to climb into those top jobs that pay more. The good news is that among younger people—those under 40—the gap has been narrowed almost into non-existence. But the evidence points firmly towards the fact that older women are not being paid what they deserve.

The Government have pledged to close the gap within a generation and last year announced plans to force companies to publish the figures showing their pay by gender, including bonuses. It is important to keep the bonuses in there because of the belief that men get bigger bonuses than women, either because they demand them or because those handing out the bonuses just think they are more deserving. The figures point to there being some truth in that.

The hope is that, by forcing companies to publish their numbers, it will encourage them to examine their pay structures more carefully. It might, but I suspect that, unless they are forced into disclosing pay by tiers rather than just overall, they will cling to the belief that they are being asked to compare apples and pears. I hope that the Minister today may be able to give us some thoughts on how real change is to be brought about on this front.

Getting more women into top jobs is clearly part of the solution, but it may not be enough. The actress Sienna Miller is clearly at the top of her profession. When she learnt that a film offer made to her would pay her significantly less than her male co-star, she walked away. That option is not available to many women.

However, I do not want to finish on a down-beat note. As I have said, the increased proportion of women in the economy is a cause for celebration. We have girls being enthused about business at school, more women setting up their own businesses than ever before and women running some of our biggest companies. We have a woman chairing the Institute of Directors and a woman directing the CBI. We are not a monstrous regiment, but we are a formidable force. I beg to move.

3.58 pm

Baroness Jenkin of Kennington (Con): I am most grateful to my noble friend Lady Wheatcroft for initiating this debate and I, too, very much look forward to the maiden speeches of my noble friends Lady Rock and Lady McGregor-Smith, both of whom come to this House with considerable business experience and expertise.

Noble Lords may be aware that I spend a lot of time banging on about women's equality in Parliament. As a result of the work I have done in this space, I have been lucky enough to meet and talk to many successful businesswomen and female entrepreneurs who support this. Due to efforts by women themselves, the introduction of voluntary targets, as the noble Baroness said, and government support, progress continues to be made in all areas to increase women's representation in the workplace. The news that 69% of women aged between 16 and 64 are now in employment, the highest number since records began in 1971, is to be welcomed. Here in Parliament, women now make up a record 29% of the House of Commons—not good enough, obviously—and 26% of the Lords.

In the business world, however, the UK still languishes in the bottom 10 of the league table of senior management roles around the world, with women in the UK holding only 19% of these positions. Interestingly, the number one spot is occupied by China, with 51% of senior management positions held by women. I have not studied the correlation but I would be surprised if the success of women in business there is not a significant factor in powering China's economic success.

A study by the McKinsey Global Institute has analysed gender equality in 95 countries around the world, and estimated that closing the gender gap in the workplace would increase annual GDP by between \$12 trillion and \$28 trillion in 2025, depending on how quickly change could be implemented. That is a very big number, equivalent to the economies of China and the US combined. We could create economic value equivalent to two world superpowers in less than 10 years if women's participation in the workplace were equal to men's across 95 countries. The opportunities are mind-boggling.

Some noble Lords will be aware that I speak regularly in debates about international development, encouraging the Government to do even more to empower women in developing countries and making the economic case for doing so. I am delighted that Justine Greening has just been appointed to the UN's High-Level Panel on Women's Economic Empowerment, designed to put the issue on the global agenda, and I am sure we all wish her and the panel every success. However, I am

[BARONESS JENKIN OF KENNINGTON]

struck that we seldom focus to the same extent here at home, where we are still far from reaching our full potential.

It is great news that proportionally more women than men are now involved in business start-ups. In 2014, the proportion of working-age people involved in early-stage entrepreneurial activity was 11%. By gender, the entrepreneurial activity in the UK was 14% among women and 8% among men. From listening to many women who have been involved in starting their own businesses, I know that flexibility in working hours is often a key to balancing work and family life. I personally identify with that, as in 2007 I set up my own business with a partner. That business continues to thrive today and employs 19 people, although I do not think I would be in this Chamber today if I had stuck with the business rather than focusing on other areas of women's empowerment.

I recently asked a number of successful women entrepreneur friends what they thought should be done to support more women to maximise their potential in the workplace. In their view, women tend to nurture their business growth, are financially prudent, and seldom look for a quick exit but focus more on developing a sustainable business. People management and team development skills are paramount, as start-ups are highly dependent on a few scarce people. They told me that it is lonely if they start on their own. An inclusive style, working as a team together with natural mentoring and coaching skills, are strengths often found in women. Of course, that is not to say that successful male entrepreneurs do not display some or all of the same characteristics, but entrepreneurship should be encouraged as an area of growth for women in the economy. The recent paper from the Centre for Entrepreneurs, *Shattering Stereotypes: Women in Entrepreneurship*, is well worth a read for further insight.

More entrepreneurial education, support and encouragement are needed for the next generation of female entrepreneurs—interestingly, they do not like to be called entrepreneurs but want to be called business founders; the word somehow turns them off—with the establishment of high-quality mentoring schemes and networks. I welcome the Government's work in that space, including the new mentoring campaign to be led by Christine Hodgson, chair of Capgemini UK and the Careers & Enterprise Company, but is the Minister confident that all those various initiatives are promoted widely enough? Preparing for the debate made me aware of how much support was available, but I am not convinced that it is easy to find. Might all that activity benefit from being joined up under a single strategy, leading to an entrepreneurial revolution in our schools, further education colleges, universities and beyond? That kind of bold initiative could lead to a considerable economic prize to ensure that the UK continues to be one of the fastest-growing global economies for the next decade and beyond.

4.03 pm

Baroness Rebeck (Lab): My Lords, I am indebted to the noble Baroness, Lady Wheatcroft, for introducing this debate on women's contribution to business and economic growth, not least because it gives a context

for two much-anticipated maiden speeches, from my noble friend Lady Rock—I am pleased to say that she began her career in book publishing—and the noble Baroness, Lady McGregor-Smith, who has done such amazing work as chair of the Women's Business Council, is an important role model for young women, and is a long-serving CEO.

I have been a woman in business since I entered the workforce in the mid-1970s, launching a publishing start-up in 1982 and becoming CEO of one of the largest publishing groups in the UK in 1991—a position I held for 22 years until I became chair.

I join the noble Baronesses, Lady Wheatcroft and Lady Jenkin, in applauding women's achievements, with 69% of women in work—the highest number since I joined the workforce, but still behind 79% of men. I have seen women's attitudes and aspirations towards fulfilling work transform with each generation and I enjoy my millennial daughters' utter intolerance of many of the compromises that I have made in my life. For them, the notion of equalising women's productivity and employment to men's is a real possibility—potentially adding, as the noble Baroness, Lady Wheatcroft, told us, some £600 billion to our economy. But it would depend on a different culture in organisations and, at home, a truly shared responsibility for child-rearing.

But as well as our successes, we also have to acknowledge that there is much more to achieve. There are currently 2.4 million women who want to work but cannot and 1.5 million who are failing to increase their working hours. In the 21st century is it not shocking, as we have heard and will clearly agree on, that in the UK we have a gender pay gap of 19.2%, which is well above the European average? Why is it that 42% of women who work part-time—often involuntarily, many on zero-hours contracts—are three times more likely than men to earn far less than a living wage? These depressing statistics do not fit with the fact that around half of our young women hold a university degree, with significant numbers achieving first-class honours. Why is it that so many are in low- or middle-skilled jobs, well below their qualifications? Depressingly, for these women, little has changed since the 1970s.

Going right back to school, girls outperform boys, but very few are on a pathway towards high-growth STEM subjects, where many high-profile jobs would await them. The CBI reports that girls suffer from pigeonholing in their careers and that 93% of all young people are not getting the careers advice that they deserve. So I suggest that we need to improve career preparation for women, whether in the humanities or STEM subjects, even as early as primary school, because by the time women are exposed to inspiring role models—if they ever are at all—they tend to have already decided on their exam choices and their ambitions are potentially curtailed.

When I speak to girls' schools I encounter such enthusiasm and curiosity, but I often feel like I am a visitor from Mars. There is little continuity or training and few consistent role models for the majority of the 3.7 million young women who are not being prepared to aspire to a career and fulfil their potential in the

workforce. I hope that Christine Hodgson's new independent careers advice company will address these gender issues specifically.

At the same time, millennials—women between the ages of 18 and 34—are more likely to want self-determination and to start their own businesses rather than follow a regimented career. A third of start-ups in Britain are by women aged under 35; 37% of them self-fund and operate their business from home, covering service sectors, probably with limited upsides. They do not tend to move into the tech and science environments that men monopolise—a fact championed by my friend, the noble Baroness, Lady Lane-Fox. I look forward to hearing her views on this. Women are also less likely to seek VC funding than the majority of start-ups by men. Could it be because generally, and not always through choice, they take on the family responsibilities and therefore fear debt and failure more acutely?

Similar dynamics operate in the traditional workforce, where 75% of CEOs and 69% of full-time managers are men. This has pretty much been the case all my working life, as I witness women's career trajectories change once they become mothers, with one-third of managers going on a downward trajectory. It is also at this point—as we have heard, when they are roughly in their 40s—that women's pay begins to deviate from men's in what has been called the “motherhood penalty”.

The argument has been made time and time again that if you add 10% of gender diversity at the top of companies, you add a potential 3.5% EBIT increase, yet the number of senior women leaders remains stubbornly low. There are only 8.6% women executive directors on our top companies' boards. There are 26% women non-executive directors on our top boards—a great achievement of my noble friend Lord Davies and others—but we now need radical action on women's executive careers. Is it a question of unconscious bias in companies and benevolent stereotyping? Or, as Sheryl Sandberg argues, are women failing to “lean in”? Perhaps the Government themselves, a big national employer, could set targets for their executive women's pipeline? I certainly find increased anxiety in the brilliant young career women I mentor, especially when they start a family, as if they have subscribed to some ideal notion of perfect motherhood, blended with perfect work performance—both impossible goals.

Millennial women, for the most part, take a different attitude from my generation. They reject the compromise of working motherhood where all the responsibility rests with women and demand a more equal approach with a partner and much more time flexibility from the companies they work for. Work/life balance is firmly on their agenda. I was lucky enough to be able to afford childcare when I had children, but today the cost of nursery provision is up 33% since 2010, well ahead of any salary inflation. And, unfortunately for anyone working in today's 24/7 environment, how adjusted is childcare provision generally to the majority of working families or, indeed, lone parents, 93% of whom are women working outside the nine to six, nine to five—or whatever—norm?

If women are going to make their full contribution to the workforce, we need a different culture of shared parental responsibility and universal, affordable and flexible childcare. We need to stop demonising working

mothers or colluding in setting up impossible ideals. We need trust and flexibility within companies to allow women—and men—to juggle their lives, and we need finite measures to increase aspiration in schools and universities, followed by focused training and sponsorship in executive pipelines for women. Mentorship and active sponsorship of women in all companies are essential.

These issues are many and complex and, yes, I think it is right that we applaud the contribution of women to business and their current and future potential impact on the growth of our economy, but let us also be aware of the warning signs of lack of progress and stagnation and of unequal access to opportunity, and honestly debate any barriers—practical, psychological and cultural—to women's full contribution to our future.

4.13 pm

Baroness Brady (Con): I congratulate my noble friend Lady Wheatcroft on securing this debate, and particularly the way it has been framed. We are finally talking about the contribution that women can and do make to growth and economic prosperity, instead of being trapped in a debate on equality for equality's sake. There are reasons why we need to empower women in the workplace and they are for the benefit not just of women but of the whole country. Our businesses can do better, innovate more and grow faster if we leverage the talent of the whole country.

Today I want to focus my remarks on opportunity—opportunities for women in business and opportunities for our economic growth as a country, now and in the future. The opportunities for women are simple. They are the same as the opportunities for anyone building a career in business—an access-all-areas pass to any skill set, any profession and any industry, and, in those areas, the chance to go as high as anyone wants to go, from middle management to senior leadership to FTSE 100 CEO. On that note, I pay tribute to and welcome my noble friend Lady McGregor-Smith to this House. Her success in business, as well as her work at the Women's Business Council, is an inspiration to us all.

How do we unlock these opportunities? Our generation is more fortunate than previous ones in that we at least can point to equality before the law. We therefore need to make sure that, first, we empower women with the skills they need to get on in whatever career they choose and, secondly, change culture and attitudes where we need to so that women with the right skills get to the top and do not get sidelined by gender issues.

Take my own industry, football. In 1993, when records began, just 10,000 women and girls played in affiliated league and cup competitions. That number is now 147,000, which is of course progress, but we still have a long way to go. It will not surprise many in this House that there are no female managers in the professional ranks of men's football. But it may surprise noble Lords that just eight of the 24 teams at the recent Women's World Cup were managed by women, and in global professional women's football women manage just 7% of teams. If we can encourage more girls into the sport, this may yet filter through into

[BARONESS BRADY]

management and leadership roles as well, and I commend the FA's targeted outreach programme to recruit more female players and coaches.

Some of the remaining barriers are cultural. Noble Lords may have seen the "This Girl Can" campaign—a celebration of women in sport, designed to challenge the idea that certain activities are not for girls. There is a football example of a woman doing keepy-uppy, with the caption, "I also know the offside rule". I commend such initiatives for helping to show that no part of our society or economy should be closed to half the population. There are lessons here for the wider business community.

Culturally, perhaps the most important thing we need to do is address flexible working and raising a family, as many speakers have said, and end the stereotypes that may still exist in this area. I am pleased, therefore, that the Government have introduced the right to request flexible working as well as shared parental leave. It is important that this is seen as an opportunity for men as much as for women. I think Sheryl Sandberg said it best when she said:

"I look forward to the day when half our homes are run by men and half our companies and institutions are run by women. When that happens, it won't just mean happier women and families; it will mean more successful businesses and better lives for us all".

Of course, for men and women, raising a family does not mean being less committed to building a career.

Then we have to consider the gender pay gap and continue to get more women into senior leadership positions—and pay them. The gender pay gap is the lowest it has ever been but it still exists. We now have no all-male FTSE 100 boards but we still need more female representation. This is the opportunity for women. Of profound importance is the opportunity for our economy, competitiveness and growth prospects if we can empower more women in business and unlock the talents of British people. The Women's Business Council has calculated that if we equalise women's employment to that of men by 2030, we can add at least 10% to GDP. Closing the pay gap does not benefit just women, it benefits the whole economy. Until women earn the same as men, the economy will continue to lose money, currently around £40 billion a year. As the president of the World Bank, Jim Yong Kim, has said,

"gender equality doesn't require trade-offs; it only has benefits. And the benefits accrue to everyone".

We have heard today of the outstanding contributions that women are making to the UK economy, and their potential to do more. Women deserve these opportunities but, more importantly, Britain deserves them. In a fiercely competitive global economy, we need to lever every advantage we can to stay ahead. We still have a lot to do but Britain is ahead of many other countries in maximising women's economic footprint. Let us lock in that first-mover advantage and reap the benefits it can bring for our girls, our women and our country as a whole.

4.19 pm

Baroness Lane-Fox of Soho (CB): My Lords, I, too, add my thanks to the noble Baroness, Lady Wheatcroft, for securing this debate. She may not remember that we first met in 1999, when she wrote about me—I quote directly—"She is overhyped". She wrote with characteristic vim and absolute accuracy, I hasten to add. I was personally overhyped by the excitement of the dotcom boom, which I thought would lead to an incredible redistribution and democratising of the world. In many ways it has, and in many ways unexpected things have happened, for good and for slightly less good.

I would like to talk this afternoon about the potential to unlock even more for women using the power of the internet. There is much to be positive about. To give your Lordships two examples, there is a company that you may not be aware of called Samasource, which was started by a brilliant female entrepreneur in the US. It employs women in developing countries to do outsourcing and data collection and to work for companies all over the world. I was amused to read on its website that one of its key employees—she is also called Martha—said of working for Samasource:

"It's been a dream, me having my own place, paying my own rent, buying my own food. Being independent".

I feel much the same about the internet, I should add.

On the one hand, we have brilliant companies such as Samasource being built and giving opportunities to women all over the world in new ways. At the other extreme, I met a woman this morning at the launch of the Lloyds consumer digital index, which is benchmarking how we are progressing towards being a digital nation. She is called Lisa and used to be a bus driver. Now she makes her own financial products online and has been quite astonishing in building her own business. It is smaller scale but I am sure it will be as big as Samasource soon enough.

I would be telling a terrible untruth, however, if I described any situation other than an internet that is controlled, run, funded, made and used predominantly by men. It is an extremely serious situation. If we look through any cut of the numbers, it is profoundly upsetting. About 4% of the world's software developers, the people controlling and building the internet, are women. About 9% of businesses founded on the internet are run by women. About 10% of venture capitalists in the internet space are women. In the total technology sector here in the UK, 13% are women and there are 17% of women in management positions. On every metric, it is fewer than the number of women in your Lordships' House. This is in an industry that did not exist 30 years ago, and that has grown in parallel with the general acceptance that men and women should be treated equally. We have effectively replaced the establishments and hierarchies of the Industrial Revolution of the last century with hierarchies that look exactly the same. It takes my breath away.

However, I am an optimist and I believe that there is much that can be done. I was so delighted when the noble Baroness, Lady Wheatcroft, referred to Dame Stephanie Shirley, who was in this House this morning having a cup of tea with me but unfortunately could not stay for the debate. There are three big areas we

should grab as a country because if we do not, we will not be able to compete economically and for the better.

The first is to address the enormous skills crisis that we have in our tech sector, using creative and new ways. There are 600,000 empty jobs right now in the UK and there are forecast to be 1 million by 2020. Dame Stephanie gives us an example of how we could fill them differently. What the noble Baroness, Lady Wheatcroft, did not mention in her anecdote about her was that at one point she hired 2,000 women, who were all working from home and all doing coding and software design on hard-core government contracts, such as the black box for Concorde or the Polaris submarine. That was hardly a walk in the park or about flaky projects.

We have lost that capacity to engage women in the incredible design and use of software. Why can we not take some of the 800,000 women who are currently unemployed in this country and train them to fill our skills gap? How much more imaginative could we be by matching some of the challenges that we have? I recently worked on projects that took women who had no understanding of computer science, just basic maths, and in six months they became Java-ready and able to go into work. We should be much bolder in addressing these challenges. We will not have a shot at competing globally if we do not fill these jobs. Let us use the widest possible talent pool that we have.

Secondly, we will design much better products and services if we engage women in their original conception and creation. I am sorry if noble Lords have heard me talk about this before, but there is a well-known example from Apple, which released a health kit that it was touting globally 18 months ago. Apple said, "This will track every single thing you can possibly need to know about your health". That was true—as long as you did not have a baby, had never had a period and were not planning on going through the menopause. There was not one single woman on that development team.

How much better products are when co-created with women at their heart. The former CEO of Twitter, Dick Costolo, said as much when he talked about how Twitter had mucked up completely when it had not considered the issues of trolling, bullying and online abuse. Again, you can bet your life that if there had been one woman on that development team, Twitter might have foreseen that.

This is not just about economic empowerment for the individual but about economic empowerment for the country. I feel so strongly that there is so much more that we can do to address these challenges. No country in the world has put gender balance in the technology sector at the heart of how it builds that sector, and I believe there will be huge economic gains if we do so. The internet is growing—it is not going away, despite many of your Lordships perhaps wishing that it would—and becoming a more, not less, important part of our global economy and the way we work with each other. It is already bigger than our manufacturing industries and is growing to be as big as our services industry. It is very important that we take action right now to make sure that the widest pool of talent is involved in the world that I love and have been so lucky to be part of.

4.26 pm

Baroness McGregor-Smith (Con) (Maiden Speech):

My Lords, I am incredibly honoured to stand here today as a Member of this House and make my maiden speech. From the moment of my arrival, I have been humbled by and thankful for the generous, kind and welcoming support I have received from the staff, officers and Members of the House.

In fact, the kindness of noble Lords almost got me into trouble from the first occasion I arrived in this building. I was waiting for my first meeting with my charming noble friend Lord Taylor of Holbeach when the noble Lord, Lord Puttnam, came across me and suggested afternoon tea. I, however, was unaware that meeting him was not a part of my schedule. I later learned that my assigned minder sent out a search party hunting for me across the Parliamentary Estate, and 40 minutes later, I was found in the Peers' Guest Room having tea. I was very late for the Chief Whip, but left with a strong impression of how kind and welcoming noble Lords are on all sides of the House.

I am hugely grateful to my two supporters, my noble friends Lady Verma and Lord Livingston of Parkhead, for doing me the great honour of introducing me to the House. I also thank my mentor, my noble friend Lady Noakes. This is the first time I have had a female mentor, and her wisdom, guidance and support have been invaluable. She also encouraged me to make my maiden speech today, knowing how passionate I am about this topic.

I am delighted to speak in this debate on the contribution of women to business, the economy and the future of economic growth in the UK, and I congratulate my noble friend, Lady Wheatcroft on securing this important debate. I am also pleased that my noble friend Lady Rock, who I know has a wealth of experience in this area, will be making her maiden speech later in the debate.

On the day of my introduction, surrounded by noble Lords and my family, my only regret was that my father did not live to see the occasion. My unlikely journey to this House took its greatest turn at the age of two. My parents were part of a minority, Muslim community in northern India, and felt our opportunities were limited. My father was also determined to ensure that education and financial independence would be a part of my future as a female. Believing they could build a better life, they made a brave choice to begin again in the United Kingdom. They arrived with nothing but their education and some very big aspirations. My father trained as an accountant, and he and my mother built a successful life here.

However, it was not all easy, particularly financially. I also found the differences between the two cultures very challenging and difficult. Experiencing first-hand the conflicts around race and religion shaped my passion to help make it easier for the next generations. It also cemented my belief that business must play its own role in supporting aspirational Britain by being far more diverse.

In 2007, I was appointed as chief executive of Mitie, and became the first Asian female to run a FTSE 350 business. I never thought I could be a role model, and suddenly I realised I was. We have seen

[BARONESS MCGREGOR-SMITH]

great progress in recent decades but, as a business leader, I still find myself surprised at the lack of other women and mothers I meet at a senior level in business. We also know that women are still more likely than men to be in low-paying jobs.

Achieving gender equality is critical to the growth and productivity of British business and our economy. That is why, in 2012, it was my honour to be invited to serve as the chair of the Women's Business Council, established by the Government to advise on how women's contribution to economic growth could be improved. Our research found that, if men and women's economic participation was equal, this could add 10% to GDP by 2030. If women were setting up and running new businesses at the same rate as men, we would have 1 million extra female entrepreneurs.

As a council, we made recommendations to address the barriers encountered at every stage of a woman's life. We have seen really good progress and really welcome the strong actions that government have taken. These include shared parental leave, the right to flexible working and more support with childcare. But there is still so much more to be done. Childcare in particular is still too expensive in the UK, and continues to prevent women from going back to work. I congratulate the Government on the Childcare Bill, which goes some way to addressing this.

Your Lordships will also be aware of the great strides that have been made in getting more women on boards. The noble Lord, Lord Davies of Abersoch, has made such a huge contribution to this issue. But true workplace equality comes only from having strong representation of women at every level in business. I have set aspirational, self-imposed diversity targets below board level in my own business, and I believe that all organisations, both public and private, should take this approach.

For businesses to be truly diverse, we need to look beyond what we see in people every day and really begin to tackle our unconscious bias. This is about looking for talent and taking more risks on people who do not tick every conventional box—believe in them, back them and help them to achieve their dreams. We must also celebrate more the success stories that we do have in business, and share best practice.

Britain offered unparalleled opportunity to my family and, later, to me. I was really fortunate to have parents and then mentors who believed in me and supported me to realise my dreams of having a career and a family. I genuinely believe that, if I can do it, anyone can do it. We just need to understand what the barriers are for everybody, and how they need to be overcome.

For me, it has never just been about equality, fairness or doing the right thing; it really is about securing our economic future. We should be, and really need to be, a country where every person can aspire to do any job or build any business. We are not there yet, but I know one day we can be.

4.32 pm

Baroness Mobarik (Con): My Lords, I am honoured to follow my noble friend Lady McGregor-Smith. I am sure that Peers from all sides of the House will

agree that that was an excellent speech, and that my noble friend will add substantially to the breadth and depth of knowledge in this House.

As noble Lords have heard, my noble friend Lady McGregor-Smith has spent a decade at the helm of a FTSE 250 company, and I am sure there are a number of FTSE 100 companies vying to have her as their next chief executive. She raises some important points in her speech, such as having strong business representation at executive level, not just at non-executive level. The mention of her family and the inspiration that came from her parents has clearly been a factor in her journey to the House of Lords, a journey which I have no doubt will in turn inspire others.

Women have long contributed to economic growth. They have done so in every sector of the economy, as employees, self-employed, and employers. But they have often faced a subtle discrimination, which has ultimately been to the cost of economic growth both nationally and internationally. As already mentioned, they face many more obstacles in setting up and growing their business and are less confident in their capacities as entrepreneurs. According to the UN, women in the developing world tend to have less access to formal financial institutions and saving mechanisms, and in developed economies women are less likely to have access to the kinds of investments and networks required to grow their business.

The UN reports that statistical evidence shows that: "When more women work, economies grow", and that:

"Increasing women and girls' education contributes to higher economic growth".

In terms of diversity, studies show that more diverse companies perform up to 15% better on average. As *Forbes Magazine* puts it, diversity,

"reduces the risk of 'group think' creating an unhealthy level of unchallenged consensus".

Yet despite the evidence, a gender gap still exists. McKinsey has identified: that to help women better develop as leaders we must design the conditions in which this can take place; that sponsoring, not just mentoring, is important; that neutralising the effects of maternity leave and ongoing parenting responsibilities are key; and that we must place value on a diverse range of leadership styles. Studies have shown that diversity in opinions in board rooms and other decision-making groups leads to better decisions.

In recent years there has been a concerted effort on the part of the UK Government to address issues of gender in the business environment. The report by the noble Lord, Lord Davies, has been mentioned by other noble Lords, so I shall not do so, except to say that despite its success in bringing about significant change there are still areas where it is yet to have an impact. For example, a recent study by *Forbes* stated that the UK's financial technology sector is booming but that financial technology companies are still very much a male domain. Very few women are in managerial roles, and only 9% are at board level positions in the top 35 British financial technology companies.

However, cultural change happens gradually and is difficult to impose. In fact, it is long-standing cultural norms which have influenced what we are discussing today. Of course there has been an argument for

enforcing legally binding quotas to bring about change. In fact, this issue is being discussed as the Scotland Bill passes through this House, with the suggestion that it becomes a devolved issue, allowing quotas for public sector organisations in Scotland. Some would say that there is a case for positive discrimination, but I must admit that I have a problem with the word discrimination, whether positive or negative. By positively discriminating in favour of one group of people we automatically negatively discriminate against another. It simply creates resentment and ultimately does not solve anything. Equally, I do not think that people from the ethnic minorities or women would want to be token people within an organisation; they want to be there on merit and because they have something to offer. As a former chair of CBI Scotland, I would not like to think that I was there as a token woman, but I certainly dispelled all the stereotypes of male, pale and corporate. Perhaps more crucially, the focus should be on better recruitment techniques. For example, how representative of society are the interview panels? Perhaps that is where we need to start to redress the balance so that the changes automatically filter through.

It is true that women are generally underrepresented in many forums. If we take the World Economic Forum currently under way at Davos, just 17.8% of the participants are women at a forum where heads of state, chief executives and investors are discussing issues which impact on the whole global socioeconomic and geopolitical landscape.

However, this debate is not just about things which need to change but about the great achievements that women have made despite everything, the great strides forward in the corporate world, with their significant presence on boards, and the small and medium-sized enterprises owned and led by women that are providing employment and contributing to the economy.

The key in this is education. Looking at the needs of boards, there is a real requirement for financial acumen in this area. Women should be encouraged to take the initiative and go for courses which will equip them better in this regard. As well as encouraging girls to take STEM subjects at school, we should convey that business and enterprise is a very valid career choice. This upward trajectory has to continue. The talent pipeline has to remain populated and carefully nurtured. I congratulate the noble Baroness, Lady Wheatcroft, on securing this debate today.

4.40 pm

Baroness Falkner of Margravine (LD): My Lords, I, too, thank the noble Baroness, Lady Wheatcroft, for securing this debate. Her speech was very much at one with her distinguished career as a journalist and in business, and was elegantly and forcefully presented to this House.

I am going to use my time today to speak about a subject that is not discussed very much but is critical to the long-term health of our economy: the contribution, or the lack of it, from ethnic minority women in the workforce. Those of us who have come from those backgrounds—there have been three of us as yet, with one to follow—know that there is a problem, but actually finding data on it, as I discovered when preparing this speech, is incredibly difficult.

A lot of work has, rightly, been done to highlight gender in business, on boards and in different professions, and to highlight the gender pay gap, the gender penalty and so on. But if you want to disaggregate the data into racial or religious subsets, there is very little material to work with. We are told that, on current trends, by 2050 one in five people in the UK will be from an ethnic minority background. No economy can afford a situation where one-fifth of its population is underemployed, underutilised and under-recognised.

In exploring the topic, I therefore decided to look at employment statistics overall. We know that the UK has been a success story in terms of having weathered the financial crisis and the ensuing recession without a dramatic fall in employment. This week's figures show that the rate for 16 to 64 year-olds in employment is now 74%, but the rate for those from BAME backgrounds is 62%, reflecting a very clear ethnic penalty.

Different minority groups have different outcomes, however. In terms of professional advancement, Muslims seem to do proportionally worse. Research by the think tank Demos—I should declare that I am on its advisory board—shows that only 16% of Muslims occupy top professions, as opposed to 30% across the general population. Of those 16% in top professions, only 40% are women—or, to put it another way, roughly 6.4% of Muslim women are represented in top jobs. You would not have thought so, looking around this Chamber—but I do not think that we are representative of the population as a whole.

In another extensive study by the University of Manchester, which looked at social mobility based on the father's profession, researchers found that while 46% of white women moved up to a higher socioeconomic class than their father, just 28% of first-generation Pakistani and Bangladeshi women moved up from their father's socioeconomic class. Moreover, even in second-generation south Asian groups, men benefited from greater upward mobility than women. I should add that across the board in education, employment and professional advancement, black, Caribbean, Indian and Chinese people did better than Pakistanis and Bangladeshis—although Bangladeshis are catching up now, most notably in education. Looking more closely at this group, another study found that three-quarters of Pakistani and Bangladeshi women were economically inactive. Although those in the second generation were more likely to be in employment than those in the first generation, the rates are still far behind those of other minority groups.

This brings me to something more controversial: the reasons why certain religious groups seem to do less well than others. One reason is cultural norms, often driven by a misrepresentation of religious mores. It is not an accident that Muslim women are less economically active than Muslim men. A survey called *Understanding Society* showed that 44% of economically inactive Muslim women are inactive because they are looking after the home, as opposed to 6% of males. The national figure for those who gave this reason for not working was 16%. When asked why, 52% of the Muslim respondents said, "The family suffers if the mother works". This was compared with just 34% of Christians and 23% of non-religious people.

[BARONESS FALKNER OF MARGRAVINE]

Therefore, a male-dominated culture reflecting the perceived mores of the home country enforces the role of the woman as housebound, often in a multigenerational household where her place can be consigned to being the unpaid home help. I say “perceived mores”, as often the young women, in what might be an arranged marriage, have come here from a country which itself has changed, but the community which they joined here in the UK does not seem to have kept up with those changes.

Disengagement from gainful employment means a lower family income, too. In the Manchester research, 57% of Pakistanis and 46% of Bangladeshis lived in poverty. Anecdotally, speaking to women from these groups, I have seen their desire to improve their lot in life, but the barriers of language, education, culture and the lack of integration are too great for some to surmount.

What can be done? Talking about the first group—those in top jobs—at senior managerial and professional level, surely it is now time to amend the UK Corporate Governance Code. I look forward to the Minister being able to touch on that in her response. This currently says that boards need to pay heed to “diversity, including gender”, but I argue that it is now time to add the word “race” to those characteristics. UK plc can only benefit from becoming more inclusive. It may also be helpful for annual reports to break down the composition of managerial and senior staff into both gender and race categorisations. Where companies provide data, it is all too easy for them to hide behind apparent diversity while women and minorities occupy back-office and admin jobs.

At the more complex level of gender and integration, this will be a long haul, and a more vigorous approach to quantify the economic aspects of the problem is needed. This involves public expenditure on language classes, catch-up and ongoing training—but, above all, it requires shifts in mindset. It is mainly government which can drive change, and it is time it did so.

4.47 pm

Baroness Uddin (Non-Aff): My Lords, I am delighted to follow the noble Baroness, Lady Falkner, as this provides some context to a number of points I wish to make later.

The economic emancipation of women is a critical benchmark on which our social progress must be judged, and it is a fact that in every society women face barriers in achieving their potential as regards education and employment opportunities. I am most grateful to the noble Baroness, Lady Wheatcroft, for allowing us to celebrate women’s contribution to the economy; I do agree about flattened hair, so much so that I had to grab on to my hijab to avoid any further hardening. Like the noble Baroness, I, too, salute my good friend and mentor Dame Stephanie Shirley. I have always believed that she is much missed by this House, and I salute her contribution to autism research, which is second to none in this country.

It is a fact that now, in the 21st century, women are entering the workplace in larger numbers than ever before. However, it is also a fact that for the vast

majority of women their work experience is one of low and often unequal pay and discrimination. Women often make up the larger proportion of the lowest paid and are grossly underrepresented in senior roles in the workplace.

Women’s economic equality, independence and security are often and tragically hugely reliant on a welfare system that fails to reflect the contribution that women make to our economy and society, where women still make up the vast majority of unpaid carers in our homes, for example. Women’s unpaid labour is estimated to be worth tens of billions of pounds to the economy every year, which is unrecognised. Unpaid carers contribute billions to both economic and social health every year. For these and other reasons, benefits tend to make up a fifth of the average women’s income as opposed to a 10th of men’s, and women are more likely to work in the public sector and use a number of its front-line services. Recent austerity cuts to benefits have ensured that women bear the brunt of the reductions in welfare support.

The Treasury’s own figures show that since 2012, 60% of new jobs for women have come from low-wage industries, compared with 39% of new jobs for men. One in four of all female workers is on low pay. The tragedy here is that the fragile nature of low-wage employment means that women are more likely to end up out of work and subsequently in need of welfare support—a vicious and desperate cycle of disempowerment.

We are into the eighth or ninth year of the worst kind of global financial crisis, impacting all economies and, in particular, low-paid women workers. Added to this, and despite five decades of equality legislation, the gender pay gap remains, and is completely unacceptable. We are failing in our obligations to half the population, and our country is unable to utilise the economic influences of women. According to the Women’s Business Council—I was delighted to listen to the noble Baroness, Lady McGregor-Smith, and I welcome her to the House; I very much enjoyed her contribution and look forward to hearing more from her—2.3 million women are not working but want to work, and 1.3 million who are already in employment want to do more hours.

We need to invest in the future of girls and young women to maximise their economic potential in the global market. I commend the Young Foundation, which is based in my local area and whose initiatives support young entrepreneurs. The Women’s Business Council further recommends comprehensive careers advice in schools—something with which I definitely agree.

Recent decades have seen the celebration of BME women entrepreneurs through the formation of network organisations committed to supporting and developing the skills of women. In this context I draw the attention of the House to the work of a small organisation called British Bangladesh Chamber of Women Entrepreneurs. It is a dynamic not-for-profit organisation, supporting businesses of all sizes run by women. I am proud to declare my interest as its patron.

Black Women Mean Business is another organisation set up to unite black women entrepreneurs, providing

support through networking. It was set up in 1992 and is still running successfully today. Numerous private sector programmes encourage minority women to go into business, notable among them being NatWest, which supports numerous projects.

I hope that the House will examine the report *British Muslims in Numbers*, which was undertaken by the Muslim Council of Britain and focuses on the employment of Muslim women. It states that only 29% of women between the ages of 16 and 74 are in employment compared with half of the overall population, and 43% of the 330,000 Muslims in full-time education in a number of local authorities. It also states that Muslim women exceed men in full-time education, but in reality their educational and employment aspiration often is not matched by the opportunities and support that are available to them. Few young Muslims take up apprenticeships.

Forty-seven per cent of British Muslim women were born in this country and do not have language problems. Despite what has been reported, only 6% of Muslims are struggling with English according to the report conducted by the MCB. However, disparities still remain, and a study conducted by Bristol University found that Muslim women were more likely to be unemployed compared with their white female counterparts, despite equality between the groups in terms of being educated to degree level.

Globally, women also tend to be locked out of leadership positions, where gender seems to matter more than ability. Women make up only 5% of the Fortune 500 CEOs and account for only 24% of senior management positions around the world—a point that has already been made. These numbers are fairly consistent across Asia, Europe, Latin America, North America and the Gulf countries. Clearly, the global economy is not using its productive resources effectively. It is tossing away economic growth at a time when it cannot afford such wanton waste. This needs to change. Excluding women simply makes no sense in terms of a country's economy. All that is required is to change economic policy, change laws and institutions, and of course change attitudes and culture. I accept that government cannot change everything and that we need to work together. I also accept that there are limits. However, the solution lies in our grasp for an inclusive society. I hope that we can collectively root out the barriers in the UK that prevent women being recognised as our social capital and open wide the door of opportunity, adding potentially billions to the Treasury.

4.55 pm

Baroness Rock (Con) (Maiden Speech): My Lords, it is a great honour to stand in this place to speak for the first time on a topic close to my heart and reflective of my own personal journey. It is humbling indeed. I do so in the warm and generous welcome that I have received from the doorkeepers, clerks and staff, along with noble Lords on all sides of the House. I would like to thank them for their kind support, advice, guidance and help. I would also like to thank my noble friends Lord Feldman of Elstree and Lord Fellowes of West Stafford, who so graciously supported me at my introduction.

I am emboldened to speak in this debate by the legacy of entrepreneurship and female enterprise in my own family. My great-great-great-great grandfather was John Scott, First Earl of Eldon, who served as Lord Chancellor for over 20 years. While he made his name devising the parliamentary procedures to address the temporary incapacitation of King George III, he was also well known because his wife-to-be, Bessie Surtees, defied the wishes of her father and climbed out of a first-floor window to elope with him to Scotland—surely an early example of female enterprise.

In 1837, Charles and Sarah Eldridge founded our family business, at the Green Dragon Brewery in Dorchester, Dorset. After Charles's premature death, it continued to grow under Sarah's entrepreneurial stewardship, eventually joining forces with the Pope family to form Eldridge, Pope. By 1881, Eldridge, Pope was the biggest employer in Dorchester, and eventually floated on the stock exchange. I am immensely proud of my Dorset roots and the strong history that my family has in the county, so I was delighted to be able to use Dorset in the choice of my territorial title.

I wish to focus on the contribution of women to our economy in three areas. The first concerns placing a greater onus on building a pool of talent—a pipeline for the future. We need to improve the amount and quality of financial education to allow young girls to better consider risk and reward. We also need to increase the number of women who take up careers in STEM subjects. I commend the Government's record on this, with 16,000 more STEM A-level entries for women since 2010, as well as providing a dedicated fund to help women progress as engineers. I declare my interest as a non-executive director of Imagination Technologies, a FTSE 250 tech company and a UK business that is proud to be working with schools and universities to promote technology, engineering and coding. Broadening access to specialist education and training can only help to increase the number of women working in these fields.

Secondly, we need to provide more readily accessible mentoring. We need to make sure that we do not lose out on female talent because of women thinking that business and entrepreneurship are somehow not for them. I am delighted that the Government have launched a new national campaign to recruit high-quality mentors for young teenagers. Inspirational role models will help young people to make big plans for their future. I would particularly like to thank my mentor in this place, my noble friend Lady Wheatcroft, who secured today's debate. It is apt that on a day when we are speaking about the importance of mentors, I have such an inspiring exemplar.

Thirdly, flexible working is perhaps the holy grail of equality in the workplace. Until we reach the stage when flexible working is not seen as being synonymous with "lack of ambition", we will not get enough women in leadership positions, nor will we reap the full economic benefits of greater female participation in the workforce. As has already been mentioned, this potential contribution is estimated to be worth £600 billion by the Women's Business Council, which is chaired by my noble friend Lady McGregor-Smith, who spoke so

[BARONESS ROCK]

passionately earlier in this debate. She is a great role model for the contribution that women can make to the 21st century economy.

My own experience is a mixed one. When I began my career in publishing, my first boss, a woman, provided me with excellent mentorship, demonstrating what it takes to run a business and take risks. It is an industry full of hugely talented women, the noble Baroness, Lady Rebuck, being a noted leader and champion. I have been fortunate to continue my love of publishing and I declare an interest as a non-executive director of a weekly newspaper for children. However, my next experience, working in financial communications, was far less encouraging. There, taking time out to have a family had the potential to be viewed as falling off the ladder entirely. A lot has changed in 20 years, but there is still work to be done.

Ultimately, what is our motivation as an economy and as a country for pursuing these goals? I am of the view that this is not about quotas and equality for equality's sake. This is about businesses being successful. The UK cannot succeed in a fiercely competitive global economy if it is missing out on a large proportion of the talent pool. It is incumbent on us to lay the foundations and provide the right environment. Whether it is about sustainability, innovation or profitability, women can and must play a part to realise our potential as a country. I am proud of my heritage in this field, and speaking now in this place, I hope to be proud of the role that this Government will continue to play in helping women to make a greater contribution to our businesses and to our economy.

5.02 pm

Lord Borwick (Con): My Lords, it is a great honour to follow the maiden speech of my noble friend Lady Rock, a speech which refreshingly followed the conventional format. Yet, as she declared in her interests, she is clearly a lady of imagination too. My noble friend also told us that her great-great-great-great grandparents eloped to Gretna Green, a story which seems to prove her enthusiasm for alliteration. The maiden speech of my noble friend Lady McGregor-Smith was similarly excellent, and we look forward to their future contributions.

The late *Charlie Hebdo* editor, Charb, finished his last work "Open Letter" just two days before he was assassinated in Paris last year. In it, as Amanda Foreman recently reported in the *Spectator*, Charb writes: "No form of discrimination is better or worse than any other". Discrimination, where it means choice based on prejudice, is wrong, not only morally but economically, too. While we all know the moral objections, it is the economic objections to discrimination that are not discussed enough.

In Great Britain, we institutionalised discrimination against women. Within the last 100 years, women could not vote or be elected. Indeed, it was only last year that this House saw females join the Bishops' Bench. Although thousands of entrepreneurial women ran all manner of small businesses in this age of discrimination, they did not really run large businesses. Systems like this gratuitously waste half the brains in

the land and ignore half the entrepreneurs, which is the biggest waste of resources that any country can engage in. Wasting resources on this scale means less help for those who cannot work. I am glad that we have changed.

When I ran Manganese Bronze, the company which manufactured London black taxis, I used to have many conversations with drivers about all sorts of issues. As technology developed, these conversations increasingly moved online. Once, I engaged in perhaps six or seven emails with an Australian taxi driver about the unusual regulation of taxis in London and the great advantages for disabled people. It was only at the end of the conversation that I realised that the driver was in fact a woman. Of course, it was wrong of me to presume that a cab driver was a man. It was a timely lesson, which I have not forgotten. Not only did I not know that she was a woman, I did not know whether she was deaf or in a wheelchair.

That made me realise that the internet is the greatest technological force for good and will allow women to drive future economic growth. Indeed, it will allow anybody with a good idea to drive future economic growth. Doing business over the internet can abolish the cause of discrimination. It takes away the excuse that has been used by so many people in the past.

The problem with discrimination is that it is often in the eye of the beholder. There are differences throughout our human race, which is what makes life such fun, but these differences should not be important and should not hold back individuals. Men are statistically more likely to take risks than women. Men are also more likely to commit crime, from murder to drug-taking and fraud. They are also more likely to drink themselves silly on champagne, rendering themselves useless to run a business and leaving the *Veuve Cliquot* to step in and run things. Thank goodness those entrepreneurial widows saved champagne.

Many countries still practise institutionalised discrimination. That is their idiotic privilege, I suppose, and we must respect the rights of sovereign countries to make complete buffoons of themselves. What worries me is when immigrants from those countries come to Britain with the intention of bringing those discriminatory systems into our society. It is said that the Pilgrim Fathers travelling to America on the "Mayflower" did so not to escape religious oppression but rather to find a vacant land where they could introduce it.

My worry is that some of the recent arrivals to Britain, very welcome as they are, seem to carry on with discriminatory practices in their new communities. They need help to appreciate that this is not the way we do things in Britain. An example is female genital mutilation, which colleagues both here and in the other place have done much to outlaw and, crucially, start to bring prosecutions against those who perpetrate that hideous act.

There should not be a separate society of hidden women in immigrant communities in any town in Great Britain. Everyone should have the chance to make the most of their brains, regardless of their gender or sexual orientation. An example of this is sexually segregated audiences for political speeches. That should be offensive to the speakers of whatever

parties are addressing them. The great universities which host them, such as the LSE, should be appalled.

I am told that this is not discrimination because the audiences are separate but equal—just the same arguments that were advanced for apartheid. In December 1955 in Montgomery, Alabama, Mrs Rosa Parks got arrested for sitting in a so-called whites-only seat in a bus. This led to the rise of racial equality as a political movement that changed America, but three other black people moved from their seats that day while Rosa Parks sat firm. All it would take is for the politician speaking to a segregated audience to denounce sexual segregation to that audience rather than mutely accepting it. After all, what is the difference between black citizens sitting in one part of a bus and female citizens in one part of a hall? I am not so sure that there is one.

Business has shown the way in eradicating discrimination, and I very much welcome the chance to celebrate this with colleagues on both sides of this House. Lessons from business should be heeded in other areas of society. I repeat the words of Charb: “No form of discrimination is better or worse than any other”.

5.08 pm

Lord Taylor of Warwick (Non-Aff): My Lords, I, too, thank the noble Baroness, Lady Wheatcroft, for securing this debate. She and other speakers have demonstrated much wisdom and expertise, and we have heard two excellent maiden speeches.

I am delighted to be a supporter of a new initiative called Women’s Work Global, which aims to help professional women who need to take time off work to have children or care for other relatives. All too often, these responsibilities can unfairly disrupt and impede the career of women.

When I was still a junior barrister, one of the few female members in our chambers told the senior managing clerk that she would need some time off to go on maternity leave. He rolled his eyes and moaned, “Oh, all right then, if you must. I had hoped you were taking your career seriously. I tell you what, if you can arrange a morning birth, then I can have you booked into court again for a 2pm start”. Now I know he was only joking, but 30 years afterwards the difficulties that women face in juggling careers with domestic life is still an issue.

There are also unfair perceptions that women have to deal with and overcome. Ridiculous phrases such as “the weaker sex” come to mind. When I was in my teens, I was excited to be selected for the Warwickshire County Cricket colts. It was our first day training. The coach walked over and announced, “Right lads, you are going to have the honour and privilege of bowling at the captain of the England cricket team”. There was a gasp among the squad and our chests filled with pride. Then the England captain came out of the dressing room. There was a shocked silence. One of the squad groaned, “But, sir, it’s a woman, sir”. The coach bellowed, “Well done, lad, you are very observant. Now if you want to stay as a member of this county squad, you will do as you are told”. So, for the next 20 minutes, we aspiring professional male cricketers bowled, without success, as she outplayed us each

time. The England captain, we later learned, was Rachael Heyhoe Flint—now the noble Baroness, Lady Heyhoe Flint, of Wolverhampton—and a very successful businesswoman.

Women from black and ethnic minority backgrounds have historically faced the double obstacle of racism and issues relating to gender, but there are role models who have triumphed over these. I was privileged to conduct a project recently looking at positive aspects of diversity. This has included me interviewing some successful women from BME communities. For example, Pinky Lilani OBE came to Britain from India more than 40 years ago. She said that when she came to Britain she could not even cook, but in order to get to know her neighbours she started inviting them in to taste this exotic food called curry. She now owns a global food business. She writes cook books and advises restaurants. She is also the founder and chair of a number of awards events, including the Asian Women of Achievement Awards and the Women of the Future Awards.

I also had the pleasure of interviewing Christine Ohuruogu MBE, the Olympic and world 400-metres champion and captain of the England athletics team. She is a businesswoman, too, in that her running success has brought her into the world of sports brand marketing. She explained how she has learned never to give up. In the world 400-metres final in 2013, she was fourth coming round the final bend but went on to win. Christine won by 0.004 of a second, by dipping her head at the winning tape. “It’s never over until it’s over”, she said, smiling. I am not suggesting that every woman, or indeed man, can become an Olympic or world champion, but the principle is that it is never over until it is over. That can apply to all of us—black, white, male or female.

These women have shown, by inspiration and, indeed, perspiration, that success can be achieved. Although 20% of small and medium-sized companies are run by women, there is still so much untapped business talent among women, especially in the BME communities. There are ongoing issues, as we have heard from other speakers, such as the pay gap between women’s and men’s earnings, the cost of childcare, the need for more women in science, technology, engineering and as university vice-chancellors. We have heard that more women now are getting on to company boards, but we still need to make more progress there.

If she does not mind me saying so, I hope that the success of the noble Baroness, Lady Brady, at West Ham United, will inspire the appointment of more female chief executives in the sporting business world, for example, at football clubs, which are still very male dominated. Perhaps I can put out a plea to the noble Baroness, Lady Brady, that she might like to take over my club, Aston Villa. It is a very strong club because, like Samson, it manages to lift up the other 19 clubs in the league. In other words, it is at rock bottom of the league table. Baroness Brady, we need you.

Women-led businesses contribute around £82 billion gross value to the UK economy. I acknowledge that the Government support them in a number of ways, such as helping more women to get online with their broadband challenge fund and their Get Mentoring

[LORD TAYLOR OF WARWICK]

project, but the budgets are modest and I would like to see such projects better resourced and expanded.

Women making a contribution to an economy is not a new thing. There were prominent women business leaders in the Bible, over 2,000 years ago: in the Book of Acts, Lydia ran a fashion company, Priscilla owned an up-market residence franchise and Queen Candace governed her nation's economy; and Deborah, in the Book of Judges, was the nation's chief lawyer. There are many more examples. Those biblical heroines—and, indeed, women of today—show that women can be a voice, not just an echo.

5.15 pm

Lord Lansley (Con): My Lords, it is a great privilege to take part in this debate; I am glad to do so. I thank my noble friend Lady Wheatcroft for initiating it. The purpose of our debates is often to decide how we should spend the wealth of this country; it is great to have a debate in which one of the central purposes is to show how we can maximise wealth creation in this country. We have heard in the debate, not least from my noble friend Lady McGregor-Smith, about the availability of productive potential. If women were as entrepreneurially active as men in our economy by 2030, something like £60 billion could be added. That is fantastic, dramatic potential.

We have heard two really impressive maiden speeches, each demonstrating the contribution that the respective speaker has made already to business, the economy and public life in this country—and, if I may say so, what a tremendous contribution they will make to this House. We very much look forward to that.

Why should I say something in this debate? I declare an interest: those who look at the register of interests will find that I am cited as an associate of Low Associates, the company founded in 2009 by my wife, Sally Low. I wanted to bring to this debate a number of illustrations from her experience. The first is that, as my noble friend Lady Wheatcroft said, we cannot ignore but have to live with the characteristics of the challenges that women often face. In 2009, my wife was trying to maintain a long-hours job as director of policy at the British Chambers of Commerce; at the same time, we had two children reaching school age, we lived in Cambridge in my constituency, and I was shadow Secretary of State for Health. The combination of all these things was frankly unsustainable, especially with the high cost of childcare, which has been cited by a number of contributors. So setting up their own business, using their own expertise and doing so from home is the experience of many women. The question is: can they overcome the obstacles?

One might ask my wife, “What are those obstacles?”. Actually, I have never heard her say that they were the consequence of being a woman; if anything, being a woman was an opportunity, bonus and benefit in trying to establish her business, especially since it was all about creating imaginative, high-quality conferences and events principally in Europe; I was occupying Britain, as it were, so she decided to occupy the rest of Europe. Running those kind of events in other countries is all about teamwork and, as has been cited, women

are often excellent at creating that kind of teamwork—and that is what she has done. Seven years later, she has 16 associates and staff and runs major conferences, but the obstacles were ones that Members of this House will recognise face many small businesses—cash-flow management and trying to win tenders. Particularly in the European context as well as in British public procurement, sometimes those who issue tenders unwittingly discriminate against small businesses and very much favour large businesses, because they put arbitrary size criteria or cash-flow requirements on businesses—whereas, in my experience, often they get better service from small businesses than they do from larger businesses. But we shall leave that aside.

One of the conferences that Low Associates was responsible for managing was the Small and Medium Enterprises Assembly in Luxembourg last year. That was the fourth year they did it and they won the contract to do it again this year and in 2017, bringing that assembly—the leading SME assembly in Europe—to this country when we have the presidency of the European Union. I hope that we will then be looking forward to the continuing benefit of EU membership in a reformed Union.

The focus last November was in part on women entrepreneurs. It illustrated, right across Europe, that much of this is cultural. The data show that women are less likely to start up a business, very often because they see obstacles to being able to launch out on their own, for reasons of financial and other security. They are more likely to close a business for personal reasons. The statistics say that more than 25% of the reasons why women say that they close down a business is for personal reasons; it is about only 14% for men. So women are less likely to start up a business and less likely to grow it, seeing the challenges of personal and family life as impeding that. We should not do that. The cost of childcare should be as much an issue for men as for women. The sharing of parental leave should be the starting point of a cultural shift that says that men and women in partnerships who have caring responsibilities for children or for older people should absolutely share them. They should be no more an obstacle to women's entrepreneurship than to men's.

Government cannot legislate for changes in culture. As has been said, sometimes attitudes change slowly. But, just as the gender pay gap is so much smaller among young people, we can hope that there is a generational shift we can push forward on entrepreneurship as well. It will need role models. We have seen some fantastic role models for women here this afternoon and there are many others. If you believe the media and look at the statistics, three years ago, 16 to 21 year-olds asked about who their role models were for entrepreneurship talked about the noble Lord, Lord Sugar, Steve Jobs, Bill Gates, Richard Branson and, I fear, Donald Trump. We want women role models to be out there in the media. We want women mentors and that mentorship has, quite rightly, been illustrated here.

We want entrepreneurial aspiration. I say to the noble Baroness, Lady Lane-Fox, that one of the speakers in the assembly last November was Amy Millman

from Springboard Enterprises. It is an American organisation, but it is about putting money behind women-run and women-owned businesses—since 2000, 599 such businesses, 11 of which have gone to initial public offering, with investment of \$7 billion. It is a rational investment because we know that women-owned businesses, when you adjust for every other factor, perform better. That is the economic potential that this country could realise if we push this agenda forward.

5.22 pm

Baroness Burt of Solihull (LD): My Lords, I feel immensely privileged to have been in the Chamber this afternoon. Since I have been here—not a huge amount of time—I cannot think of a debate I have listened to that has been better informed, more interesting and more inspiring.

I add my congratulations to the noble Baroness, Lady McGregor-Smith, on her excellent maiden speech, and to the noble Baroness, Lady Rock, on another really fascinating and interesting speech. The noble Baroness, Lady McGregor-Smith, as chairman of the Women's Business Council, has already made an incredible contribution to the cause of women in enterprise in this country. I know that both new noble Baronesses will make wonderful additions to this House.

As other speakers have said, the potential for women's contribution to the economy is phenomenal. We contribute much, but even so we are undervalued and our potential is underutilised. It is to one particular aspect of that underutilisation that I address my remarks today: women in enterprise. In the last coalition Government I was the Women in Enterprise champion and published a report urging the Government to do more to help women entrepreneurs by being much more inclusive in their approach and the way they help businesswomen. Some progress has been made but more needs to be done.

However, I will begin at a much earlier time, before I ever thought about a parliamentary career, when I created several small businesses. Those businesses were much more modest than those of the vast majority of contributors to this debate. Nevertheless, I can speak from experience in describing the life of a woman entrepreneur balancing the needs of family and children with growing a business, and all the challenges and uncertainties that that involves. We still succeed, but we could be even more successful if the Government did a few small things.

Only one business in five is majority-owned by a woman, but there could be many more. We have heard some awesome statistics this afternoon but my favourite is from the Women's Business Council, which estimates that if women set up businesses at the same rate as men, there would be 1 million more businesses in Britain today.

So what can government do to encourage would-be entrepreneurs and help their businesses to grow? During the last Government, several initiatives, such as tax-free childcare, the employment allowance, shared parental leave, and others which other speakers have mentioned, were introduced. However, more needs to be done, as the noble Baroness, Lady McGregor-Smith, said.

As the Women in Enterprise champion, I pushed the Government to be more inclusive in the way they communicated with women business owners. There is much improvement since the days when some civil servants believed that to be inclusive it was enough to use "gender neutral" language. The My Business Support tool on the Great Business website is much improved, but practical help on the ground is still lacking. The coalition Government abolished regional development agencies and gave local businesses and local authorities a blank sheet of paper on which to create local enterprise partnerships. I am all for devolution, but the lack of guidance and funding has resulted in a very varied group of LEPs, in terms of not just how they function but how well they function. I believe that some LEPs still have no women on their boards, let alone focus on specific local help for women entrepreneurs. Therefore, the first thing the Government could do is ask all the LEPs what they are doing to support women entrepreneurs. That would raise the matter in their awareness, if nothing else. Before the RDAs were dissolved, they had many support schemes for women entrepreneurs. Most of those disappeared, but the more enterprising of them stayed afloat. However, coverage is patchy, to say the least. Every LEP should give some thought to what resource it has in its area, and what is needed by all the diverse people who generate wealth on its patch.

Finally, government can help enormously through having a diverse and inclusive procurement policy. The case for procuring from companies which look like the people who government serve is not only a moral imperative but an economic one. Diverse businesses bring a greater understanding of customers' needs, services and products are more appropriate and speed to market is faster. The noble Baroness, Lady Uddin, made that point very strongly.

One of the Liberal Democrat contributions to the coalition agreement was to build an aspiration that 25% of government procurement should be from small businesses. It would be a simple matter for this Government to have a similar aspiration for women-owned businesses.

So I say to the Government: please think inclusively when you are communicating with and planning help for business. Look at the performance of the LEPs and ask them, "What are you doing to encourage female entrepreneurs on your patch?". Set an aspiration of, say, 20% of government procurement to come from women-owned businesses. The percentage figure is less important than bringing diversity of procurement on to the radar of government purchasers. While you are at it, why not appoint another champion for women in enterprise—there are plenty of excellent people in the Chamber this afternoon who could do that job—who could continue the work of bringing a cross-cutting focus from the woman's perspective to help create greater self-fulfilment for women entrepreneurs and more wealth for Great Britain?

5.30 pm

Baroness Hayter of Kentish Town (Lab): I add my congratulations to the noble Baroness, Lady Wheatcroft—herself a notable role model—on this debate and the chance it gave us to hear two such

[BARONESS HAYTER OF KENTISH TOWN]
imaginative and high-quality maiden speeches from the noble Baronesses, Lady McGregor-Smith and Lady Rock. It is good to welcome the sisters, especially to a debate such as this. We have celebrated some notable examples of women in business, such as Dame Stephanie, and we have been particularly honoured to hear some of the high achievers speaking in today's debate. We need more of their sort.

The noble Baroness, Lady Lane-Fox, told the *FT*:

"Gender equality in the tech sector will benefit the global economy".

So will gender equality in every sector benefit the wider economy. Women's advancement produces better outcomes and prosperity. Indeed, a trained, productive and better-paid female workforce is a surefire way of boosting economic growth, as suggested by the noble Baroness, Lady Brady. As the President of the World Bank said,

"gender equality doesn't require trade-offs; it only has benefits. And the benefits accrue to everyone, not just women and girls. Societies benefit and as even men are beginning to understand, economies benefit, too".

It is the responsibility of all of us—government, business, women and perhaps especially men—to make this happen so that UK plc can benefit from this underused talent, by increasing entry into higher-paid and more productive jobs; by extending opportunities, training and promotion to women; and by removing the barriers to better employment for women.

We start, as has been made clear today, from a poor position: 96% of chairs or CEOs of FTSE 100 companies are men. As the noble Baroness, Lady Wheatcroft, said, more chairs or CEOs are called "John" than are women. As the noble Baroness, Lady Jenkin, reminded the House, the percentage of senior women in the private sector—19%—puts the UK in the bottom 10 countries globally, despite companies in the top quartile of gender diversity being 15% more likely to outperform the industry median, as the noble Baroness, Lady Mobarik, said. Given that women are key consumers, making eight out of 10 purchases, having them shape companies is bound to be good for business.

We can help women progress. Young Enterprise's Women in Business programme encourages women-led creative start-ups, giving all-female teams the opportunity to set up and run their own businesses, gaining advice from mentors and in workshops, and on bringing a product to market. Participants increased their soft skills by 34%, with improvements in work-readiness and financial capability.

But encouraging and training alone will not help. We have to tackle that gender pay gap, which, to use the words of the noble Baroness, Lady Wheatcroft, again, is glaring. At 19%, it is well above the EU average and, sadly, is larger in the private than in the public sector. Overall, it means that, relative to men's year-round wages, women stop earning on 4 November. Furthermore, the gender pay gap is highest in London and in financial and insurance services. In particular, and perhaps of note to some of us in this House, women in their 50s earn 18% less than men. They are often the "sandwich" carers, looking after children or grandchildren as well as elderly parents.

Mandating gender pay transparency in large companies will help, but it ignores those millions of women in SMEs and is no substitute for better recruitment, training, promotion, fair pay and the flexible work patterns that were stressed by the noble Baroness, Lady Rock. Transparency alone does nothing about low pay in predominantly female labour forces—retail, hospitality, personal services and residential care—which have a poverty rate of 17% after housing costs, twice that of other employees. Training is key but while the majority of apprentices are women, they are underrepresented in construction and ICT while dominating in health, social care and hairdressing—the low-paid sectors. Indeed, on average female apprentices earn £1 an hour less than their male equivalents.

That gender inequality is felt not just by the people concerned but by the whole economy. The loss of women in science, for example, costs the economy about £2 billion a year. Klaus Schwab of the World Economic Forum said:

"Only those economies who have full access to all their talent will remain competitive and ... prosper".

The Government themselves have said:

"Our economy is losing out due to women's academic achievements, experience and talents not being effectively utilised".

But what are the Government doing about it? They are making work less attractive to women by allowing maternity discrimination to almost double in 10 years, with 54,000 pregnant women and new mothers—that is, one in nine—forced out of their job. They have created barriers to justice for victims of maternity discrimination by their cuts to legal aid and upfront tribunal fees of up to £1,200, leading to Maternity Action's helpline getting 42 times more calls than it can answer.

Even the Conservative MP Maria Miller has tweeted:

"We cannot allow up to 54,000 new mothers a year",

to,

"feel they should leave their job".

So I am afraid that it is no good the Commons Minister admitting that,

"far too many women ... face unacceptable treatment in the workplace"—[*Official Report*, Commons, 3/11/15; col. 322WH.]

It is her Government who have made things worse. Labour in government did an enormous amount to increase the fair treatment of women in work through the Work and Families Act, which extended maternity leave to a full year for all employed women, and tripling the number of nursery places. This Government must follow our example. They must walk the walk and not just talk the talk.

5.38 pm

The Parliamentary Under-Secretary of State, Department for Business, Innovation and Skills and Department for Culture, Media and Sport (Baroness Neville-Rolfe) (Con):

I thank my noble friend Lady Wheatcroft for securing this debate and for kicking it off so persuasively and amusingly. It is a pleasure to have listened today to so many excellent points and examples of good practice, and to speak on such an important topic.

First, I welcome my noble friends Lady McGregor-Smith and Lady Rock, who made their excellent, interesting and very personal maiden speeches. They

will contribute strongly to our deliberations over the coming years and it is a real delight to have them on our Benches. As others have done, I congratulate the noble Baroness, Lady McGregor-Smith, on her work on the Women's Business Council. I was also glad to hear about the brilliant mentoring of my noble friend Lady Noakes, who helped me to cope with the terrors of the Dispatch Box. She is very strict, for example, about getting titles right for noble Lords and noble Baronesses, which I always struggle with. My noble friend Lady Rock—the lady of imagination, as my noble friend Lord Borwick has christened her—joined other noble Lords in saying that the answer to success in this area is not to impose quotas but to open up the huge potential of women's future economic contribution.

It might be helpful for a moment if I take a broad view, because like my noble friend Lady Wheatcroft, I love history. I am very conscious that 150 years ago, women were excluded from large parts of economic life as well as suffering other legal disadvantages. The transformation since then, for all sorts of reasons, has been amazing. Although it is always right to concentrate on the task in hand, sometimes we need to look back and remind ourselves what has been achieved.

Women did not start to enter the workplace uniformly across all sectors. They probably first entered new areas of work where they thought they were more likely to be treated fairly. Indeed, that was one of the reasons why, when I left university as recently as the early 1970s, I joined the Civil Service. In particular, there were for a long time relatively few women in the business sector—at any rate at the top level to which I aspired.

The noble Baronesses, Lady Lane-Fox and Lady Uddin, and others said that Steve Shirley—as I will always call her—was an inspiration to many people. That includes me. She gave me my early interest in ICT after I heard her at a management course. I have dealt with technology in almost every job that I have done in a long career in government, retail, media, consultancy and politics, and I very much agree with the importance of technology to today's debate. We need more women entrepreneurs in the tech sector. I had a round table today on an aspect of the digital single market and was delighted to see a good turnout of senior women.

I also feel that technology is a great enabler. I know how my life changed as a senior executive when I had access to top-quality IT including phones, tablets, computers, videoconferencing and other equipment, and I believe that, as my noble friend Lord Borwick said, it helps to reduce discrimination. It helped me to get on and to juggle my domestic duties with my work duties, although a supportive partner is also incredibly helpful and important. It was good to hear from my noble friend Lord Lansley, who is clearly an example of this species.

The situation is now changing rapidly, and for the better, which must be to the advantage of UK plc. Overall, there are now 14.6 million women in work—more than ever before. This is an increase of nearly 1 million since May 2010, and 200,000 higher than a year ago. In part, this reflects developments such as parental leave, flexible working and state help for parents with the cost of childcare and the sort of provisions we

have in the Childcare Bill. I do not agree with the noble Baroness, Lady Hayter, as there have been improvements, although we can always do better.

I am a glass-half-full person. It is encouraging that the gender pay gap, though far too high, as many noble Lords have said today, is at its lowest on record, at 19.2%, and is virtually eliminated among full-time workers under 40. We are already working with businesses to make sure that all large employers publish gender pay gap information, including bonuses. Indeed, we grasped this issue in this House during the passage of BIS legislation, which the noble Baroness, Lady Hayter, and I worked on last year. I believe—this is a personal reflection—that some of the differences may reflect the fact that, in my experience of female executives who used to work for me, they are less prone to demand pay rises than their male counterparts. This is worth reflecting upon.

Of course, everything starts with education, and here success has been startling. Girls' achievements surpass those of boys at almost every level. I agree about the buzz and enthusiasm of girls when one encounters them while visiting schools. But I also noted recent comments from an authoritative female source—the head of UCAS, Mary Curnock Cook—that helping boys should now be the priority, because there are difficulties there as well.

This bodes well for the longer term success of women in all areas of work. Nevertheless, it is still important to seek to raise the aspirations of girls so that they all have a chance to fulfil their potential, and to ensure that success in school and at university is reflected in the workplace.

Encouraging a modern workplace is one reason why the Government have made a commitment to reach a figure of 3 million new apprenticeships in England between 2015 and 2020. Unlike most countries, women are well represented within English apprenticeships. Last year, 233,000 women, or 53%, started an apprenticeship.

Women entrepreneurs—business founders, as my noble friend Lady Jenkin rightly described them—are important in opening up the kind of opportunities that we seek in today's debate. As my noble friend Lord Lansley said, we need to take advantage of the generational shift. Around 1 million of all SMEs in the UK—more than 20%—were majority-women led in 2014, which was an increase of 170,000 from 2010. In 2015, the Global Entrepreneurship and Development Institute ranked the UK as the best country in Europe and third best in the world for female entrepreneurs. More mundanely, I was delighted to discover recently that, at the British Library intellectual property centre, 58% of users were women. I felt that that was helpful and important for the pipeline.

My noble friend Lady Mobarik said that diversity was very important to successful entrepreneurship and in successful companies. The noble Baronesses, Lady Falkner of Margravine and Lady Uddin, added fascinating insights into the contribution of ethnic and Muslim women. I assure them that we are doing more to encourage diversity on boards and, indeed, in the public sector. That includes a review by Sir John Parker into BME on boards, working towards having no monocultural FTSE boards at all by 2020.

[BARONESS NEVILLE-ROLFE]

Finally, I want to talk about one of my own ministerial responsibilities, women on boards. Here, we have benefited, as many have said, from a successful voluntary initiative supported by government and led by the noble Lord, Lord Davies—not only noble but determined and dynamic—who has done a great job. On his watch, female representation on FTSE 100 boards has expanded greatly. There are now no all-male boards in the FTSE 100, and only 16 in the FTSE 250. This was frankly unimaginable not long ago.

We now need to focus on the talent pipeline of capable women, executives and emerging NEDs, to ensure we continue the good work. I hope soon to announce a new chair to lead an independent review, following on from Lord Davies's work. In addition to maintaining the momentum on FTSE boards, the review will focus on improving representation of women in the executive layer of the FTSE 350.

As the noble Baroness, Lady Rebuck, said, this is critical. The Government have tried to do more in the public sector. In the previous Parliament, we set an aspiration that 50% of new public appointments should be women by 2015. We are all trying hard to achieve that in the public appointments we make. It was ambitious, but it was right to be ambitious, and we are making real progress: 44% of all recent new public appointments where the gender is known went to women. For many years, that figure was stuck between 32% and 36%. In my department, BIS, the executive board and the BIS board are 44% women. That is a long way of saying that it is important to lead from the front. I have always felt that everywhere I have worked.

The excellent suggestions that have been made today can and should play a part. Noble Lords spoke about mentoring, which I found very useful both ways, and about the need for more women and more work in tech and FinTech. We talked about building on success where it exists, as in publishing, and on the recent initiatives on STEM, which are wide-ranging and good. I also believe in using academia as a pipeline for business appointments on boards. It can be a good way of broadening diversity in the corporate world.

I should briefly comment on sport because that was mentioned by my noble friends Lady Brady and Lord Taylor. It is very important. There is a slightly disturbing statistic—again, this is a personal comment. It is that 40% of CEOs in the US played university-level sport. So involving women in sport, sports management and government, as the Government are trying to do by encouraging good practice in our new sport strategy, can be helpful.

My ever-challenging noble friend Lady Jenkin and my noble friend Lady Brady asked whether we should do more and how we can make sure that the great initiatives we have heard about in this debate are more widely understood and expanded—so that we get a mushroom cloud effect to share best practice. We have a joined-up approach in government. The Secretary of State, Nicky Morgan, and the Government Equalities Office try to draw together all that we are doing and go beyond party to bring together the effort on women, but of course we can do more and we will be looking carefully at all the suggestions made in this debate, including those of the noble Baroness, Lady Burt. I

shall not comment in detail on all the specific points, but I think we all agree on the potential for bringing in extra ideas and moving forward, as I have sought to show.

Both male and female talent grace this Chamber and, indeed, nearly everywhere else where human endeavour is displayed. It is a delight to work with so many women on both sides of our House and to find such a relatively strong representation of women with a business background, which is strengthened by new talent today. We must all work to ensure that women continue to play an increasing role in UK business and in our growing economy.

5.54 pm

Baroness Wheatcroft: My Lords, I thank the Minister for her reply. Her determination to increase women's input into the economy is clear, and I have no doubt that she will succeed. I thank everyone who has taken part in the debate today; we have heard some excellent speeches on a wide-ranging band of experience.

We have also heard two brilliant maiden speeches. When I made mine, I took the opportunity to apologise to anyone in this House whom I might have offended by what I had written in a previous incarnation. However, the noble Baroness, Lady Lane-Fox, was not a Member at that stage, so I take this opportunity to apologise to her. It was clear from her speech today that such is her passion for getting more women involved in tech, and for spreading the tech gospel, that it would be impossible ever to overhype the noble Baroness.

I know that the clock is against me so I shall wind up there. I thank all noble Lords for taking part.

Motion agreed.

ISIL in Syria

Question for Short Debate

5.55 pm

Asked by Lord Truscott

To ask Her Majesty's Government what is their strategy to defeat ISIL in Syria.

Lord Truscott (Ind Lab): My Lords, I thank the Government Whips' Office for finding time for this debate, and I am grateful to the Minister and other noble Lords for participating in the last business of your Lordships' House this week.

I commiserate with the Minister, who has been given the rather short straw of defending the Government's strategy against Daesh. The strategy proposed so far is threadbare and lacking in detail, but more worrying is the fact that the public have no confidence that the Government are capable of finding a solution to the huge issues that they face in Syria, from achieving peace to solving the refugee crisis.

Since I tabled this debate, events have moved swiftly, with the other place voting in favour of air strikes against Daesh in Syria. The Government's action to combat Daesh in Iraq has been superseded by the

strategy outlined by the Prime Minister in the other place on 26 November 2015, and again during the debate on 2 December. It is a four-pillar strategy. We were told last November that pillar one represented a counterextremist strategy, meaning,

“a comprehensive plan to prevent and foil plots at home, and to address the poisonous extremist ideology that is the root cause of the threat we face”.—[*Official Report, Commons, 26/11/15; col. 1492.*]

Just how do the Government aim to achieve the latter? Given Daesh’s successful manipulation of the internet, what is required is a comprehensive cybercampaign to discredit Daesh and the hateful extremist ideology that it represents.

The other three pillars of the strategy refer to humanitarian aid, military action and support for the diplomatic and political process. Humanitarian support is of course vital for refugees and those, like the citizens of Madaya, who are starving. Her Majesty’s Government have already given more than £1 billion in aid and pledged £1 billion more for reconstruction. What strategy do the Government have for dealing with the 11 million Syrians in the region who remain displaced, and under what circumstances would Syrian refugees in Britain be repatriated? All this lacks clarity.

The UK’s military action in Syria is largely symbolic in the scheme of things, and I cannot believe it will make a material difference to events on the ground. Still, what are the operational objectives of the UK’s intervention in Syria, how long is it expected to take and at what human and financial cost? Perhaps the Minister can give an update on the UK forces committed to Syria, the number of aerial sorties and the co-operation with local forces such as the Kurds. Are the Government in favour of a grand international coalition of all the major powers to defeat Daesh, including Assad’s Syrian army? Lastly, after the incident when a Russian military plane was shot down by Turkish fighters, is he satisfied with the co-ordination between all the different anti-Daesh forces in the region?

More important is the diplomatic and political process itself. The UN special envoy to Syria has set 25 January as a target date to begin talks aimed at ending the five-year civil war. In late December, building on the work of the International Syria Support Group and the Vienna process, the UN Security Council passed Resolution 2254, which called for a Syrian-led political process facilitated by the UN. The aim is to establish within six months credible, inclusive and non-sectarian governance, setting a schedule for drafting a new constitution and free and fair elections to be held within 18 months under UN supervision. A ceasefire is also envisaged under a parallel process. That is an ambitious target. Do the Government think it is feasible? Can the Minister say how Her Majesty’s Government aim to ensure that this diplomatic process ends in success and in peace for Syria and the Syrian people? What is the Government’s assessment of the likelihood of a ceasefire over the coming months?

May I also inject a heavy dose of realism into my remarks? No one is suggesting that a solution to the Syrian conflict, which has cost hundreds of thousands of lives and displaced many millions, will be easy. It has helped fuel a refugee crisis which has shaken the foundations of the European Union and, without a

Europe-wide strategy to deal with it, may influence the UK’s decision whether to remain in the EU or not. A failure of British government policy here, or the mere perception of failure, may have a profound effect on the country’s future in Europe. A whole series of proxy wars are being fought out in Syria, with Sunni ranged against Shia and Sunni against Sunni. It is a battleground for a regional power struggle between Saudi Arabia, Turkey and Iran, which has been discussed in your Lordships’ House before. It is also the focus of an old-style “great game” involving Russia and the United States and its allies. It is not a new Cold War; it is simply that the old one never ended.

In your Lordships’ House last week, several noble Lords asked whether Russia knew what it is doing in Syria, and the Minister, the noble Baroness, Lady Anelay of St Johns, appeared perplexed that Moscow had focused much of its attention on supporting Assad. Whether we in the West like it or not, Moscow’s assessment is that what weakens Assad will strengthen Daesh and vice versa. Russia would hardly concentrate all its fire on Daesh merely to watch Damascus fall to the rebels. However, it is also clear that Moscow is not wedded to the brutal Assad regime itself but rather to protecting its vital strategic interests in the country and the region. It fears a Libyan-style disintegration of the country and a consequent loss of influence. It also fears the export of Islamist radicalism. I hope that the British Foreign Office’s assessment of Russia’s motives is merely disingenuous and not born out of lack of understanding.

Like any great power, Russia is acting in pursuit of its interests, and whether we disagree with it or not, its strategy is at least clear and supported by the Russian people. Apart from its military bases and long alliance with Damascus, Moscow is acutely aware of its own 21 million indigenous, mainly Sunni, Muslims, its own militant insurgency in the Caucasus and the possibility of contagion. Recently, our Prime Minister said that we maintained a relationship with Saudi Arabia, despite its appalling human rights record and military attack and intervention in neighbouring Yemen, because:

“For me, Britain’s national security and our people’s security comes first”.

Militarily, a solution to the Syrian conflict looks unlikely anytime soon. Even if your Lordships were to accept the Prime Minister’s unlikely figure of 70,000 non-extremists willing to fight the Assad regime and added in the 20,000 Syrian Kurds, this would still be fewer than the 240,000 soldiers in the Syrian army, backed by Hezbollah, the Iranians and the Russians. In any event, the UK Defence Secretary concluded that a majority of the posited 70,000 were non-secular Islamists, disinclined to support a western-style democracy. As the noble and gallant Lord, Lord Richards of Herstmonceux, former Chief of the Defence Staff, has said, the most capable forces on the ground to defeat Daesh in the absence of western forces are Assad’s Syrian army and the Kurds. Incidentally, his assessment was also that around 40% of the population supported Assad. The remaining rebels are largely a disunited rabble, of varying degrees of extremism.

The West’s policy of regime change in the Middle East has been an abject failure. There was an interesting exchange on this at a meeting of the Liaison Committee

[LORD TRUSCOTT]

in the other place, held on 12 January last, between MPs and the Prime Minister. Some MPs felt that getting rid of Saddam Hussein in 2003 and Gaddafi in 2011 had been a terrible mistake, as brutal as those dictators undoubtedly were. We are now seeking to do the same in Syria. Prime Minister Cameron seemed to make the same mistakes in Libya that had been made by his predecessors in Iraq, with the implosion of both states. By removing these dictators forcibly by western intervention, we have opened a can of worms in the region. For most people in these countries, life has got worse instead of better.

While we in the West are not morally responsible for the horrors of Daesh, it is undeniable that we were partly responsible for its creation. It was former disgruntled Sunni officers of the dismantled Baathist regime which created Daesh in Iraq, as the police and army were forcibly dissolved by the western coalition in the hubris after victory. We should not make the same mistake in Syria. We should put the UK's weight behind a diplomatic and political solution in Syria, but allow the people of the country to determine their own future.

6.05 pm

Baroness Falkner of Margravine (LD): My Lords, I start by thanking the noble Lord, Lord Truscott, and congratulate him on securing this debate. He has rather surprised me, because I expected his contribution to come from a certain perspective that would go along the lines of, "Russia good, Russian intervention good, and everything else we're doing is a complete disaster". He and I are old sparring partners and friends, so I do not think that he will mind me speculating that that is what I expected him to say, and I think he would admit that it would not be entirely without foundation. But the noble Lord asked a number of extremely pertinent questions. I hope that in replying the Minister, the noble Earl, Lord Courtown, will be able to touch on them because they are extremely relevant.

My concern about many of the debates on Syria that we have had in this House recently is that a trend seems to be emerging, particularly on government Benches, whereby there is a view that two things have happened which should make us change the strategy that we held in Syria between 2011, when the conflict started, and early in 2015.

The first—rightly—is the rise of ISIL. I cannot say that it was entirely unforeseen. In the numerous debates that I spoke in between 2011 and 2014, I warned that extremism was filling the vacuum that was increasingly existing in Syria. What was unforeseen was the dramatic capturing of territory and the dramatic collapse of the Iraqi forces, which happened so suddenly. Not only did they abandon huge parts of the territory but they left behind huge financial resources, as well as the oil wells and many other aspects of infrastructure, that enabled ISIL to continue to hang on to territory.

The second factor that implies that we need to change our strategy is the entry of Russia into this quagmire. One gets the impression in this House that people are now beginning to say that because Russia is there and because we need to deal with Russia and

come to a diplomatic solution to solve the problem of Syria, we can somehow ignore Russia's malign influence in all other areas of international life. It seems to me that this analysis suffers from a couple of fundamental errors, the first being that the Russian writ does not rule in Damascus. We know that it does not because, when there have been movements towards compromise, and when concessions have been offered about protection, training, arming and other viable alternatives, Assad vetoes even relatively positive Russian influences. So the constructive elements of Russian thought are not necessarily embraced wholesale by President Bashar al-Assad, Russia's protégé.

The other reason why simply trying to do a deal with Russia will not wash is what I would describe as the very positive turn of developments with Iran. By saying that, I am not trying to suggest that Iran's influence in Lebanon and Syria is entirely constructive or positive. I would not say that for a second. I think that the House knows well what I think of Hezbollah, Hamas and other organisations that are terrorism-inclined, if not clearly terrorist organisations. But the point I am trying to make is that since we are now in a position where we are co-operating with Iran, the idea that Russia should be the focus of our endeavours is rather misplaced. The focus of our endeavours should be Iran, because Iran has far more authority in Damascus with Assad than the Russians.

I was not able to be in the Chamber, but I read carefully the Statement made by the Home Secretary in the other place and repeated here by the noble Lord, Lord Bates, on Russia's nuclear terrorism on the streets of United Kingdom. There are also Russia's malign actions in Crimea and Ukraine, Russia's record on human rights, Russia's abandonment of the rule of law, and Russia's pernicious hostility towards settling many outstanding disputes around energy, security, the Baltics and so on. So allowing Russia too large a space in what is happening in Syria will be counterproductive.

The noble Lord, Lord Truscott, mentioned Russia's vital strategic interests. I assume that he is referring to the Russian base at Tartus. But besides that, Russia does not have vital strategic interests in Syria. If it did, it would not have stood on the sidelines for as long as it did. If we allow the international community to recognise these vital strategic interests, as they are described, we will be in danger of allowing that country to beat us around the head when its other, plausibly more significant strategic interests, which are nearer to our shores in the case of Belarus, Georgia, Ukraine, the Stans, the Baltics and other countries—where we have far greater and clearer obligations in terms of our NATO membership—are imperilled. I am trying to say that we need to be extremely careful about giving Russia too much credibility and too much space in resolving the conflict.

But resolve the conflict we must, and I want to pose some questions to the Government in terms of what will happen in the forthcoming 25 January Geneva talks. It appears that the Assad Government's strategy in approaching these talks—and I am sceptical about whether they will take place—is simply to brand everyone on the other side as a terrorist group. We know that several of the people who have been vetoed by the

Assad Government, Russia on the sidelines or the Saudi Arabians, who are themselves a hugely malign influence in Syria, are not terrorist groups. We also know, as we know from our experience with the IRA—and my God this country knows this better than most others—that when you need to get peace you need to talk to some pretty unpleasant people. The idea that we allow these vetoes to continue to hold imperils any attempt since Geneva in 2012 to get to the end of this crisis. We have had five years of it—we are now approaching the anniversary—and it seems that we will not get anywhere if we do not accelerate a resolution to the conflict.

The noble Lord, Lord Truscott, referred to the Foreign Affairs Committee meeting of 12 January. I also saw the transcript of that and noted that all three experts who spoke on the prospects for progress were profoundly pessimistic, noting that the persistence of the Syrian regime in labelling various groups as terrorists did not bode well for any positive developments or even for attendance.

The Prime Minister made an impassioned defence when he came to the House of Commons of a transitional plan—a peace plan—and said that extending military action into Syria, which he asked the House of Commons to approve last November, had to be accompanied by a political solution. We are now three months down the road. I accept that there has been some success in Iraq—the Iraqis have taken back some of the land mass—but one cannot see evidence of any military success in Syria.

Three months is not a long time and I am perfectly prepared to give the Government some more time on that. But what I would like to hear from the Minister in his concluding comments is an explanation of why only a few months ago the Prime Minister was so optimistic about a transitional plan, a peace process moving forward and involving the UN Security Council and so on, when we do not see any sign of accelerating what was the Vienna process and is now the Geneva process. Also, we are not getting any tangible messages from the Government as to where we are heading in terms of a longer-term strategy in Syria, Iraq, Yemen and Lebanon—essentially across the whole of the Middle East, which is more or less predicted to be unstable for the foreseeable future, with all the side-effects that that entails.

6.15 pm

Lord Williams of Baglan (CB): My Lords, the defeat of ISIS is of paramount importance for the future of Syria, but it is of even greater importance for the future of the Middle East. ISIS is a transnational movement. It will not be defeated in Syria, it has to be defeated throughout the region. Although as the noble Baroness, Lady Falkner, mentioned, some progress has been made in Iraq in pushing ISIS back, let us not forget that it controls the city of Mosul, which is larger than the city of Manchester. I think that it will be a long time before it will relinquish or be forced out of Mosul.

It goes without saying too that ISIS poses a substantial threat to the security of this country and indeed to the democratic world as a whole. In our actions, and

especially as a permanent member, we must pay special heed to the need for UN Security Council backing wherever possible. Here I gently note the remarks of the noble Baroness, Lady Falkner. We need Russia because it is a member of the UN Security Council. Peace processes will not go forward without support from Russia. That is a fact of diplomatic life.

Four of the five permanent members, China excluded, are of course engaged in military action in Syria, although there is a sharp difference between the three western powers, the UK, France and the US, in their attacks on ISIS and those of Russia, which, while it is hostile to ISIS, has adopted an overt stance of supporting the Government of President Bashar al-Assad. Progress in addressing the long-running civil war in Syria is essential if a campaign against ISIS is to be successful. Last month, the Security Council issued a rare unanimous show of support for the negotiations between the Assad Government and the opposition. I should be grateful if the Minister could update the House on the present situation regarding the talks which we are all hoping will proceed next week in Geneva. Perhaps I may take the opportunity to commend the role of Staffan di Mistura, my former colleague in the UN and a friend, in leading the UN's search for peace.

In the 19th century the great German Chancellor, Otto von Bismarck, is reputed to have said that making peace is like making sausages, you do not want to see too closely what goes into the process. Indeed, the Government need to be mindful of the compromises that are inherent in the necessity to silence the guns and to end the appalling humanitarian situation that prevails not only in much of Syria, but throughout the wider Middle East. UN missions in which I served in the 1990s had to negotiate with the likes of the Khmer Rouge and later with indicted war criminals such as Milosevic, Karadzic and Mladic. That is often the case when there is a need for a diplomatic solution. We must do that if we are to make progress in the search for peace. If we do not make progress in that regard, I fear that it will impede our strategy to defeat ISIS, the subject of this debate, and indeed perhaps even embolden it.

One of the few glimmers of hope in recent months in the Middle East, and here I agree with the noble Baroness, Lady Falkner, has been the nuclear accord between Iran and the P5 plus Germany. I hope that hard on the heels of this very welcome accord we are talking seriously with Iran about the compromises that the country is going to have to make to see a more broad-based and representative Government in Damascus, and I would be grateful for the Minister's acknowledgment that that is indeed the case. If we are going to find a way out of the bloody maelstrom in Syria, we need more engagement with Iran, not less.

Similarly, while we can abhor the practices and conduct of the Assad regime, we need to reach an understanding as to why so many Christians, and especially Alawites, of that country still support the regime. I recall one Syrian friend pointing to the example of Tariq Aziz, the late Foreign Minister of Iraq and saying to me rather provocatively, "When do you think we will see a Christian again as a cabinet minister in an Arab country?". That was provocative,

[LORD WILLIAMS OF BAGLAN]

because there are Christian Ministers in Lebanon and Jordan, but it is true that one of the great losers from the UK-US invasion of Iraq and toppling of Saddam Hussein in 2003 was the Christian population in Iraq, the vast majority of whom have now, sadly, left the country.

Underlining my friend's concern was the fear that in the sectarian storms between Shia and Sunni, there would be little room left for minorities. The Alawites are an important presence in Syria and, to a lesser extent, in Lebanon. It is important that in all our public messaging with regard to Syria, we underline our commitment to the continuing role and presence of minorities. Without them, ISIS will be that much harder to defeat.

Let me end by referring to some remarks made yesterday at a meeting in Paris between the US and French Defence Ministers, Ash Carter and Jean-Yves Le Drian. US Defense Secretary Ash Carter pointedly called on Arab countries to do more in the fight against ISIS. In this regard, he said that the United States was very much looking to countries in the Gulf. Does the Minister agree with that, and with the conclusion that Gulf countries have shifted their key military capabilities away from fighting ISIS to involvement in the Yemeni civil war? That is where the Saudis and Emiratis are concentrating now: on a conflict built on sectarian strife which pales compared to the need to defeat ISIS.

I believe that the figures for involvement in air strikes against ISIS in Syria show a diminishing involvement on the part of Arab air forces and a rising involvement on the part of western air forces. That cannot be how the struggle against ISIS will be successful. We cannot win this fight without the wholehearted support of the Sunni countries, but that engagement seems to me to be flagging somewhat.

6.22 pm

Lord Oates (LD): My Lords, I thank the noble Lord, Lord Truscott, for initiating this debate, and I am pleased to follow my noble friend Lady Falkner and the noble Lord, Lord Williams. I am slightly nervous about following such expertise, but I must confess that I am even more nervous about speaking in the presence of the noble Lord, Lord Powell of Bayswater. I have known him for 33 years, ever since I was a school friend of his son Nick and rather foolishly and precociously decided to provoke an argument with him about the then Conservative Government's Budget. It is fair to say that he fairly comprehensively defeated me in that argument. Given that his expertise on foreign affairs is even greater than his expertise on economic affairs, it is nerve-wracking indeed to speak opposite him.

Last year, the Prime Minister set out the Government's strategy to defeat IS, or Daesh. I have to say that I was not terribly convinced about it then and am not much more convinced now, but I will listen with interest to the Minister's answers in the hope that I can be reassured. It is not clear to me how it is possible to defeat Daesh without credible forces on the ground, and the 70,000 so-called moderate forces seem to me

neither a credible number nor a credible description. Those who have spent time on the ground in Syria are clear that the dominance of extreme Sunni groups in the armed opposition is almost total.

In Iraq, where the RAF has been operating for some time, there are ground forces with whom we can co-operate—both the Iraqi Army and the Kurdish Peshmerga forces. That is why the coalition decided that it should focus its efforts on Iraq rather than Syria: there was a coherent strategy in Iraq and an absence of one in Syria.

For understandable reasons, post-Paris, the Government felt they had to act. I understand that sentiment but to act without a credible strategy is a dangerous thing to do. To act when one cannot answer the question "And then what?" as we did in Libya can have horrific consequences directly impacting on our country.

Even if we have a credible strategy to defeat Daesh, that is not enough. We will have gained little if another violent extremist group takes its place. That is why we have to have a strategy to fill the vacuum and to bring peace and order back to Syria. More than that, we need a much wider strategy to tackle violent extremism around the world because, of course, it is not just Syria and Iraq that are afflicted by this curse, but Libya, Yemen, the Sinai peninsula, Afghanistan and Nigeria. The attacks recently in Ouagadougou and Jakarta also highlight the global phenomena that we are facing. If we do not develop a comprehensive strategy to tackle this problem, we will find that even if we are successful in Iraq and Syria the problem will emerge elsewhere, whether it is called Daesh, al-Qaeda or whatever new formulation emerges, and it will threaten and menace us still.

As we go forward, we must learn from our mistakes. I know that Governments and countries are not always good at doing this, but given the menace we face it is critical that we get better at it. The first lesson we need to learn is that formenting regime change has proved comprehensively disastrous for us in this region, whether in Iran in the 1950s with the overthrow of Prime Minister Mossadegh, the invasion of Iraq overthrowing Saddam Hussein, or Libya more recently. We have to learn that we do not have sufficient understanding of the complexities of these societies or of the consequences that flow from our actions to keep blundering in, in the way we have done in the past.

Moreover as Libya shows, we lack the attention span or the resolve to tackle the problems arising from our interventions. Our insistence on the removal of Bashar al-Assad was foolish. It was foolish because we had no way of effecting it, foolish because personalising the issue on Assad showed our lack of understanding of the regime and foolish because it helped scupper any chance that the original peace talks might succeed.

We must not let it scupper the next round of peace talks. As the noble Baroness, Lady Helic, pointed out in her speech when we debated Syria last year, to bring peace in the former Yugoslavia, people had to make peace with Milosevic. No one liked that; he was responsible for terrible brutality but that was the price for peace and it was one that was worth paying.

Indeed the best way to get rid of Assad, as was the best way to get rid of Milosevic is to end the war, particularly as there are many people in minority communities who, as long as the war continues, see Assad as the best of a lot of bad options. If we make Assad going a precondition we will simply ensure that the war continues and Assad remains, and as a consequence many more people will die. Everyone, including the Prime Minister, has accepted that we cannot ultimately defeat Daesh until there is a political settlement. On 26 November, the Prime Minister told the House of Commons:

“We are now seeing Iran and Saudi Arabia sitting around the same table as America and Russia, as well as France, Turkey and Britain. All of us are working toward the transition to a new Government in Syria”.—[*Official Report, Commons; 26/11/15, col 1492.*]

The difficulty is that so many of these parties want such different things. I hope the Minister can update us on progress towards convening the all-party talks proposed for 25 January. Can he tell us whether he sees any prospect of such talks taking place this month, as planned? It has been widely reported that in briefing the Security Council on 18 January the UN special envoy on Syria, Staffan de Mistura, expressed his frustration about the many obstacles being placed in the way of his ability to convene a broad representation of opposition groups at the talks. As my noble friend Lady Falkner has already suggested, in particular Saudi Arabia may be playing an unhelpful role in that respect. It is reported that Turkey is blocking the attendance of the Kurdish YPG and the Democratic Union Party, that Russia is blocking attendance of Saudi-backed groups such as Ahrar al-Sham and Jaish al-Islam, and that Saudi Arabia is insisting that the Riyadh-based and Saudi-aligned high negotiations committee is exclusively to be given the status of the opposition delegation.

Can the Minister assure us that the UK gives its full support to the UN special envoy in dealing with these issues? Can he give us some indication of the role that the UK Government are playing in ensuring that the talks take place as soon as possible? Finally, can he tell us what progress the International Syria Support Group has made towards securing a ceasefire among non-Daesh and ANF forces, which it agreed as a priority in October? Given the central role of the political track in the ultimate defeat of Daesh, it is concerning that we hear so much about the military effort and so little about the diplomatic track. I hope that the Minister will put that right this afternoon.

We must hope and pray that the peace talks bring some results, and that we can get to a position where coalition air forces can work with a reformed Government and reformed Syrian army to finally defeat Daesh and bring peace and order back to the Syrian people. I fear that that happy day may be some way off but, even when we achieve it, we will not have resolved the threat of extremist violence around the world. To do that, we need to look much more carefully at our strategy and how we adopt it across the region, instead of adopting a piecemeal approach. The establishment of the National Security Council by the Prime Minister under the coalition Government was a hopeful step forward, but I regret very much that it did not take a much more

strategic view of issues, as we had hoped, and that there were few strategic discussions on areas such as the Middle East. We need a comprehensive approach.

I understand the difficulty that Governments face in tackling as complex a threat as Daesh, and how much easier it is to be critical when you are outside government. However, I hope that the Government will work as hard on the diplomatic track as on the military track. When peace is finally restored to Syria, I hope that the UK Government will not allow their interest and attention to wane, as they did so tragically in Libya.

6.32 pm

Lord Collins of Highbury (Lab): My Lords, the war in Syria has killed 250,000 people, contributed to the biggest refugee crisis since World War II, and become a breeding ground for Daesh and other extremist groups that threaten not only Syria's neighbours but all the powers supporting one side or the other. I am extremely grateful to the noble Lord for initiating this debate and giving the House the opportunity to look beyond any one specific action and to consider what is meant by a “strategy” in the context of defeating Daesh.

The lesson from previous conflicts is that having a strategy is one thing but it needs to be followed through to fruition, with clearly defined objectives. The current situation in Syria and beyond highlights that a strategy to defeat Daesh cannot be limited to Syria alone, much as the conflict cannot be confined to its borders. In this context, modern conflict is not just physical so a strategy needs to be comprehensive, targeting Daesh not only in Syria but in cyberspace and at home as well as abroad. A strategy needs to be a broad approach recognising globalisation, the conflict and Daesh itself, otherwise it risks overly focusing on one aspect.

A strategy needs to be proactive and offensive, but also defensive, in the sense that care and attention need to be paid to how the strategy, and, indeed, Britain's involvement in Syria, is presented. To my mind, too much attention is paid to the RAF bombing missions and not enough to other aspects. If we are to have international security and stability, development, defence and diplomacy have to go together. We need a joined-up, whole-government approach to this conflict.

If there is one lesson that should be learnt from more than a decade of combating Daesh and its previous incarnations, it is that no amount of foreign force can defeat the organisation without enlisting the help of an armed local resistance. Daesh strategy in Iraq and Syria is built around the objective of subduing locals and leaving them with no viable alternatives. The targeting of oil facilities and trucks may be paralysing the economy in Daesh-controlled areas, but we also need to understand how sometimes this pushes people to join the only employer in town to generate income for their families.

As Daesh embeds in residential areas to evade air strikes, it continues making money through taxation, extortion and other means that enabled it to take most of the areas now under its control before it laid its hands on the oil infrastructure. It is also quietly expanding in less strategic but vulnerable areas, such as those

[LORD COLLINS OF HIGHBURY]
between Palmyra, the city of Homs and southern Syria, to avoid intensive bombardment or heavy military deployment.

The Secretary of State for Defence, Michael Fallon, said this week that we are entering a new phase,

“where we aim to systematically dismantle Daesh’s structure and capabilities ... That means striking harder at the head of the snake, with an increased focus on infrastructure, lines of communication and supply routes”.

While that element of the strategy may be vital, it should not be the sole focus. We need to encourage local forces to fight Daesh. I therefore ask the Minister: what steps are the UK Government taking to work through existing and new channels to advise, network, train and provide non-military services to armed fighting groups in different parts of the country?

One example highlighted in a recent Chatham House report was support for a unique programme to promote moderate imams in an area controlled by various rebel forces, instead of extremist clerics affiliated to jihadi organisations. Part of the moderate clerics’ focus was to educate worshippers about the danger of takfir, or pronouncing fellow Muslims infidels or apostates. According to a field commander of the faction overseeing the programme, the culture of takfir is a major impediment to getting fighters to combat groups such as Daesh, especially if the faction is backed by western countries.

On the peace process, the noble Baroness, Lady Anelay, referred last week to the fact that, as a result of efforts by the International Syria Support Group over the past three months, the UN Security Council passed Resolution 2254 on 18 December, requesting the UN to convene the Syrian Government and opposition for negotiations on a transition process. As we have heard, these negotiations are due to start on 25 January and will be a welcome step towards ending the conflict, but it seems that Russia is determined not to let Assad or his party lose power. Although I hear what the noble Baroness, Lady Falkner, says, I am of course aware that it remains the Government’s hope that Russia will use all its power with the Assad regime and persuade him to come to the talks and ensure that the team is engaged in true negotiations about peace to achieve a transition process.

However, does the Minister think that the UN process outlined for a new constitution and elections within 18 months is practicable in that timeframe? Are we actually predicting failure if we do not meet that specific target? Obviously, in any road map for peace, you need certain milestones.

The strategy also needs to focus domestically. I was pleased to note from yesterday’s *Evening Standard* that Scotland Yard’s anti-terrorism chief praised Muslims in London for coming forward to help fight extremism. However, anyone who watched Channel 4’s programme on Tuesday night this week will have seen it highlight the threat of jihadist extremists and how they can evade prosecution. Is the Minister satisfied that the counterextremism strategy is fit for purpose in such circumstances?

Refugees have, of course, to be a major part of the strategy. Yesterday, the Minister for International Development said:

“The overwhelming majority of refugees remain in the region and this is where our support is targeted. We have been at the forefront of the response and have pledged more than £1.1 billion to the crisis”.—[*Official Report*, 20/1/16; col. 760.]

However, I remain concerned for the millions of Syrian refugees in the region who remain displaced and, in particular, those in neighbouring countries or in transit. What representations have the UK Government made, for example, to the Lebanese authorities, about the forcible return of Syrian refugees?

6.41 pm

The Earl of Courtown (Con): My Lords, the noble Lord, Lord Truscott, said that I had possibly drawn the short straw in replying to the last debate of this January Thursday. However, I could not agree less with him to be perfectly honest, because the high quality of the speeches made by all those who contributed on all sides of the House certainly impressed me. I am only too happy to admit that they have increased my knowledge of this issue. So I am grateful to all noble Lords for their contributions. A number of detailed questions were asked. I will do my best to answer them, but I hope that noble Lords will allow me to reply in greater depth in writing.

The Government’s strategy to tackle Daesh in Syria and globally is comprehensive, spanning political, diplomatic, humanitarian and, of course, military action. But, as the noble Lord, Lord Collins, said, it is the combination of all these factors that is so important.

The horrific attacks this month in Istanbul and Jakarta, as well as those elsewhere, demonstrate the very real threat that we all face. Our law enforcement and security and intelligence services are working constantly to keep the people of this country safe and secure. We are taking all necessary steps to make sure that they have the powers, the capabilities and the resources they need. I say to noble Lords who asked about our capabilities that that is why we are spending 2% of GDP on defence, recruiting an additional 1,900 officers for our intelligence agencies—which will also help with cybersecurity, about which noble Lords asked—doubling our investment in equipment to support our Special Forces and protecting counterterrorism policing.

As noble Lords also said, tackling Daesh requires a global response. The United Kingdom is a leading member of a global coalition of 65 countries and international organisations, including many in the region, united in our aim to defeat Daesh on all fronts. The United Kingdom and the coalition will work with any countries which prove they are serious about fighting Daesh and protecting civilians.

British and coalition efforts are focused on five areas. We are attacking Daesh militarily; restricting its finances; disrupting the flow of fighters; challenging its poisonous ideology; and working to stabilise liberated areas. To tackle the funding, the United Kingdom has led efforts to create and enforce an international legal regime, underpinned by UN Security Council resolutions, which we co-sponsored. We are working with our regional partners to ensure the implementation of UN and EU sanctions, to stop Daesh’s ability to trade outside the formal financial system and to prevent smuggling out of Syria.

The military campaign, as mentioned by noble Lords, is also crucial. The RAF carried out 15% of air strikes in the global coalition's recent offensive targeting Daesh oil facilities. This offensive destroyed 25% of Daesh's daily oil production capability, equating to approximately 10% of its total income.

Noble Lords also mentioned strategic communications. The UK is leading the effort to counter Daesh's poisonous propaganda, co-chairing the coalition's strategic communications working group with the United States and the United Arab Emirates. In September my right honourable friend the Prime Minister announced that the United Kingdom would create a coalition communications cell in London, with staffing and financial support from coalition partners. I am pleased to say that this coalition cell is now up and running. It will ensure that no communications space currently exploited by Daesh is left uncontested. It will generate a full range of communications at a pace and scale necessary to highlight Daesh's perversion of Islam, its barbaric treatment of individuals under its control and its failures on the battlefield.

Military operations need to be followed by stabilisation efforts to provide security, governance and services to populations in areas liberated from Daesh. The United Kingdom is supporting the work of the United Nations Development Programme in Iraq. In Syria, the situation is more complex. The United Kingdom is working with existing local Syrian institutions, as well as with moderate partners on the ground. This will establish a strong foundation to support transition and restore stability as quickly as possible.

All noble Lords, I think, questioned the political future of Syria. Ultimately, a political solution in Syria will be key to stabilisation, reconstruction and the defeat of Daesh. We need an end to the civil war and to have in place a transitional Government with whom the international community could co-operate fully to help restore peace and stability to the whole country. That means a Syrian Government broadly accepted by their people. As the Prime Minister said to the Liaison Committee last week,

"as long as you have Assad in power, you are in danger of having a Daesh-style, Sunni ... terrorist ... state in western Syria".

Assad cannot be part of the future of Syria. That is why we are putting Britain's full diplomatic weight behind political talks to secure a transition to an inclusive Government in Syria who respond to the needs of all the Syrian people.

A number of noble Lords mentioned UN Security Council Resolution 2254, requesting the United Nations to convene the Syrian Government and Opposition for negotiations on a transition process. These negotiations, due to start on 25 January, will be a welcome step towards ending the conflict. I confirm to the noble Lord, Lord Collins, that Her Majesty's Government are throwing the United Kingdom's full diplomatic weight behind the efforts of UN Special Envoy de Mistura to bring the Syrian parties to talks on 25 January.

As noble Lords will know, the situation is highly complex and fragile, but we remain hopeful that both sides will agree to take part in the talks. There is still clearly a long way to go on the political talks but also the best chance for peace that we have seen in four years.

The United Kingdom, as a member of the International Syria Support Group, is working with a host of countries including Russia, the United States—very importantly—France, Turkey, Iran, Saudi Arabia and the United Nations towards negotiations between the Syrian parties on a transitional Government. My right honourable friend the Foreign Secretary attended the last meeting of the International Syria Support Group, which noble Lords have mentioned, on 18 December in New York. The subsequent ministerial meeting of the UN Security Council which passed the resolution was an important step forward in the international community's efforts to bring about political transition in Syria. The resolution is supported by all members of the ISSG, including Russia and Iran, and of course by the entire Security Council, but there is still a long way to go.

In Riyadh earlier in December, more than 100 representatives from a wide range of Syrian opposition groups met to form a common negotiating position, ahead of intra-Syrian talks convened by the United Nations, which the United Nations special envoy hopes will begin and continue next week, as I mentioned earlier. This is an important step on the political track.

The noble Lord, Lord Williams of Baglan, mentioned the importance of the minorities in this area. The situation is quite desperate for many such communities within Syria and Iraq. We condemn in the strongest terms the atrocities committed by Daesh against all civilians, including Christians, Mandeans, Yazidis, and other minorities—as well as against the majority Muslim population in Iraq and Syria, who continue to bear the brunt of Daesh's brutality. Ultimately, the only way to protect the Christians and other religious minorities from Daesh is by defeating this organisation, which in turn requires, among other things, ending the conflict in Syria.

There are a number of questions that I have not answered in great detail, but I will write to noble Lords on those various issues.

To conclude, the Government's strategy to defeat Daesh in Syria is a comprehensive one. We are working within the region in a global coalition across political, diplomatic, economic, humanitarian and military fields. We are also working with the international community to end the civil war and support a transitional government in Syria. As my right honourable friend the Prime Minister has said, we face a generational struggle. However, our strategy is the right one. Let me assure the House: the defeat of Daesh is a goal to which the Government are utterly committed.

House adjourned at 6.52 pm.

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