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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 26 January 2017

11 am

Prayers—read by the Lord Bishop of Durham.

Sustainability and Transformation Plans Question

11.06 am

Asked by **Lord Greaves**

To ask Her Majesty's Government what progress is being made with the Sustainability and Transformation Plans for England.

The Parliamentary Under-Secretary of State, Department of Health (Lord O'Shaughnessy) (Con): My Lords, proposals have been published for all 42 sustainability and transformation plans—also known as STPs—covering every part of England, with a goal of making the NHS five-year forward view a reality. NHS organisations have now submitted their operational plans for 2017-19. These are the next steps in turning STPs from proposals into practical action.

Lord Greaves (LD): My Lords, with 42 areas, a huge number of meetings, a huge amount of report-writing and research and all kinds of things are taking place, diverting a large amount of time and resources. The Government see the operation as a way of slashing spending, but the professionals involved on the ground see it as a way of providing better services. Do the Government realise that they cannot carry out another huge wave of reorganisations in these 42 areas without extra resources, rather than less resources? Can they tell us how many staff are engaged on the STP process and at what cost, and how much is being spent on consultants and other outside support to carry out this operation? How much is it all costing?

Lord O'Shaughnessy: My Lords, the sustainability and transformation plans are operational plans for putting the NHS's own five-year forward view into practice. They are about the community and clinically led redesign of services to do things such as make it easier to see a GP, improve cancer diagnosis and give faster mental health support. Noble Lords might be interested to know some of the big opportunities for service improvement identified by the Lancashire and South Cumbria STP, which is local to the noble Lord: 27% of people seeing their GP could have had their issue resolved another way; 25% to 50% of hospital beds were used by people who did not need to be there; and 30% of A&E attendances could have been avoided. It has said that about £176 million of efficiencies could be found in the acute providers within that STP area alone. There are huge opportunities for change. It is clear that any changes cannot be approved without public consultation or without delivering clinical improvements. The Government are backing these plans in two ways. First, with the £1.8 billion—

Noble Lords: Too long.

Lord O'Shaughnessy: The noble Lord asked about funding and I want to provide him with an answer. The plans are backed by a £1.8 billion sustainability and transformation fund and £19 billion of capital spending over four years to help make these changes.

Lord Hunt of Kings Heath (Lab): My Lords, the Minister has talked about the public being involved. Why then have the public, local authorities and clinicians been excluded from the STP process so far, as shown by the King's Fund? These plans depend on investment in primary care, community care and social care. Where on earth is the money going to come from to invest in those services, when the acute sector is under such pressure?

Lord O'Shaughnessy: Clinicians and local authorities are involved in these plans. The whole point of the plans is that they bring everybody together within an area to create changes that are driven from the bottom up, so as to provide a much more efficient service. The noble Lord knows full well that more money is going into both primary care and the service overall.

Lord Patel (CB): My Lords, STPs are a major systems change in the way healthcare will be delivered. As the Minister said, there will be significant demand for the resources going into them. What are the governance arrangements for the STPs?

Lord O'Shaughnessy: I thank the noble Lord for that question. STPs are voluntary groupings of all the relevant people—whether that is at the acute level, in primary care or local authorities—coming together under leadership to create the changes. Those then turn into operational plans that are delivered by individual hospitals, primary care settings and so on.

Baroness Walmsley (LD): My Lords, these plans were supposed to have got under way last October. Have any of them actually started transforming services in their area, or are they still too busy figuring out how to balance the books?

Lord O'Shaughnessy: All 44 sustainability and transformation plans have now been published and are being scrutinised by NHS England, which is helping to ensure that they are as successful as possible. Operational plans will then come forward from April 2017 onwards.

Baroness Crawley (Lab): My Lords, the sustainability and transformation plans have been widely criticised for not yet allowing adequate public or parliamentary scrutiny. Does the Minister agree with me that any future rationing of cancer drug treatment, for example, should receive the public scrutiny it deserves? In particular, will he intervene with NICE and the pharmaceutical company Roche to demand a rethink on the proposal to stop from next week the effective secondary breast cancer drug, Kadcyla, being available to women on the NHS?

Lord O'Shaughnessy: On public scrutiny, all the sustainability and transformation plans have had public involvement. They were published and consulted on. I do not recognise the picture that the noble Baroness

[LORD O'SHAUGHNESSY]

paints in relation to cancer drugs. This Government created the cancer drugs fund in order specifically to fund innovative cancer drugs and bring them to market more quickly. She will know that decisions on availability and funding of drugs are properly taken by NICE on a clinical basis.

Baroness Finlay of Llandaff (CB): In July last year, the Government's response to the national end-of-life choice offer was that end-of-life care would be part of all transformation programmes, yet 20 of the plans make fleeting or no reference whatever to end-of-life care and only six have clearly stated plans. That is despite approximately a quarter of a million patients dying each year in hospital. While some cases are acute, a large number of patients have a period where they need their care improved. What action are the Government taking?

Lord O'Shaughnessy: I thank the noble Baroness for making that point. The purpose of NHS England's review of the STPs is to make sure that they account for all the priorities set out in the *Five Year Forward View*. Clearly, that involves end-of-life care, and NHS England will work hard to make sure that it is properly reflected.

Baroness Tonge (Non-Aff): My Lords, a very interesting and good report has been published this week on pilot schemes in three London boroughs to treat the effects of female genital mutilation and prevent it occurring in future generations. We have already heard from one clinic in that pilot project that it will have to close at the end of March through lack of funding. Will Minister assure us that such projects, which are vital for many women in our communities, will continue in future?

Lord O'Shaughnessy: I thank the noble Baroness for raising that issue, which I was not aware of. I would be very happy to write to her on it.

Electricity Supply: International Interconnectors

Question

11.14 am

Asked by *The Lord Bishop of Chester*

To ask Her Majesty's Government, at peak electricity demand, what level of supply is expected to be available through international interconnectors.

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Prior of Brampton) (Con): My Lords, Britain currently has 4 gigawatts of interconnection capacity with neighbouring countries, which feeds into the country's 55 gigawatts at peak demand. For security of supply purposes, we do not count on interconnectors providing their full capacity. For 2021, we expect interconnectors to be able to provide 2.2 gigawatts through a time of system stress.

The Lord Bishop of Chester: My Lords, if we are to depend upon 2 gigawatts-plus when there is currently just under 1 gigawatt coming in because of the cold weather on the continent, what contractual arrangements—I underline “contractual”—will exist to guarantee that 2.2 gigawatts?

Lord Prior of Brampton: My Lords, I am not sure; I will have to write to the right reverend Prelate on that question. But more generally, the electricity provided through the interconnectors is a flexible supply. It can go either way, into or back from the continent, depending upon differential prices in the two markets. It is not part of our baseload capacity.

Baroness Featherstone (LD): My Lords, 11.6 gigawatts of capacity from interconnectors has been paused because of Brexit. A key factor in ending that pause—as the Minister said, it will give us our security—will be whether the UK remains in the European internal energy market. What priority does this have with Her Majesty's Government?

Lord Prior of Brampton: I do not think there will necessarily be any impact from Brexit on the interconnector market. We are committed to building another 7.7 gigawatts of capacity and, in the Budget of 2016, we increased that to an additional 9 gigawatts of capacity by 2021. We are going to increase the amount of electricity flowing both ways through the interconnector system.

Lord Oxburgh (CB): My Lords, as the Minister is undoubtedly aware, last Tuesday, 17 January, we received nothing through our interconnectors. Wind and other renewables generation in the country made up 2% of our supply and the remainder came from gas, coal and nuclear. Does he agree that to keep the lights on and to ensure security of supply in the country, we must have a minimum amount of dispatchable generation which can meet that demand and, furthermore, that that dispatchable supply is likely to be gas with carbon capture and storage? I declare many non-pecuniary interests in carbon capture and storage.

Lord Prior of Brampton: My Lords, I have an app on my phone through which I can tell exactly where all the electricity is coming from at any time. That 2% from renewables is very low; obviously, the wind was not blowing that day. The noble Lord is absolutely right that our baseload is provided by gas, coal and nuclear and I assure him that, in its *Winter Outlook Report* of October 2016, the National Grid said that we had an electricity margin of 6.6%, compared to 5.1% for the same period last year. There are no current concerns about security of supply.

Lord Elton (Con): My Lords, my noble friend has repeatedly said that the current can flow in both directions. Can he tell us in which direction it will flow when both the continent and this country are in the grip of acute conditions? Will that be determined by market forces, by contractual decisions or by political agreement?

Lord Prior of Brampton: I think that the right reverend Prelate also raised that question and I do not know what the contractual arrangements are. I will have to write to my noble friend if this is not correct, but my understanding is that the flow of electricity to or away from us depends upon market conditions in the two countries—that is, the price differential between them. If there are contractual arrangements, I will write to my noble friend accordingly.

Lord Grantchester (Lab): My Lords, I welcome the Minister to his new responsibilities, and will follow up on some of the earlier questions. The EU norm for interconnection is currently about 10% of capacity and at present the UK has only 4% covered by interconnectors. Can the Minister confirm how many might come on stream between 2018 and 2023, and to what increased capacity? Notwithstanding his earlier answer, what guarantees can the Government give to ensure their status upon Brexit and access to the single energy market in the EU?

Lord Prior of Brampton: My Lords, the current percentage of our market supplied by interconnectors is, as the noble Lord says, around 4%. It is due to grow considerably between now and 2021. An additional 7.7 gigawatts of capacity are due to come on stream. As said, under Budget 2016 it may increase to 9 million gigawatts, but that will be post-2021.

Lord Tugendhat (Con): My Lords, does my noble friend agree that security of supply should be a pre-eminent objective of energy policy; that self-sufficiency has an important role to play; and, in that context, that we will continue to rely on fossil fuels for a very long time to come?

Lord Prior of Brampton: I agree with my noble friend that security of supply is of paramount importance and that we will continue to rely on gas and, to a declining extent, coal in future. Of course, nuclear will form an increasingly important part of our baseload.

Lord Broers (CB): My Lords, can the Minister reassure us that the Government are going ahead with the small modular nuclear reactor competition that was announced some time ago?

Lord Prior of Brampton: My Lords, I am aware of the small modular nuclear reactor programme. I will have to write to the noble Lord to tell him where we have got to in that process.

Lord Berkeley (Lab): My Lords, will the Minister explain his answer on the Government wanting more nuclear? There are reports in France that there is a very serious shortage of power because so many of the nuclear power stations are on stop because they are breaking down—and that is before France starts operating its new one. Is it therefore not likely that there will be nothing coming from the interconnector for quite a few years, so should we not have alternative arrangements for the interim?

Lord Prior of Brampton: My Lords, we are putting in extra interconnector capacity, as the noble Lord knows. The problem in France is that much of their nuclear plant is getting quite old. It is one reason why we are investing more heavily in nuclear in this country.

Electoral Fraud Question

11.22 am

Asked by **Lord Rennard**

To ask Her Majesty's Government what is their assessment of the level of electoral fraud at elections held in Great Britain.

Lord Young of Cookham (Con): My Lords, the Government believe that electoral fraud is unacceptable at any level. In its latest analysis of fraud, the Electoral Commission noted that the number of cases was significantly higher than in previous years. In his review of electoral fraud, Sir Eric Pickles identified the areas that are at risk of fraudulent activity. The Government's response sets out a programme of work for tackling electoral fraud and building a clear, secure democracy that works for everyone.

Lord Rennard (LD): The evidence suggests that there may be much more of a problem with postal voting than with people being impersonated at polling stations. Is it therefore not time to look again at people's applications for postal votes, such as the reasons provided for needing to vote by post rather than going to a polling station, and at the declaration of identity accompanying the postal votes to confirm that the ballot paper has been filled in in proper conditions of privacy?

Lord Young of Cookham: Sir Eric Pickles made some recommendations on postal votes, although he did not make the recommendations to which the noble Lord referred. Postal voting is an enormous help to those who want to increase participation in democracy and it would be wrong to exclude it. Sir Eric said that postal votes should be renewed every three years. In other words, they should not automatically run on for ever and after three years people in receipt of a postal vote should have to reapply. The Government are consulting on those recommendations.

Lord Kennedy of Southwark (Lab): My Lords, there is a need to review the process in respect of electoral fraud and deal with some of the unintended anomalies in the procedures at present. Will the Minister and some of his officials meet me to discuss these matters?

Lord Young of Cookham: I am sure the Minister for the Constitution, who has responsibility for electoral matters, will be more than happy to meet the noble Lord to discuss this issue. Our profession is not held in high regard at the moment, and it assists us on all sides of the House if we can restore confidence in the electoral process and increase the integrity of the voting system.

Baroness Gardner of Parkes (Con): My Lords, very often in the past it used to be that whoever was running a nursing home made all the postal votes for everyone. I raised this with members of the opposition party at the time of the last general election. I cited a particular constituency where the candidate who was way ahead was suddenly completely swamped by a vast postal vote, with 30 voters apparently living in places that could not hold 30 people.

Lord Young of Cookham: Sir Eric makes recommendations about postal votes, one of which is that political activists should no longer harvest postal votes. That practice is discouraged by the Electoral Commission in its code of conduct, but this is only a voluntary rather than a statutory prohibition. We will carefully consider how to deliver the ban on specified persons handling postal ballot papers, including enforcement and the creation of a new offence. As I said, we want to do all we can to increase public confidence in the voting system.

Lord Pearson of Rannoch (UKIP): My Lords, did not the Pickles report find that election fraud had been particularly evident in our Pakistani and Bangladeshi communities, where cases have been ignored because of,

“over-sensitivities about ethnicity and religion”?

What can the Government do to stop that in future?

Lord Young of Cookham: The Electoral Commission has identified 18 areas where there is a higher risk of electoral fraud, and Sir Eric has recommended that there should be a pilot in 2018 whereby ID must be produced to reduce incidents of impersonation. The Government are currently consulting on which local authority areas should take part in those pilots in 2018, and of course some of those local authorities at risk will be invited to participate.

Lord Hayward (Con): My Lords, I note the answer that my noble friend just gave in relation to the 18 areas. When going out and considering the pilot areas that might be involved, could he strongly encourage those local authorities to participate? There may be reticence in some cases, but the Government and the Electoral Commission have identified them as problem areas and they really ought to participate in those test projects in 2018.

Lord Young of Cookham: My noble friend has great expertise in this area and I listen carefully to what he says. It would be in the interest of those local authorities that have been identified as being at risk by the Electoral Commission to take part in the pilots that I have just referred to, to remove any doubts about the election results in those areas.

Lord Davies of Oldham (Lab): My Lords, we all want to see electoral fraud tackled and, as the Minister has indicated, it would help to re-establish the credibility of British politics. The Minister answered a Question yesterday on voter registration, and I want to ask him whether this is not the major priority with regard to

our electoral system. After all, he listed five groups that gave great cause for concern on voter registration, namely,

“black and ethnic minority groups, social tenants, tenants in the private rented sector, young people and students”.—[*Official Report*, 25/1/17; col. 660.]

Will the Minister give the assurance, which he did not give yesterday, that this is the main priority?

Lord Young of Cookham: With respect, I did give those assurances yesterday. I remind the noble Lord that there is a record number of people on the electoral register at the moment, notwithstanding the removal of all the ghost entries when we moved over to IER. I also outlined yesterday a number of initiatives that we are undertaking to drive up registration among exactly those groups the noble Lord has just referred to. We have a specific pack aimed, for example, at social tenants. We are undertaking initiatives with students, and we have a whole range of packs for young people, including one called Rock Enrol!. We are anxious to do all we can to increase the numbers of those who register and then increase the turnout at elections.

Lord Greaves (LD): My Lords, if people are going to have to provide documentation at polling stations, including documents with photo ID, do the Government realise that quite a few people do not possess any photo-ID documents? The electoral registration authorities will therefore have to provide a document on request for such people. Can the Government guarantee that that will be provided free of charge?

Lord Young of Cookham: The noble Lord is right. Most people will have some form of identification—a bank card, a bus pass, a railcard or an NUS card—but we recognise that some people may have none. That is why, in our response to Sir Eric Pickles, referring to the pilot, we said:

“We intend to invite local authorities to apply to pilot a number of schemes that involve both photographic and non-photographic identification”.

Brexit: Supreme Court Appeal Cost Question

11.29 am

Asked by *Baroness Smith of Basildon*

To ask Her Majesty’s Government what estimate they have made of the total cost to the Government of appealing to the Supreme Court in the case of R (on the application of Miller and another) v Secretary of State for Exiting the European Union.

The Parliamentary Under-Secretary of State, Department for Exiting the European Union (Lord Bridges of Headley) (Con): My Lords, the figures for the total costs associated with the case will be published in due course.

Baroness Smith of Basildon (Lab): I live in hope. I had hoped that the welcome announcement yesterday of a White Paper might have tempted the Minister into answering my Question with another welcome U-turn today.

I want to put a serious issue to him. The Prime Minister has been clear that she will invoke Article 50 by the end of March. Given that that is a deadline of her choosing, does he accept that it would have been more open and democratic if the past two months had been used for parliamentary debate, during the delay while this has been considered by judges in the courts, rather than having the rushed process we have now?

Lord Bridges of Headley: I am sorry to say that I dispute the premise upon which that question is founded. The Government believed, as did a number of others—including the Leader of the Opposition straight after the referendum—that the triggering of Article 50 was a matter for the royal prerogative. That was disputed. As I said yesterday, people have a right to dispute these matters in court. The matter was taken to court and the judgment has been passed. I also dispute that the last few months have not seen parliamentary scrutiny. I have very much enjoyed coming to this House to answer Questions, give Statements and so on, and I am sure we will continue to do so.

Lord Forsyth of Drumlean (Con): Does my noble friend not think it extraordinary to have been asked that question, given that the Leader of the Opposition wanted to trigger Article 50 the week after the referendum result?

Lord Bridges of Headley: My Lords, it was the day after the referendum result that he said that. That is absolutely the case, so we were not alone in assuming that we would be able to use the royal prerogative on the triggering of Article 50.

Lord Newby (LD): My Lords, the courts have required the Government to come to Parliament to trigger the negotiating process, and the Government have said that Parliament will have a vote at the end of it. What plans do they have to involve and consult Parliament during the negotiations, or will Parliament have no significant role in influencing the negotiations for the entire process?

Lord Bridges of Headley: I am sorry—I do not know whether I have been somewhere else or the noble Lord has, but I have been answering Questions, making Statements and responding to debates here, and that will continue. We are absolutely committed to ensuring that this House and the other place have ample opportunity to scrutinise the negotiations as they proceed. Furthermore, as I have set out on a number of occasions, there will also be the great repeal Bill and the legislation that will flow from it, which I assure the House will give your Lordships a great amount of legislative fodder upon which we can all deliberate.

Viscount Waverley (CB): My Lords, in the circumstances, would it not have been a folly not to have exhausted all legal channels, so as to avoid any complication down the road?

Lord Bridges of Headley: I have a lot of sympathy with the noble Lord on that point. The process also clarified the exact extent of the royal prerogative. We

now have that clarity and I am thankful for it, although I am obviously disappointed with the outcome and the ruling, and we shall now proceed.

Lord Lea of Crondall (Lab): My Lords, is the Minister aware that on pages 2 and 3 of the judgment there is a list of some 80 names of people who were at the Supreme Court, as are required to be listed? I have two questions about when we find out the cost of this affair at the Supreme Court. First, will we know which of these people are paid for out of public funds? Secondly, does the whole exercise cost more than when the House of Lords Appellate Committee worked out of two rooms on the third floor here and huddled around this part of the Chamber at nine in the morning?

Lord Bridges of Headley: My Lords, when we publish the costs we will make them as transparent as possible. On the question of previous processes, I gently remind the House who changed those processes to the situation we have now.

Lord Dykes (CB): My Lords, I, too, thank the Minister, because he does indeed answer the questions very well, and the whole House is grateful for that. Does he agree that it is not just a matter of the enormous cost of leaving the European Union? In an 8 January article by the Prime Minister in the *Sunday Telegraph*, she said in her first paragraph:

“When the British people voted in the referendum ... they did not simply vote to withdraw from the European Union; they voted to change the way our country works ... forever. It was a quiet revolution by those who feel the system has been stacked against them for too long”.

Therefore, there were many factors in that decision overall, and the Government must exercise care, not least over the fear of immigrants. Because of that mixture of feelings, the Government must exercise wisdom and restraint on these matters in the negotiations, because the Prime Minister is not elected directly and the Government’s majority rests on a voting population of 24%. The Government must proceed with care.

Lord Bridges of Headley: I hear what the noble Lord says, and I repeat: we wish to build a national consensus around our approach.

Lord Tomlinson (Lab): My Lords—

Lord Pearson of Rannoch (UKIP): My Lords—

Lord Tomlinson: The Minister stated clearly that he has come to this House and answered a number of questions. I remind him of the question that he failed to answer. I asked on Tuesday of this week whether he would tell us exactly what the Conservative manifesto said about membership of the European single market. He prefaced his reply by saying, “Of course I will”—and proceeded to do everything but.

Lord Bridges of Headley: I am sorry, but I dispute that. I made very clear what the Conservative Party manifesto said and, given the result of the referendum, we are honouring our commitment, as set out in the manifesto, to respect the outcome.

Business of the House

Timing of Debates

11.36 am

Moved by **The Lord Privy Seal (Baroness Evans of Bowes Park)**

That the debate on the motion in the name of Baroness Hayter of Kentish Town and the debate on the motions in the name of Lord Howell of Guildford set down for today shall each be limited to 2½ hours.

Motion agreed.

Neighbourhood Planning Bill

Order of Consideration Motion

11.36 am

Moved by **Lord Young of Cookham**

That it be an instruction to the Grand Committee to which the Neighbourhood Planning Bill has been committed that they consider the bill in the following order:

Clauses 1 to 3, Schedule 1, Clauses 4 to 8, Schedule 2, Clauses 9 to 12, Schedule 3, Clauses 13 to 42, Title.

Motion agreed.

Digital Economy Bill

Order of Consideration Motion

11.37 am

Moved by **Baroness Buscombe**

That it be an instruction to the Committee of the Whole House to which the Digital Economy Bill has been committed that they consider the bill in the following order:

Clauses 1 to 4, Schedules 1 to 3, Clauses 5 to 86, Schedule 4, Clauses 87 to 91, Title.

Motion agreed.

UK Withdrawal from the EU and Potential Withdrawal from the Single Market

Motion to Take Note

11.37 am

Moved by **Baroness Hayter of Kentish Town**

That this House takes note of the impact of the United Kingdom's withdrawal from the European Union and potential withdrawal from the single market on the rights of European Union citizens living in this country and the United Kingdom's future economic requirements.

Baroness Hayter of Kentish Town (Lab): My Lords, I want to cover two areas today. One concerns the rights of EU citizens already living in the UK, come our departure from the European Union. The other is

the UK economy, on which we depend for jobs and prosperity, and for the tax revenues which fund our defence, education, health and public services.

I think we all know that there is great anxiety among EU citizens living here, to whom,

“the Government is under a moral obligation to provide ... legal clarity”,

according to our EU Justice Committee. We must resolve the legal status of these citizens without delay. The 2004 EU citizens' directive is clear about freedom of movement: it is the right to come and go, to stay here without question for three months, to stay longer provided that citizens are employed, a student or have the resources so as not to need social assistance, and to have health cover. Then, after five years, there is the right to permanent residence.

Those who have been here less than five years may have no right to stay post Brexit under the existing rules, but they are also unsure what criteria they would need to meet to prove that they had been here. It would be quite a challenge for the Government, as well—dealing with 3 million applications. Many EU nationals who have been here well over five years may be unable to prove that they meet the criteria for permanent residency, while others—perhaps elderly relatives—would have no entitlement under current rules. Indeed, proving health cover may be difficult. Giving evidence, the noble Lord, Lord Howard, suggested that an NI number might suffice as evidence, but that would not cover everybody concerned.

We have seen the problems faced by individuals—by the London-born Dom Wolf, whose German parents ensured that he had a German passport but who now, despite living here all his life, faces having to prove that he should stay, including having to take an English test. Then there is the Dutch lady, Monique Hawkins, who was similarly told to prepare to leave the country, despite making her career and family here for over 24 years. I myself, having been born in Germany, started to fill in the 85-page application form to prove residency. It is, I have to say, a nightmare. I would have to produce 15 documents spread over five years—or, if I use my husband as a sponsor, I have to set out when I met him, when I started a relationship with him and when I decided to marry him. I did not like to confess that they were all on the same day.

I ask the Minister to review urgently how we will define EU citizens already resident here and how they can demonstrate this along with offering them the legal clarity that they so need. While those who have been here very many years might be protected separately under Article 8 of the ECHR, those rights are not absolute, with each case being determined on its particular facts, providing little certainty for those involved. Indeed, the Government have not even made any assessment of the number who might be able to get such protection, which seems a little short-sighted. There is also the “indefinite leave to remain” route but, if that looks complicated, the other one is even more byzantine.

Needless to say, UK nationals living elsewhere in the EU are also worried: about pensions, health, employment, education and their residency status and rights. Sandra Stretton, a pensioner in Spain, describes enjoying what she calls, “a very simple life which

afforded me serenity and peace of mind until ... the Referendum ... turned my world upside down”, leaving her “extremely concerned” as to whether she will lose pension increases, and treatment for her health condition, which is helped not just by the treatment in Spain but by the climate that particularly helps her condition. As she says, if she is forced to return to the UK and ask for every benefit available, she would lose her “independence and dignity and become a drain on society”. She has never requested financial assistance, and she has paid taxes and NI throughout her working life, but now she feels very insecure.

Then there is John Owen, who moved to Spain believing that his rights to healthcare, free movement within Europe, and a UK state pension were guaranteed by his European citizenship. Now, he says, “We face uncertainty with a particular concern as guardians of our youngest grandchild whom we have cared for since she was five months old, but we soon face decisions concerning secondary school and higher education. Under ‘Brexit’ scenarios it is difficult to visualise any path that does not involve Spanish citizenship”.

These are real cases, in the here and now, but the Government do not seem to take them seriously. Elizabeth Truss declined to meet the Joint Committee on Human Rights, a choice the committee labelled “unacceptable”, while the Government refused to send a Minister to our committee on acquired rights, looking at the impact of Brexit.

We should also consider the UK economy’s future needs. The NHS is heavily reliant on its 160,000 EU nationals, including 10,000 doctors and 20,000 nurses, overwhelmingly from countries which joined the EU before 2004, with a further 90,000 in social care. No wonder the BMA wonders how the NHS will be staffed after Brexit if it loses 5% of its workforce.

In one of our successful industries, tourism and hospitality, EU nationals are essential in places such as London. ABTA and the BHA worry that any cut in these numbers, together with the omission of foreign language as a skill for any points system, would make recruitment to their industry really difficult—a challenge for the food and drink industry, with 100,000 EU employees. Agriculture is worried: the NFU noted that, even by September, farmers were unable to meet the demand for seasonal workers. Normally they would get them from Romania and Bulgaria. The fall in the pound, added to the Brexit effect of insecurity, is already affecting our farming areas.

The Lords EU Committee heard concerns as to whether financial services would get the specialist labour that they need—we hear today of more possible moves of those services out of the UK. They are worried not only about the numbers and whether they would be able to get them, but whether there would be very bureaucratic and cumbersome procedures for recruiting staff from elsewhere in the EU. The chief executive of the British Bankers’ Association has identified banking as probably more affected by Brexit than any other sector, being the UK’s biggest export industry by far. Its need for high-quality staff has an impact on all of us because of the impact on the economy. The Benn Select Committee on Brexit has called on the

Government to take account of the importance of EU workers in these key sectors: health, finance and agriculture, as well as manufacturing, where EU nationals make up 15% of workers, and public services, with a quarter of a million EU staff.

The people have indeed spoken about Brexit, but Brexit now needs to think about people. It needs to be managed in a way that safeguards individuals’ rights and which helps our economy to prosper and grow—for the sake of all our people. I beg to move.

11.47 am

Lord Forsyth of Drumlean (Con): My Lords, if ever we needed an illustration of how muddled and in what a mess the Labour Party is on Brexit, one has only to read this Motion, moving:

“That this House takes note of the impact of the united Kingdom’s withdrawal from the European Union and potential withdrawal from the single market”.

“Potential withdrawal”—we are leaving the single market; we are leaving the customs union. The Prime Minister could not have made it more crystal clear. In endless debates during the referendum campaign, representatives from the Liberal Democrat Party, Labour Party and SNP all said that if we leave the European Union, we would not be able to be in the single market. Now they seek to make a distinction.

Lord Lea of Crondall (Lab): Is the noble Lord implying that membership of the single market was part of the referendum question? I do not recall that it was. Now we have the option of a hard Brexit or a soft Brexit, and he is implying that the government decision is a decision that binds Parliament. That cannot be the case, can it?

Lord Forsyth of Drumlean: The noble Lord has a particular view on these matters. I do not know what the difference is between a hard Brexit and a soft Brexit; it seems to me that it is the same difference between a hard pregnancy and a soft pregnancy—there is no difference. If the noble Lord does not understand that Brexit means Brexit, perhaps I can put it more simply: leave means leave. That is what people voted for. The single market, as he well knows as a great exponent of the European Union, does not exist in the treaties of the European Union. It is referred to as the internal market. Perhaps the noble Lord could think about how can we be in the internal market if we are outside the European Union? It would then be easier for him to understand what people voted for.

The Labour Party’s confusion is beyond belief. I heard the Opposition spokesperson on foreign affairs, Ms Thornberry, on “Newsnight” the other night. She said that they agree with the Government on lots of things—they want, for example, tariff-free access to the single market. Well, tariff-free access to the single market is the Government’s policy, but if you want tariff-free access to the single market then, by definition, you are not going to be in the single market.

I have one thing in common with the noble Baroness in that I proposed to my wife within eight days of meeting her and we have been together for some 40 years this year. However, the noble Baroness needs

[LORD FORSYTH OF DRUMLEAN]

to be more decisive on matters which affect the national interest. She is right about the rights of EU citizens living in our country, and that that issue needs to be resolved quickly. The way to do so is to get on with moving Article 50 and persuading our colleagues in the European Union that we need a reciprocal deal—namely, that British people living in the European Union will be able to stay in the European Union, and likewise people who have come here will be able to stay here. Nobody seriously thinks that more than 3 million people will be expelled from this country. Frankly, it is irresponsible for members of the Labour Party to create fear and anxiety among those people while fighting the referendum campaign at the same time as saying through the other side of their mouths that they are committed to implementing the wishes of the British people. I say to my noble friend the Chief Whip that to give us four minutes each to discuss matters of this importance makes a mockery of this House and our ability to hold the Government to account.

I shall say a word or two about the antics of the Scottish nationalists' behaviour and our embarrassing First Minister. One thing that the Liberals and the SNP have in common is they are crying out for more referendums but at the same time they do not accept the results of referendums when people vote in them. We have gone from the First Minister threatening an immediate referendum to it being possibly an inevitable referendum. As this argument has gone on in Scotland, it is the only part of the United Kingdom which has seen unemployment go up and not down as uncertainty has been created. I suggest that the First Minister sticks to her day job and concentrates on unemployment and the problems in the health service, education and elsewhere, and does not get involved in foreign affairs. She is, after all, the person whose party made Mr Trump an ambassador for Scotland on behalf of business in the global marketplace, then promptly withdrew that while calling on the Government to ban him coming to this country. Therefore, I suggest that her expertise may not lie in that area and she should butt out of this debate.

11.52 am

Lord Livermore (Lab): My Lords, I believe there is a strong and positive link between the two halves of this debate: EU citizens living and working in this country and a prosperous economy. Therefore, it is of great concern that the Government have chosen to make their national priority not growth, jobs and living standards but reducing immigration, regardless of the economic cost.

This perspective that the economic well-being of the nation matters less than the politics of control has driven the Prime Minister to set out the hardest possible interpretation of Brexit. Her argument is not that this will make Britain more prosperous, but that controlling immigration is so important it is worth pulling Britain out of the single market and the customs union to achieve. Therefore, as we scrutinise this decision, it must surely be right for us to consider what impact restricting the rights of European Union citizens to live and work in this country could have on our economy.

The economic benefits of immigration are clear. It increases growth, provides more tax revenue and helps pay for an ageing society. It creates new job opportunities, brings skills into our economy and makes us more competitive. There is substantial evidence that reducing immigration would damage our economy, and, by lowering tax receipts, put great strain on our public services. The recent Autumn Statement showed that we would need to borrow an additional £16 billion by 2020 to make up for the reduced tax take from falling migration, with a further cost of £8 billion every year thereafter. Yet, despite these arguments, the question of controlling immigration dominated the referendum campaign. Indeed, the Prime Minister believes it was so central to the outcome that we should withdraw from not just the European Union but the single market too, despite estimates that membership could be worth as much as 4% on GDP compared to WTO terms alone.

For this Government, the political priority of ending freedom of movement is more important than the economic benefits of the single market. However, by making immigration their national priority, they are creating huge expectations—expectations they are unlikely to meet for three reasons.

First, there are the numbers. Through constant reference to the burden on infrastructure and the impact on wages, the public have been led to believe that, when we end freedom of movement, not just immigration but the number of immigrants already here will fall. Yet what if—as we all hope they will—existing EU migrants are allowed to stay? What of new trade deals, where every potential new arrangement comes with the demand to open our labour market to that country's citizens? What, too, of the Government's record on controlling immigration from non-EU countries, the source of the majority of our immigration, over which we have always had control? The previous Home Secretary tried and failed to meet a target to reduce it and now non-EU net migration alone stands at double the Government's target of 100,000 per year. The reality is that non-EU migration may have to increase to meet the ongoing demand for skilled and unskilled labour.

The second expectation concerns the cultural impact of immigration: the view that ending freedom of movement will prevent the nature of our communities from changing. Yet, where this happens, much of the impact arises as a result of immigration from outside the EU, which, we should be clear, will be completely unaffected by ending freedom of movement.

Finally, it remains the case that the greatest hostility to immigration is to be found in those parts of the country where there are fewest immigrants. Despite politicians of both main parties advocating immigration control in order to solve the problems of these areas, their problems will not be solved because their problems were not caused by immigration in the first place.

These huge gaps between expectations and reality create a great danger for our country. We risk damaging our economy by leaving the single market only to find that the political promise of control was itself a fiction, and we risk stoking fears about immigration that will never be adequately addressed simply by ending freedom

of movement. In this gap between expectations and reality, the politics of extremism will lie in wait. We need urgently to change the terms of debate in this country and focus not on raising expectations that cannot be met but instead on solving the real problems that people face.

11.56 am

Lord Teverson (LD): My Lords, perhaps we could get the record straight on one thing. Three nation states are part of the European single market but not members of the European Union: Norway, Iceland and Liechtenstein. They are in the single market; they are not in the European Union. That is how it works and that was an alternative that we could have had.

I want to concentrate on something that the noble Baroness mentioned in her opening speech. I admit that, when it comes to general elections, I am not a regular Conservative voter.

Lord Greaves (LD): You are not a regular voter.

Lord Teverson: I am not a regular voter at all but—if the noble Lord, Lord Greaves, would let me continue—I was very taken by the 2010 Conservative manifesto, which stated:

“Strong families are the bedrock of a strong society. They provide the stability and love we need to flourish as human beings, and the relationships they foster are the foundation on which society is built”.

Absolutely—that was one of the best passages in any of the party manifestos that I read, although, unfortunately, it did not feature in the 2015 Conservative manifesto. It concentrated on families, which is the issue that I want to raise in this debate.

Unfortunately, over the last few years we have made it very difficult for third-country spouses of UK citizens to live in this country. They have high bars to meet on income and other qualifications. A lot of families are split up because one of the spouses or civil partners cannot pass those hurdles in British legislation and so is not able to join them. Currently, European citizens can reside in the UK with their third-country spouses or civil partners under European legislation and the legislation that we brought in as part of that in, I think, 2014.

I have a simple question for the Minister. It is the only point that I want to make. As part of the so-called great repeal Bill, will the spouses and civil partners of European citizens residing in the UK, who we hope will have the right to remain and work in this country, still be able to reside with them and their families after we leave the European Union? The Prime Minister quite rightly said that on Brexit day there should be a seamless movement, in legislative terms, of conditions and rights from the European Union when we stop being a member state. I welcome that. My question is: will spouses of European citizens, as well as those citizens themselves, still be able to reside on a similar basis in the United Kingdom? This issue concerns individuals, families, and the rights of and respect for families into the future. I am interested to hear in the Minister’s response an assurance in this key area, as well as one for European citizens themselves.

Noon

Lord Balfe (Con): My Lords, we seem to be connected to Germany. My wife was not quite born in Germany, but my father-in-law was working for the Control Commission in Hamburg. My wife’s parents had such trust in the German health system in the late 1940s that my mother-in-law was flown back to Woking to give birth to my wife. She was almost German; I am just glad that she is not, having heard of the antics the noble Baroness, Lady Hayter, may have to go through.

I will talk about the role of the staff of EU agencies in Britain. We have two EU agencies—the European Medicines Agency and the European Banking Authority—based in the UK with European staff working in them, as well as UK staff. We are saying to them that not only are we leaving the EU, but we are apparently unable to give them any undertakings, even though they are working for the EU, as to whether they will be able to have any continuation of employment in this country. Indeed, we appear to be trying to chase the agencies out of Britain. When the European Medicines Agency goes we will have a lot of work to do in our self-regulation of medicines. When the European Banking Authority goes, I doubt that the City of London will be overjoyed to see the back of an EU agency devoted to banking.

In Britain we also have two other institutions. I am not quite clear whether they will be thrown out. We have the marvellously named European Centre for Medium-Range Weather Forecasts based in Reading and Euratom in Culham. To what extent do the Government intend to withdraw from these agencies? At the moment it is unclear.

The point is that the people who work for these agencies were, effectively, British public servants who went to do the best for their country. They are feeling very let down. The European civil servants are similarly feeling let down. Many of them wanted to come to work in Britain. They were pleased that there were international agencies spread around the European Union making Europe a reality. Now, they are suddenly told—they are not all married to nationals of the same nationality as themselves—that they are to be uprooted, that their children are to be pulled out of schools, and that there are no guarantees being given at all. I put it to the Minister that it would be very simple to give some comfort to these people, either by saying, “You can stay”, or by saying, “If you have to leave, we will at least make it as easy as possible”, and that we will not carry on with what seems to me to be an unreasonable approach to the whole business.

I hope the situation of British nationals working in and for Europe will be fully taken into account. I know people keep saying it is, but the fact is a number of these civil servants do not feel that the Government are yet on side. I hope the Minister will reassure us today that the Government realise the human dimensions of this problem that we have set ourselves—because we voted for it—and will do everything they can to make as easy and humane as possible the lives of these civil servants, their pensions and their future responsibilities. I ask the Minister to take this into account in his reply.

12.05 pm

Viscount Chandos (Lab): My Lords, I welcome the chance given to the House by the initiative of my noble friend Lady Hayter to debate these hugely important subjects. Like my noble friend, I urge the Government to take the lead by unilaterally guaranteeing the rights of EU citizens currently residing in the UK. It is neither morally nor economically attractive to attempt to use their position as a negotiating ploy; nor is it even a good negotiating tactic. In all circumstances—and particularly when it is the UK that has initiated the change in the relationship with the EU—careful judgment has to be exercised in choosing negotiating positions.

The Prime Minister, on her way to meet President Trump, has, perhaps in preparation, been reading *Trump: The Art of the Deal*, popularly attributed to the President, even if its co-author and publisher both downplay his contribution. “Use your leverage”, the book advises. Its putative co-author certainly used financial leverage in his business life, and the Prime Minister will find out tomorrow and thereafter how he uses negotiating leverage. But the very inconceivability of not protecting the rights of EU citizens already resident in the UK, as acknowledged by the Chancellor of the Exchequer in Davos, makes the issue poor or non-existent negotiating leverage. It only draws attention to what the Minister—perhaps inadvertently—referred to last week as the weaknesses in our negotiating position. I therefore urge the Government again to give clear and unequivocal guarantees to EU citizens resident in the UK.

For the future, we need to restore widespread public confidence in government control of immigration—I recognise that—including from the EU, while at the same time, at the very least, not handicapping our long-term economic prospects. I commend to your Lordships’ House the report prepared for techUK by Frontier Economics and published on Tuesday. If its analysis and recommendations are specifically for the digitally intensive sectors of the economy, the principles and model are widely applicable. It recommends, inter alia, as well as the immediate confirmation of the rights of EU citizens currently resident here, a low-friction, smart immigration unit and recognition of the importance of UK firms being able to locate UK nationals to work in EU member states.

That said, and notwithstanding the intemperate remarks of the noble Lord, Lord Forsyth, I still believe that a more structured solution, such as the Bruegel think tank’s continental partnership, to which I have previously referred—retaining membership of the single market without being subject to the freedom of movement of people—is both desirable and achievable.

On the same day that the Prime Minister made her Lancaster House speech, Rachel Sylvester wrote in the *Times*:

“Mrs May is missing the EU’s shift on free movement ... Her inflexible negotiating position risks ignoring European politicians’ significant changes of attitude to migration”.

I hope that the Minister and the Prime Minister will reflect on this as they finalise the Government’s White Paper.

12.09 pm

The Lord Bishop of Durham: My Lords, I thank the noble Baroness, Lady Hayter, for introducing this debate. At the outset, I will take the opportunity to thank the Minister, the noble Lord, Lord Bridges, for his participation in ongoing conversations with the Church of England around these issues and for the time he has taken in hearing our concerns.

The last few weeks have brought some clarity to the process for the triggering of Article 50 and to the Government’s priorities in their negotiations. Although that clarity is to be welcomed, it stands in contrast to the continuing uncertainty hanging over families across the UK. I have received a lot of correspondence on this issue, and what many who have been in touch have sought to emphasise is that EU citizens in the UK cannot be abstracted from wider society. The people we are discussing today are mothers, fathers, partners—and, in some cases, priests. For example, I know of cases where an EU citizen is married to a British resident and yet is unable to claim permanent residence, although they are a spouse and the primary carer of two young children.

An unwillingness to commit to protecting EU citizens living in this country in many cases appears to be an unwillingness to protect the family life of British citizens. Imagine, as a young child, the amount of worry that the slightest possibility of your parent not being able to stay with you would cause. Similarly, imagine the strain that such a possibility is already placing on marriages.

The shape of the UK post Brexit will be formed by the process of our exit—and by this I mean not just how successful the Government are in the negotiation. Also important is the manner in which we go about it and the language we use, as the most reverend Primate the Archbishop of Canterbury reminded the House on Tuesday. This uncertainty and the resultant stress and strain on family life and children should not have a place in our negotiating strategy. It does not speak to the type of Brexit that we should aspire to—one that supports families and the common good. In her speech last week, the Prime Minister committed to using,

“this moment of change to build a stronger economy and a fairer society”.

Let us start as we mean to go on and commit to keeping families together.

Finally, we should recognise that protecting the rights of EU citizens in the UK is in our national interest. We are talking about people for whom no database exists and who contribute a great deal to our country. For example, I know that in the north-east, where I am based, many of our universities, world leading as they are, draw many of their academics from the EU. Durham University and Newcastle University, for example, have world-class faculties in many subjects. They are world class because of the expertise within them, and some of those experts are EU citizens. Already there are concerns about the loss of these experts. Failure to give them permanent residence will break up the very world-leading research teams that we as a nation need in order to stay as a world leader in academia.

Quite rightly, the Prime Minister recognised the importance of research to a post-Brexit UK, including it as point 10 in her 12-point plan for Brexit. It is vital that, whatever arrangement we reach, these academics know now that they are welcome and valued. I suggest that this is a perfect opportunity to let them know. Whether they are friends, family, faith leaders or workers, the people whom we are discussing today are not bargaining chips; they are a valued part of society, and in these uncertain times they need to know that.

12.13 pm

Lord Patten (Con): My Lords, I expect that most of your Lordships will remember that about six months ago we had many experts predicting that the UK was soon to become a fog-bound basket case—a kind of incipient North Korea but with added drizzle. It has not quite turned out like that. Just this week we see government borrowing exactly on target for the year end, stock markets booming and 40-year UK government debt with a very low coupon being fought over by foreign investors, who were desperate when the Debt Management Office put it up for sale a couple of days ago. Of course, as we have heard this morning, the United Kingdom's GDP in the most recent quarter puts us right at the very top of the G7 leader board. It has not quite turned out as most experts predicted. I have to say that I did not predict it, either—I do not count myself as an expert in very much. But no wonder people from abroad want to stay here and no wonder people abroad want to come here, as they will.

It is entirely reasonable that the noble Baroness, Lady Hayter, in opening her debate, concentrated both on the rights of EU citizens here and the rights of the very large number of UK citizens living in the EU. But equivalence will have to rule in any sensible negotiation. Her Excellency the extremely sensible ambassador to the Court of St James from France said in interviews on the record—it was published in the *Evening Standard*, so it must be true—that we need equivalence and recognition of the rights of citizens in the EU and in the UK. She was right, and I hope she has squared President Hollande and the negotiators on all this. We are just at the beginning of negotiations, when reciprocal and reasonable rights will be one of the issues to be finally resolved.

Most EU citizens are very well settled in and integrated here. One part of my life is down in the West Country, where there is a well-settled European Union community—Polish, as it happens. Opposite the local Roman Catholic church is a delightful shop called Little Poland. I know of no incidents of any sort of anti-Polish sentiment. Problems always come when people feel that immigration has tipped the balance; that is what we see in East Anglia, Lincolnshire and elsewhere. That is why control of our borders is so important.

We also have to recognise that the balance can change quite quickly in the other direction. I am told that a fair number of EU immigrants to this country have left or are now considering leaving because the drop in the pound—which, as we have seen, helps exporters—is hitting the value of their wages, and hence the remittances they can send home. I believe that reasonable control of our borders on a needs-first

basis is a national good in the interests of balance in all parts of the country. Whether it is up in the north-east with the right reverend Prelate the Bishop of Durham or elsewhere, we want good, integrated immigration and settlement, not immigration that causes trouble.

In the closing moments of my speech, I want to reflect on what the right reverend Prelate said in the closing moments of his speech. My right honourable friend the Chancellor of the Exchequer has said endlessly since last autumn—and most recently in the fleshpots of Davos—not just, in the oft-repeated phrase, that the UK should be and is open for business but that it will remain open for talent, university teachers, scientists, scholars and entrepreneurs, and not just those in the traditional financial services, where I work, but in the new developing fintech, biotech and artificial intelligence areas. I think that the Chancellor of the Exchequer is right to stress that. It sends a very good, clear message to those we will be negotiating with in future months.

12.18 pm

Baroness Kennedy of The Shaws (Lab): My Lords, I chair the Justice Sub-Committee of the European Union Select Committee. Our committee was really the producer of the *Brexit: Acquired Rights* report, which was submitted to the House by the European Union Select Committee. The very term “acquired rights” is one that had to be examined because, in the run-up to the referendum, confidence was given to European Union nationals living in this country and to our citizens living in other parts of Europe that they would have acquired rights, that everything would be fine and that they were not to worry. In fact, the notion of acquired rights is a term in international law, and the evidence before our committee showed that acquired rights did not provide very much comfort at all for people living here or for British citizens living in other parts of Europe. It was not designed for that purpose. It relates much more to the state's compulsory acquisition of companies and assets and so on, and works on a different level. The individual rights that people cherish—the right to live, work and study in this country, or for our citizens to do so in other parts of Europe—will certainly be in question as we leave Europe. Therefore, we should be thinking about this very seriously.

The Justice Sub-Committee was convinced by the moral argument, and it is that that we should think about first and foremost. One thing we have taken pride in is that we do not just operate on what suits us economically; we also think about our responsibilities. We have responsibilities to those who come to live and work and who need a life in this country. Many of those people face real anxiety. As we have heard, many of them have been confronted with serious problems in trying to consolidate their position and take up formal residence. The procedures are elaborate and byzantine—there are 80 pages of documentation—and they have to produce all manner of stuff that most of us would not have kept over many years. A very close friend of mine who is an enormously successful businessman in this country, who has been in the financial sector, describes how after 40 years of living

[BARONESS KENNEDY OF THE SHAWES]

here he has had to employ lawyers. He asks what that might mean for ordinary people trying to engage with this process. This should not be the case for people who have come here to work in our National Health Service, our financial services or our hospitality industries, who do all manner of work or who are here studying. We should also consider how it affects their families. Those people should not be a bargaining chip. While we are of course concerned for the rights of our citizens living in Spain who perhaps retired there because of the climate—I only today received an email from a gentleman living in Spain who went there because of his wife's chronic illness; she has now died and he is very anxious about his position and his own healthcare now that he is a retiree—people who have come to live and work here should not be a bargaining chip. Our report recommends that we should make a unilateral declaration that we will protect the rights of those citizens into the future as they have had them up until now.

I am the head of an Oxford college. Our vice-chancellor, Louise Richardson, called a meeting for Europeans working at all levels in the university—some were academics, but some worked in staffing and administration and so on. Some 1,700 people turned up, full of anxiety about their future. We should urge the Government to take a unilateral step. That would do a number of things. Any of us who have ever been involved in negotiations know that if you put something out there in the beginning, it wins good will for you in further negotiations. I have no doubt that there will be reciprocity from the other countries of Europe with regard to our citizens living there. But to hesitate at this stage and not to give such an assurance now is wrong. I have heard from firm Brexiteers that they agree that we should act now and not wait until the triggering of Article 50.

We should create a new system of fast-tracking specifically for those from other parts of Europe, and it should not involve the byzantine process that currently exists. We should have a special system for those who were living here at the point of the referendum.

12.23 pm

Lord Greaves: My Lords, those are very wise words. The noble Lord, Lord Forsyth, however, accused opposition parties of creating fear and worry. Who is creating the fear and worry? It is not opposition parties. The fear and worry exist as a result of the referendum decision and what the Government have been saying since then, and of the experience of people who have been trying to get British citizenship and permanent residence.

My noble friend Lord Teverson referred specifically to the right of spouses of British citizens living here to continue to do so even if they are not British citizens. That strikes very close to home with me, because my daughter's husband is a Danish citizen. He has been based in this country for many years, but he is one of those people who do not go through life hoarding all the documents that are ever sent to them. Some of us are hoarders; he is not. Putting together a case for permanent residence and gathering what is

required are tasks that will be almost impossible because of his life generally while he has been based in this country.

In particular, a lot of people are coming up against what is now revealed as the need for comprehensive social insurance, something which many of them who have lived in this country for many years never realised they needed. They were living in family groups but perhaps did not have a permanent or full-time job. They now find that they are penalised because they never had this insurance. Nobody told them that they would need it; nobody imagined that they would be in the position that they are.

The Government say that they want to sort out this problem as early as possible with the rest of Europe, but is this a policy or a procedural matter? Can it be sorted out with the European Union within the two years of the Article 50 negotiations, or is it one of those things where there will have to be new treaty negotiations after Article 50 has been sorted out? The Government have to be very clear on this question. If it is not possible to secure an agreement with the European Union as a whole, do the Government intend to secure bilateral agreements with each of the 27 remaining European Union countries, so that the rights of French citizens here might be different from those of Swedish or Bulgarian citizens, or differ from the rights of Britons in those countries? That is clearly a recipe for a great deal more uncertainty and worry. I think that the noble Lord, Lord Patten, talked about equivalence but we are not talking about that here: we are talking about individual people, not robots. To use these people as poker chips, as has been said—perhaps it is brag rather than poker—is immoral and unethical. It should not be happening.

Unfortunately, the experience that people are having is with the Home Office. From my 15 years of dealing with the Home Office over immigration and asylum cases, I have personal experience of what so many people report: that that organisation is not the most efficient or competent. There have been lost papers. Inquiries for visa extensions are not replied to in time. I know of a couple whose lifetime documents—the letters and communications between themselves—had to be sent to the Home Office. They were very intimate and they have been lost. There have been arbitrary decisions with no common sense, people treated in an offhand and insulting way and bureaucratic obstructions of every known variety. Unfortunately, this is endemic in too much of the Home Office. At a high level, the Home Office is not very competent; at an operational level, it is too often inefficient. It is widely seen by many people as exhibiting what I would call malevolent carelessness. This is coming out too much in the experiences of European citizens who are now in this country.

12.28 pm

Lord Hamilton of Epsom (Con): My Lords, many of your Lordships are quite rightly concerned about the status of EU citizens living in this country. But I would have thought that my right honourable friend the Prime Minister has done almost everything she could to reassure them that they would be allowed to stay here. What your Lordships are asking is that she

should take unilateral action, but there are many people in senior positions within the EU who never stop telling us that Britain has to be punished for voting to leave the EU. So there is a risk—that if we gave guarantees to the EU citizens living in this country, that form of punishment might take place and discrimination might be exerted against British citizens living in the EU. I do not want to dwell on that, but I do think that my right honourable friend has done everything she can to reassure citizens living here. I sincerely hope that, once Article 50 is moved, we will see this at the top of the agenda as something that has to be agreed with the EU.

I want to talk about the White Paper that was agreed to by the Government yesterday. I quite understand the attitude of the opposition parties; they hope that a tremendous amount of detail will be put into the White Paper so that the Government can be accused at a later stage of not honouring some pledge made in it and therefore of failing in the negotiations. I have no particular inside information on what is going to be in the White Paper, but I have a very strong feeling that it is actually going to be a repetition, probably with rather more verbiage, of the speech the Prime Minister has already given, laying out the objectives of where she wants the negotiations to go. I do not think that there will be much more in it than that. That will be absolutely the right thing to do. It would be against the interests of this country if we laid out in detail what we want, because that would undermine our negotiating position and would not be in the national interest.

We have also got to bear in mind that a number of European countries are fighting elections over the next nine months or so: the Dutch, the French and the Germans. I was talking to a lobbyist from Brussels on Monday whose wife is Italian, and he reckons that the Italians will have a general election by the end of March. They will all be facing Eurosceptic candidates. So if during this process of negotiation from the end of March we ask for any concessions, there would be tremendous momentum to make sure that no concessions are given. This is the problem we are up against in the short term; all the parties that are fighting these elections have to make out that Brexit is a complete disaster.

As my noble friend, who is no longer in his place, pointed out, the British economy is booming at the moment. It will be very difficult for people in Europe to say that Brexit has been a disaster. The pressure on a number of these countries is going to be very great. It even resulted in Chancellor Merkel saying that if we were going to have access to the single market, we would have to agree to the free movement of labour. That is not true. The United States has access to the single market and certainly does not agree to the free movement of labour between Europe and the United States. So we have a long way to go on all this, but let us try to keep the truth beaming out and let us be optimistic that this is going to work out well in the interests of both the United Kingdom and the EU.

12.32 pm

Baroness Warwick of Undercliffe (Lab): My Lords, last week the Prime Minister clarified the UK's negotiating priorities. While I regret the signal that the top line of

this negotiating position is a rejection of the principle of freedom of movement and withdrawal from the single market, it is important to know where we stand because, as many other noble Lords have said, so many other aspects of our future relationship with Europe depend on this decision. I declare an interest as a member of council at two universities.

One thing I noted in the Prime Minister's speech was that she signalled strongly that she will look for continued collaboration with other European member states in the field of science, research and innovation. It is the clearest signal yet that the Government are willing to continue to participate in EU structures and funding for universities and research and to continue contributing to funding them. Will the Minister clarify in his reply whether that is an accurate reading of what the Prime Minister said?

There are many fields in which it is simply impossible to achieve the scale needed to push forward the frontiers of knowledge within a single research group or even a single country. The framework programmes, of which Horizon 2020 is the current incarnation, have been hugely significant initiatives that have provided a platform for multilateral co-operation across Europe. Nearly half of British research publications have an international co-author. Nearly half the co-authors are European. Of the top 20 countries UK researchers collaborate with most often, 13 are other European countries—so it would undoubtedly be damaging to UK research if it were cut off from mechanisms to support this sort of joint work.

I started by saying that the negotiating position on freedom of movement affects many other things, and that is particularly true in this area. It is not at all clear that the UK will be able to reach so-called associate country status without accepting freedom of movement. Indeed, the recent experience of Switzerland, which voted to restrict the rights of Croatian nationals, was that the European Commission acted swiftly to bar it from participation in Horizon 2020. I understand from academics involved in discussions with European partners in Germany, the Netherlands, France and elsewhere that there is a strong desire in many other countries to find a way through this—but it will take political will on both sides.

Once Article 50 has been triggered, I would urge the Government, and the Minister for Universities and Science in particular, to pull out all the stops to engage with other European education and science ministries to persuade them to make common cause here, despite the political pressures to the contrary. Would the Minister explain, either in his response to this debate or afterwards, what plans the Department for Business, Energy and Industrial Strategy has to engage in this way? I would urge it to involve universities in these discussions, in view of the work that Universities UK and others have been doing in Europe to build alliances on this issue.

Finally, the foremost issue for me, as for many others, is access to talent. In setting out her position in relation to freedom of movement and the free market, the Prime Minister has caused deep concern about the basis on which universities will be able to continue to attract the talented staff and students on whom we depend. I commend the noble Lord, Lord Hannay,

[BARONESS WARWICK OF UNDERCLIFFE]

who raised this important issue again in debates on the Higher Education and Research Bill yesterday. The House has spoken on this topic many times. Will the Minister reassure the House that, in crafting a new immigration relationship with Europe, the Government will ensure that universities will continue to be able to welcome academic staff and students from Europe?

We have great universities. They are great because of the people who teach and conduct research in them. They are great because they can attract brilliant students—enough of them to sustain a wide range of subjects. Cut off the flow of talent and the quality of our universities will decline, and we will all lose as a result.

12.37 pm

Baroness Coussins (CB): My Lords, I want to focus on two specific groups of EU citizens living in this country: teachers of modern foreign languages in our schools and foreign-language assistants. I declare interests as co-chair of the All-Party Group on Modern Languages and vice-president of the Chartered Institute of Linguists.

Thirty-five per cent of MFL teachers are non-UK EU citizens, and the figure for language assistants is 82%. Quite simply, unless they are guaranteed residency status in the UK after Brexit, language teaching in our schools will collapse. The UK alone is not producing enough languages graduates to fill the teacher shortage, which is already estimated at 3,500. These points are among those made in a checklist on Brexit and languages published by the all-party group which is intended to assist government negotiators.

There are, of course, many reasons why learning other languages is a good thing, but given the terms of this debate, I will focus only on the economic benefits, and that boils down to two factors: economic growth, and the employability and mobility of our workforce. Research shows that the language deficit is already costing the UK 3.5% of GDP, or £48 billion every year. The CBI and the British Chambers of Commerce have called for better language skills among British graduates and college leavers in order to boost export performance. They say that language availability rather than market strategy is driving export decisions. We are overdependent on Anglophone markets, and 83% of SMEs operate only in English when over half of them say that language skills would help expand their business opportunities and build export growth.

The employability of UK citizens in a post-Brexit world is also a vital part of our economic well-being. Many employers are forced to recruit from overseas if they need language skills. The all-party group has heard detailed testimony from many businesses and employers' organisations to this effect. It is no coincidence at all that graduates—in all subjects, not just languages—who have spent a year abroad on the Erasmus programme have an unemployment rate 23% lower than others.

In summary, we need to reverse the decline in language skills in the UK. A reasonable start has been made at GCSE level, but A-levels are in sharp decline and the number of languages graduates has fallen by 57% in 10 years. For the sake of our economic health and competitiveness, we need to do a lot better. I hope

the Minister will agree that we should not shoot ourselves in the foot by forcing out EU nationals who are teaching languages in our schools. It is not enough to say, as the Government are currently doing, that residency status will be guaranteed only if reciprocated for Britons abroad. That is self-defeating and I ask the Minister if he will commit to reviewing and improving the position in the long-term national economic interest.

12.40 pm

Lord Hodgson of Astley Abbotts (Con): My Lords, I add my thanks to the noble Baroness, Lady Hayter of Kentish Town, for giving us a chance to debate this matter today, but she will not be surprised to hear that I do not intend to follow the line she pursued, nor indeed the line of the noble Baroness who has just spoken. I take this opportunity to urge my noble friend on the Front Bench, who will play an influential part in the negotiations that are about to begin, to take a really tough line on the issue of the free movement of labour because it is critical.

Before going into that in detail, let me make two points. This is not a rant about immigrants or immigration. I recognise that skilled immigration at a high level has been an important part of our country's dynamism and that it should continue at a limited level in the future. Secondly, this is not about EU citizens who are resident in this country. I recognise that they have come here on one basis and we should honour it. Like my noble friend Lord Hamilton, I fear that it can only be part of a negotiation and that reciprocity is an essential part of that. The Prime Minister has made our position clear and I am sure that, with good will on both sides, we can achieve the outcome we all desire.

My argument today is that for too long for British industry, British commerce and British public services, immigration has been the default option. It has been, as the Migration Advisory Committee, the government body which speaks on these matters has said, the “Get out of jail free” card. That has had and is having a deleterious effect on members of our settled population. When I talk about our settled population, I mean irrespective of race, colour, creed, religion and ethnic background. Of course, the default makes perfect economic sense for employers. Why take the trouble to train up a member of the settled population when for the same money they can get a skilled or perhaps overskilled individual from, say, eastern Europe? It also makes perfect economic sense for the person to accept the post because it may well pay three or four times as much as is available in their home country.

Governments of all persuasions—indeed, the noble Lord, Lord Livermore, referred to this—say that immigration increases GDP. If you increase your population, you would expect GDP to rise and it is counterintuitive for it to be otherwise. What no one focuses on, or focuses on insufficiently, is GDP per head of population, and here the figures are much more nuanced. The cross-party Select Committee of your Lordships' House looking into the economic impacts of immigration concluded:

“Both theory and the available empirical evidence indicate that these effects are small, especially in the long run when the economy fully adjusts to the increased supply of labour”.

As a result of the widespread use of the default option, there is a real danger that our settled population is being, as commentators now say, “crowded out”. The noble Baroness, Lady Kennedy of The Shaws, talked about the moral option—this is a moral option which has to be faced as well.

I simply cannot give the House examples of how this crowding out is taking place and look at its impacts in a speech of only three or four minutes, but I would like to quote briefly from Dame Louise Casey’s report published last month, *The Casey Review: A Review into Opportunity and Integration*. It is a hard-hitting report in which she said:

“At the start of this review, I had thought that I knew what some of the problems might be and what I might report on. Discrimination and disadvantage feeding a sense of grievance and unfairness, isolating communities from modern British society and all it has to offer.

I did find this. Black boys still not getting jobs, white working class kids on free school meals still doing badly in our education system, Muslim girls getting good grades at school but no decent employment opportunities; these remain absolutely vital problems to tackle and get right to improve our society”.

This is stirring up trouble for our society in the future. One important, critical way to improve economic opportunities for these people must be to resist and stop the default option, the “Get out of jail free” card, of recruitment from overseas.

That is why I urge my noble friend, as these negotiations get under way, despite the pressures that will undoubtedly be applied to him and the Government to relax the line, to pursue a really firm line on this issue. It is difficult, sensitive, emotive and frequently misinterpreted, but it is essential that we get it right.

12.45 pm

Lord Davies of Stamford (Lab): My Lords, I shall probably surprise the House by starting my remarks on this subject by saying that I agree very much with the noble Lord, Lord Forsyth. I strongly agree with what he said about the time constraints imposed on us now. I hope that in the months to come the Government, having promised to give Parliament a full opportunity to debate these important issues, will not do so in a way that artificially constrains our debates into periods of two and half hours, one and a half hours or what have you, so that in practice it is impossible for anyone to develop a coherent argument or make an intelligent contribution on the subject.

This is a pressing matter. Personally I have always felt that freedom of movement was a great ideal and an asset that it was important to preserve for our people and for future generations. In my view it has worked extremely well; it is inconceivable that we would have had the growth we enjoyed in the 10 years before the Lehman Brothers collapse and the banking crisis if we had not had the immigration we then enjoyed from other parts of the EU. I think I was the first person to alert your Lordships’ House a couple of years ago to a study done by the University College London economics team showing that the contribution made by eastern European immigrants in this country in the form of national insurance and taxation was far greater, by billions, than their consumption of public services or receipt of any kind of benefits. In other

words, every taxpayer in this country was better off as a result of eastern European immigration. That was not true of other groups of immigrants to this country, but it was particularly true of them.

On the whole, the experience has been a very happy one. Of course, it is always possible to say that you can import unskilled labour from any part of the world. That is perfectly true but, if people were to come here in droves from all sorts of places around the globe—from Chad, Eritrea, Somalia, Afghanistan and other places where there is enormous poverty and enormous need—we would find ourselves integrating into this country people who in many cases were almost certainly illiterate in their own languages, coming from countries with traditions of political and religious fanaticism and violence. That would be a problem of a quite different order of magnitude from the integration of people from eastern Europe, which on the whole has been a very happy experience. I speak with some experience locally in Lincolnshire. It has to be said that the great advantage of having that kind of close relationship with neighbouring countries and being in the single market is that the freedom of movement principle is reciprocal, which is not something we get through any such deal with other countries around the world.

Something, however, must have gone badly wrong because the Prime Minister and the Government, far from regarding freedom of movement as an asset, an advantage and an achievement, now seem to regard it as such an evil that in order to escape from it, we should be prepared to pay the enormous economic price of leaving the single market. I do not think the Prime Minister has thought through properly the costs, which will be enormous. Another debate will be required to discuss the economic aspects of Brexit, and I am sure we shall have those opportunities. Still, it is quite terrifying that any responsible Government should even be contemplating such a drastic move as leaving the single market, threatening our position—certainly undermining it—as the financial service capital of the EU. All this in order to get out of freedom of movement.

I wonder what has gone wrong over the last few years. It has been a matter of perception: people have been concerned that there is no limit to the immigration that can result. It is unfortunate that the last Prime Minister did not succeed in negotiating some form of emergency brake; if he had approached matters in a much more communautaire way, he would have been much more successful in that negotiation. A quite different issue has darkened the whole picture: the sense that the whole common external frontier of the EU is not secure. People see on the television pictures of people coming in from Libya across the sea, from Turkey and from Syria. The German Chancellor’s decision to invite 800,000 refugees from Syria to Germany enormously undermined confidence in this country because there was a sense that these people would arrive in Germany tomorrow and be here the next day. That is of course complete nonsense—it is hysteria—but it unfortunately played a critical and negative part in the referendum campaign. Whether we are part of it or not, the European Union will need to look carefully at strengthening the external frontier and to take

[LORD DAVIES OF STAMFORD]

serious measures, such as the Australians have had to do, to prevent illegal immigration becoming a major social problem.

I hope we have other opportunities to discuss this matter in greater detail, because it really deserves it.

12.50 pm

Lord Oates (LD): My Lords, I am grateful for the opportunity to speak in a debate of such vital importance to the millions of European citizens living and working in the UK and, consequently, to the future of our public services and the performance of our economy. The Motion makes specific reference only to EU citizens in the UK but, like other noble Lords, including the noble Baroness who moved the Motion, I hope we will not forget the plight of British citizens who have made their home elsewhere in the European Union.

The EU Justice Sub-Committee, on which I am privileged to serve under the expert chairmanship of the noble Baroness, Lady Kennedy, notes in its recently published report on Brexit and acquired rights:

“The anxiety of EU nationals in the UK is matched by that of UK nationals in other EU States—the evidence we received of their distress is compelling”.

This is not some abstract debate about technicalities or government processes. It is about very real fears and uncertainties for millions of people who, in good faith and reasonable expectation, have made their lives in EU countries other than their own. It is about people who are now afraid that they will no longer have healthcare cover when they are sick or infirm, and will be forced to leave the place that has become their home. It is about children who are uncertain what their future holds: whether in a year or two they may be uprooted from their schools, their friends and all they have come to know.

It is about husbands and wives who are unsure whether they will have the right to continue to live in the same country because of obscure rules relating to comprehensive sickness insurance. It is about people such as Jet Cooper, a Dutch citizen resident in our country for 30 years and married to a British citizen who is, sadly, seriously ill, who has been told by our Immigration Minister that she may not be eligible to remain in the country after Brexit. It is about British pensioners living abroad in the European Union fearing that their pensions will no longer be uprated after Brexit. It is, above all, about millions of people who are unable to get on with planning their lives and are afraid for their futures because, through no fault of their own, they have no idea of the rules which will govern them.

At the time of the referendum, leave campaigners claimed—rather as the noble Lord, Lord Forsyth, did today—that questions about the future status of EU citizens were nothing more than scaremongering. The leave campaigners claimed that EU citizens had nothing to fear because their rights would be protected under the Vienna Convention on the Law of Treaties. The anti-EU campaigner Peter Bone MP said:

“Clearly any EU citizen that is legally here would absolutely have the right to remain here. Any other suggestion is just absurd. It is a scare story, full stop. It just shows how desperate the government and the remain campaign are”.

Gisela Stuart, the chair of Vote Leave, similarly dismissed fears, claiming:

“You have got the Vienna convention, which guarantees the rights of existing citizens and existing arrangements”.

Tim Loughton, another Brexit Tory MP, said:

“The entitlement to residency for existing expats after Vote Leave would be unchanged and protected under the Vienna Convention”.

Not for the only time in the campaign, the protagonists of the leave campaign were peddling falsehoods—or alternative facts, as I believe they are now known. As the report of the EU Justice Sub-Committee, drawing on expert and undisputed legal evidence, states:

“In no sense, therefore, can this provision”,

of the Vienna convention,

“be said to safeguard individual rights under EU law that will be lost as a consequence of the UK’s withdrawal”.

With the legal guarantees asserted by the leave campaign proving, like so many of their claims and commitments, to be a mirage, and in the absence of any certainty from the Government, EU citizens in the UK and UK citizens in the EU are left in limbo and beset by uncertainties. Millions of lives are being blighted by distress and fear.

The truth is that very few senior members of the Government seem to recognise the devastating impact of their failure to act to address these uncertainties. Indeed, the Minister for International Trade is so indifferent to this human aspect that he referred to the status of EU citizens as our “main cards” in negotiations. How shameful—how scandalous—and what callous indifference it shows to the impact on the lives of so many people. What a blot on the reputation of this country.

12.55 pm

Lord Cormack (Con): My Lords, I am glad to follow the noble Lord, Lord Oates, because I agree almost entirely with what he said. As my noble friend on the Front Bench knows only too well, I have made this point many times in supplementaries, in questions in the EU Home Affairs Sub-Committee and elsewhere. I have received many letters as a result from people who have been in this country for years and years, who have brought up their children, paid their taxes and now feel threatened. My noble friend Lord Hamilton of Epsom may be right in saying that they should not feel threatened, but in fact they do. The speech made by the noble Baroness, Lady Kennedy of The Shaws, illustrated that vividly—1,700 people gathering in a meeting in Oxford because of their doubt and uncertainty.

The slogan of the leavers, “take back control”, echoes around this Chamber, even though we cannot hear it at the moment. We can take control now and, by a unilateral decision—I never thought that I would refer to myself as a unilateralist, but I do in this context—we can put the minds of those people at rest without risking anything. We can lead by example and say, before we go into the negotiations, “Your position is secure—you are not threatened”. We could take the moral high ground and the moral imperative, and that is what we should do. I hope that when my noble friend winds up, he will show a little more sympathy with that position than he has hitherto. I have great

regard for him; he is handling these matters with great distinction and aplomb, but I would like to have a little movement on this matter.

We should not forget that it is less than 30 years since a large number of our fellow citizens in the EU lived under the Soviet yoke. They came into the European Union, and many of them—Poland and the Baltic states in particular—looked to this country as a leader and for an example. I am sorry that the link through the EU is to be severed, but it is; however, what does not need to be severed is the feeling of obligation. My father served throughout the Second World War in the Royal Air Force, and he instructed a number of Poles, who fought with enormous bravery. They flew from the airfields of Lincolnshire, and many did not come back. At the end of the war, when the Carpathian Lancers were disbanded in Lincolnshire, many remained as residents. We have had more Poles recently, and they contribute enormously to the local economy. They are people who enrich our society.

If we are to begin negotiations by saying that we wish to maintain and strengthen our friendship with the other 27 nations of the European Union, which I believe that we do and must, it is very important, and would be a wonderful opening gesture, to say, “Your position is not threatened; you are part of us and, whatever may happen in future, we guarantee this now: those of you who have made your home here and made your contribution here, this is your home and this is where you can stay”.

12.59 pm

Lord Judd (Lab): My Lords, there is a very strong consensus emerging in the House; I find myself in total agreement with the last two speakers, and I am very glad to follow what they said. I also have the joy of serving on the EU Justice Committee, chaired so well by my noble friend Lady Kennedy of The Shaws. She will remember, as indeed will the noble Lord, Lord Oates, that when we were taking evidence from the French ambassador, there was a very telling moment—a moment for real thought. She was asked what she was encountering in the French community as a response to what has happened. She said very clearly that what is sad is that the people from France felt that they were part of Britain, enjoyed being here and felt that they were part of the community and belonged to it, but now they feel that they are strangers. I think that this deserves a great deal of thought. What are we doing to British society?

In my education at school, let alone later in life, I learned about the importance of citizenship, going right back to the classic Roman and Greek times. Citizenship is something very profound. When this country became part of the Maastricht treaty, people in the European Union had dual citizenship: European citizenship with all that went with that, and citizenship of their own country. Unilaterally, we have removed from our people living abroad and from European citizens living here that status of dual citizenship. They have lost the rights that they believed they had inherited in the situation to which we had come as a free party. I did not hear any evidence from what we heard in our committee that there was any indication whatever at the time that they became European

citizens that it was clear to people that it was a conditional citizenship. We have removed their European citizenship.

I would be a much happier man if the message that was going out from this House and Parliament as a whole was “thank you” to the people who have come and contributed and committed their lives to this country—thank you to those in the health service; thank you to those in education, both in schools and universities; thank you to those who have contributed so well to commerce; thank you to those who joined the community, participated and enriched the life of our country by bringing different cultures with them. Thank you—we are absolutely determined that we will preserve your security and well-being into the future, whatever it takes. All this business of turning them into pawns and nothing more than a bargaining counter is totally unworthy of a Britain worth living in.

1.03 pm

Lord Bilimoria (CB): My Lords, when the Government lost the case in the Supreme Court, the reason that I thought it was a very good thing for this country was that I believe it was wrong of the Prime Minister and the Government to try to by-pass Parliament in this matter. It is not that I want in any way to delay implementing Article 50—the timing of Article 50, by the way, is a huge negotiating tool and I do not think it was right for the Prime Minister to say we would impose it on a certain date; it is giving away a big part of the negotiation—but, importantly, we are a parliamentary democracy and this Parliament should be involved from day 1. This case has now established that we will be involved from day 1, and the Prime Minister is already U-turning—a White Paper; no White Paper; now we have a White Paper coming and there will be more to come. I am really relieved that this has happened.

We are talking about people—3 million people from the European Union who are over here and working. And in spite of the non-EU workers over here, we have the lowest level of unemployment in our history and the highest level of employment in our history. We need these people. We heard up front from the noble Baroness, Lady Hayter, how the National Health Service would not function without the foreign workers that we have—160,000 are EU workers—and about the care sector and hospitality industry. Sajid Javid wants to build more houses; 250,000 people from the European Union work in the construction industry. You can go to a restaurant or a hotel anywhere in the country—I was in Bristol yesterday—and of course there are EU staff serving you and working very hard. As the noble Lord, Lord Judd, said, instead of being grateful for this, we are treating these people as bargaining chips.

Can the Minister confirm how many EU citizens there are here exactly and how many of them are here beyond five years and eligible to stay under our permanent residency rules? He cannot give us an answer, because we have removed our exit checks from our borders. We have no control over our borders. If we bring back visible exit checks and check every EU person and non-EU person in and out, we will know who is and who is not here. We will not make assumptions that

[LORD BILIMORIA]

foreign students overstay, when only a small fraction of them do. As the noble Baroness, Lady Warwick, said, our universities are dependent on EU workers. Thirty per cent of academics are foreign and 18% to 20% are from the EU. What happens to all the EU students who might not come because they were reliant on being treated like domestic students and eligible for loans? It is 160,000 students—I am the president of UKCISA and chancellor of the University of Birmingham. We are jeopardising all this and it is seriously dangerous. The Government need to get on and control our borders.

I was with Professor Deepak Malhotra at the Harvard Business School, who is an expert in negotiations. He said that it is very likely that there will be a no-deal scenario—this would be disastrous. His view is that if a deal is going to happen, we need to be creative and we need to be sensitive to the other side. Both sides will have to make concessions. The EU is not trying to punish us. If we look at it from its point of view, it is trying to preserve the Union and keep it together. Smart negotiators know that the goal is not to win but to achieve their objectives. We need to have empathy for the other side.

What really worries me is the mindset of this Government when it comes to immigration—all immigration. It is across the country. This wretched referendum has created race and hate crime that did not exist before. It has unleashed it. It is sad that when the Prime Minister was Home Secretary, she made statements that she wanted foreign students to leave the day they graduated. The Chancellor of the day had to say that it was not Conservative Party or government policy. Amber Rudd wanted companies to list foreign workers. Immediately, there was an outcry in the country. Then a Minister I have never heard of wanted companies to pay £1,000 for every EU worker. This is ridiculous. It shows the mindset of the Government—we have to get out of this mindset. If we are going to get through this negotiation, it must be in the best interests of this country that we treat with gratitude the 3 million EU workers who are here and who have benefited our country and helped to make us the fifth—or sixth—largest economy in the world.

1.08 pm

Baroness Prosser (Lab): My Lords, I, too, thank my noble friend Lady Hayter for tabling this debate today. It is an important aspect of the consequences of the result of the June 2016 referendum. Many of us are calling for caution and thorough scrutiny of the Brexit process, but the subject of today's debate needs some speedy footwork if we are not to end up with large swathes of the economy seriously short of labour and very large numbers of EU nationals with their lives turned upside down and no status in a country to which they have committed many years.

Many EU nationals who have made this country their home have wanted to regularise their situation by applying for British citizenship. Since November 2015, a person with at least 12 months' permanent residence in the UK who wishes to become a British citizen has to apply for a permanent residence certificate

or card. This takes us to the notorious 85-page application form and the 18-page guidance note that goes with it.

A young friend of mine is, by birth, Italian. She has lived in this country for 23 years, is married to a British citizen and has two children, both born here. She is a well-educated and intelligent young woman but both she and her lawyer have found the form extremely difficult to deal with and, in parts, contradictory. Inconsistent and contradictory advice has been received from the Home Office on more than one occasion. Of course, applications for citizenship should be thoroughly examined and the process must be rigorous, but the requirement to provide paper proof of utility bills paid, rental agreements et cetera going back five years is not easily met and is nigh on impossible for most applicants.

There is also much confusion regarding the need for those who have had low earnings over the years to pay comprehensive sickness insurance. This brings into play the difference between the right to apply for citizenship via the employment route as opposed to the self-sufficient route. Such confusion would have to be faced by women who have had time out of the labour market to bring up children, for example. Therefore, the requirement to take out CSI could be indirectly discriminatory.

There is a view that even if EU citizens are given the right to stay, there will still be a requirement to complete an application. If this does turn out to be the case, more thought needs to be given to producing a form which is less complicated and less burdensome on the applicant. But supposing it is decided that EU citizens will have to leave these shores. Could the Minister advise the House of the Government's view of the relationship between the possible expulsion of EU citizens lawfully resident in the UK on 23 June 2016, and their rights under the European Convention on Human Rights?

What, though, of the other aspect of this debate—the loss of thousands of people from the workforce? I seem to remember the Treasury pointing out that immigration to this country gave a net profit to the public coffers. My noble friend Lord Livermore eruditely set out this argument in his earlier contribution. All that tax and national insurance paid in far outweigh the costs involved in immigrants being here. How would we balance the books if that money were to be lost? It is not in the interests of the country to allow this muddle to continue. It is not fair on families, individuals and business, and is not helpful to the country's economy.

1.12 pm

Lord Owen (Ind SD): My Lords, the rights of EU citizens already living in this country are a matter of honour and it is wholly appropriate that this House should direct its attention to that issue. It is not only a matter of honour for people in this country. We talk about Article 50, but Article 8 deals with good neighbourly relations between member states. Negotiation is an inaccurate word to describe our proceedings on Article 50; rather, it is a discussion. If this discussion is to produce what I call an amicable divorce, it is essential

that we are all aware that there is more than Article 50, and that Article 8 should be one of the touchstones of the negotiation.

I agree with the plea of the noble Lord, Lord Balfe, in relation to British citizens who have served the European Union in many institutions. We urged them to go and work there—they were part of our membership of the European Union. We have an obligation to see that they are properly looked after in terms of redundancy and other aspects, and that the cost is borne by this country as it is our decision to leave. I believe that is also an essential element.

I mention Article 50 very briefly. It is a trap and was designed by two extremely clever people, one of whom I believe is in this House, sitting below me. The other was a former Prime Minister of Italy, Signor Amato. Both claim credit for this and boast that it was designed specifically never to be used. The more you look at it, the more surprised you are that any Government have ever used it. I have made it quite clear throughout that I do not believe it is appropriate to use Article 50 and that it would be much better to use the Vienna procedure for leaving a treaty, which has been established over many decades. Nevertheless, we are into Article 50. There is an absolute necessity for the Government not to conduct their negotiation against a cliff edge. There are various ways of doing this and I have suggested some to them. However, at the end of the day, you can certainly limit the negotiating period not to two years but to a year or a little more so that your people have some months at least in which to prepare to leave the European Union. At the moment nothing protects us from the cliff edge.

You can imagine circumstances in which you are negotiating in good faith and perhaps the 27 other member states agree with you. The matter then has to go to the European Parliament, which is famous, particularly in the run-up to elections, for delivering a bloody nose to member states to prove its own virility. The matter also has to go through the procedures of every single Parliament of the 27 member states. Let us be clear about this: the article is designed to damage a country that leaves. It is a disgraceful article and should never have been put into the treaty. It is one of the reasons many of us believe that the Treaty of Lisbon should have been subject to a referendum, and believe it was a disgrace that it was not. A lot of the damage we have suffered since entering the European Union has arisen due to the persistent view that people will not respect one another's rights or the rights of member states. Article 50 does not respect the rights of member states.

1.16 pm

Baroness McIntosh of Pickering (Con): My Lords, I congratulate the noble Baroness on securing this debate. I find it very difficult not to be emotional on occasions such as this for the simple reason that my mother was born in Denmark and lived in Copenhagen during the German occupation. I have had many opportunities to study and work in Denmark and Brussels and regret bitterly that future generations will not have the same opportunities.

I take this opportunity to congratulate my noble friend the Minister on the interest he has taken in

British citizens who live elsewhere in Europe. I hope that he will put down a marker that we owe a sense of duty to those whom we encouraged to work in the British institutions, as the noble Lord, Lord Owen, said, and to those who, like myself, worked as EU lawyers in private practice. A whole host of people are still studying with a view to working and living elsewhere in the European Union. Others have retired to the European Union or work there in private practice as lawyers, dentists, doctors, bankers and others. There is a willing and ready workforce in European institutions who would be able to put their services to good use in assisting the Government in the difficult negotiations that we face.

I shall focus on the agriculture sector in Essex and Suffolk, where I was an MEP, and in North Yorkshire, where I served as an MP. At the last count, there were about 20,000 EU citizens working in this country in farming, horticulture, forestry and fisheries. Apparently, it is difficult to extrapolate the figures for farming alone. We currently export something like 72% of our food and drink produce to the European Union, so my question to the Minister is: who will take the place of the EU citizens who work in those industries, particularly farming and horticulture? Are we going to revert to the six-month rule? Will it be the case that someone can enter only if they have a position—so will employers have to go to other EU countries to recruit for whatever purpose—or will they still be allowed to visit the UK for three to six months and then have to leave? These are very real questions which, as my noble friend will know, are exercising the minds of those in the farming and growing industry at this point.

It is the first duty of the Government to defend the nation; it is the second duty of the Government to feed the nation. I urge the Prime Minister and my noble friend and his department to stick to their guns. Any negotiation must be done on the basis of reciprocity. It breaks my heart to see that we are giving up a single market of 505 million consumers, with free movement of goods, services, capital and people, for a potential free trade agreement with a number of other countries.

Look at the United States. I was involved with opening up liberalisation with the US carriers. The US continues to stop any new carrier flying within it, yet I hope the Prime Minister will take this very powerful message to President Trump: we will open our markets if America will open its markets. But I hope the Prime Minister will take this opportunity to say that we do not want hormone-produced, steroid-infested beef and chlorine-washed chicken in this country, and that we will continue to eat the very best of Yorkshire and British beef, produced to the highest possible safety and welfare standards, and that the Americans will take our beef in preference to their inferior produce. It has to be done on a basis of reciprocity for the simple reason that otherwise we will cave in before we know what their bargaining terms are.

1.21 pm

Lord Puttnam (Lab): My Lords, time is very short, so in thanking my noble friend for enabling this debate, and having spoken last week on the right to

[LORD PUTTNAM]

remain, at col. 346, I will follow the example of the noble Lord, Lord Forsyth, and cut straight to the Brexit chase.

I have always believed that referenda are bad politics. I will go further: I believe their use to be an abrogation of political leadership, made more dangerous by the inexplicable decision to opt for fixed-term Parliaments. On a number of occasions in your Lordships' House, I have stated my belief that we live in a far more fragile democracy than we appear to appreciate, one in which the introduction of an ill-informed and prejudiced referendum, an increasing threat of deselection, and the catastrophic loss of trust in public and private institutions have all served to undermine the principles of strong representative democracy.

Few politicians remain brave. In the end, more often than not, calculation trumps principle. By way of example, Stanley Baldwin told the House of Commons in 1933 that he had been unable to pursue a sensible policy of rearmament because of the strong pacifist sentiment in the country. Two years later, in 1935, 11 million people went so far as to sign the Peace Ballot, pledging support for the reduction of armaments. Imagine if instead of a petition there had been a referendum and 51% of the electorate had voted against rearmament. They would have been avidly supported by the *Daily Mail*, as well as very many members of my own party. Would noble Lords have behaved undemocratically if we had sought to reverse that expression of public will based on what this House sincerely believed to be growing and ever-more compelling evidence of Hitler's intentions?

Should Winston Churchill have been deselected by his local party in Epping when early in 1938 he gave possibly his bravest speech to a largely hostile House of Commons, during which he said:

"I do not grudge our loyal, brave people ... but they should know the truth ... they should know that we have sustained a defeat without a war ... they should know that we have passed an awful milestone in our history, when the whole equilibrium of Europe has been deranged ... And do not suppose that this is the end ... This is only the first sip, the first foretaste of a bitter cup?"—[*Official Report*, Commons, 5/10/1938; col. 3723.]

I believe we have once again sustained a self-inflicted defeat without a war. I am convinced that we have yet to taste the first sip of what could follow.

Surely I cannot be alone in finding an anomaly in the fact that according to the *Daily Telegraph's* post-referendum analysis, the vote split along age, class and educational lines, with the future economic security of the elderly and most vulnerable now largely dependent on those whose clear wish was to remain in and share their future with Europe. I cannot convince myself that this conforms to any kind of sustainable outcome.

I have never been able to explain to my children why my name was in the "Content" column when the vote was taken in this House on the second Iraq War, in the absence of any well-thought-through post-conflict plan. I sincerely believed that the then Government had a fuller understanding of what we were blundering into. I now know myself to have been duped, foolish and wrong. I will not make that same mistake twice.

Finally, it is my sincere belief that we are engaged upon a hopelessly ill-thought-through misadventure. Irrespective of what may emerge as the attitudes or tactics of my own party, I will at every opportunity speak and vote against what I consider to be the most self-destructive policy ever to have been pursued in this country in my lifetime. The torrent of disinformation directed against Europe for 20 years and more by Murdoch, Dacre and others has done its worst, which is why the last word must be reserved for the thoughtful consideration of the whole of this Parliament.

HG Wells memorably described civilisation as, "a race between education and catastrophe".

I can hope only that before it is too late we in Parliament might find the courage and the perception of Winston Churchill to finally bring this nation and its leaders to their senses—on this issue and many others.

1.26 pm

Baroness Smith of Newnham (LD): My Lords, this has been an excellent debate, which has highlighted many issues that have been discussed over the past seven months since the decision of 23 June, when the United Kingdom, by a majority, voted to leave the European Union. The debate has highlighted some serious differences, even if we have heard some similarities of views on many sides on one particular issue. The one area where I think there is almost universal agreement is the importance of securing the rights of EU nationals already resident in the United Kingdom. That is something I shall come back to repeatedly.

Two different aspects are listed in the Motion in the name of the noble Baroness, Lady Hayter. It refers to the rights of EU citizens already here, but one issue that has been raised throughout the debate has been the rights of EU nationals and UK nationals in terms of free movement of people. That is about the future. In my remarks I will suggest that there are three things we need to think about: the rights of EU citizens who are already here; future free movement issues, which are quite separate; and the future needs of the UK economy. Those issues are all interrelated, yet in this debate we have heard very little about the future needs of the UK economy. Almost all the discussion has been about the rights of EU citizens—perhaps not surprisingly.

Before I get into those questions, the noble Lord, Lord Forsyth, suggested that the Labour Party may be muddled because the Motion refers to the "potential" leaving of the single market. Clearly, the Motion was tabled before the Prime Minister outlined her objectives. She has made it clear that Brexit means Brexit—whatever that means—and, more clearly, as the noble Lord, Lord Forsyth, says, leave means leave. On all sides during the referendum, that is what we had been saying. I certainly did say in referendum debates that leave means leave, but that meant: we will not have the opportunity to rerun the question. It was not something where we could say, "If we get the wrong answer, let's try again". It was about saying, "This is not a game".

Leaving meant leaving the European Union—that decision was clear. Far less clear at any point was what leaving actually meant. The Labour and Liberal Democrat Front Benches and the Cross Benches pressed the

Government to outline the alternatives to membership of the European Union. They produced a rather pusillanimous document on the alternatives to membership, which suggested a Canadian-style relationship, the Turkish customs union or the EEA model. If we had decided to go down the EEA route, we would still have been in the single market, so it was not inevitable that by voting to leave the European Union we would leave the single market.

Lord Forsyth of Drumlean: Throughout the whole of the referendum campaign, the noble Baroness and her colleagues on the Liberal Democrat Benches, as well as the Opposition Benches, argued that a Norway or EEA model would be the worst of all worlds. They said that we would end up in the single market without any ability to change the rules. They described it as the worst of all worlds but are now presenting it as the best of all worlds.

Baroness Smith of Newnham: My Lords, I will not at this stage get into the details of the full Liberal Democrat policy on what we think should happen in the negotiations generally. However, it is important to recognise that there was no clarity from the leave campaign over whether it thought being in the EEA was the best or worst thing. At various times, supporters of the leave campaign suggested that we could remain in the single market. There was no clarity, the Government did not have a plan B, and the leave campaigners kept saying, “It’s not for us to say what leave will look like—it’s up to the Government to decide”. Now is the time for that to be discussed.

The Prime Minister has said that we will leave the single market and has ruled out staying in, precisely because she has now realised what the 27 other member states have been suggesting for quite some time: we cannot be in the single market and not have free movement of people. This is essentially a binary choice. Here I touch on one aspect of Liberal Democrat policy that is essential for this debate. The Prime Minister is talking about wanting “the greatest possible access” to the single market,

“through a new, comprehensive, bold and ambitious Free Trade Agreement”.

However, surely the greatest possible access is via continued membership of the single market. That is how we get the best of the single market, not via access that does not mean membership. That is why the Liberal Democrats have been pressing for ongoing membership of the single market and the benefits that it brings. It might be less good than membership of the European Union, but it would bring considerable benefits to the British economy and give certainty over the rights of EU citizens. However, that means the right of free movement of people, which clearly the Brexiteers do not want. The context of the debate today is clearly in line with the Prime Minister’s stated objective of leaving the single market.

That leaves us with the question of what rights EU citizens will have in the light of leaving the single market. We have been told by many of those on the Government Benches that there is an issue of reciprocity. There is also, however, an issue of what it is right to do. One of the things that Members from all sides of your Lordships’ House have been saying for the last

seven months is that the rights of EU nationals already resident in the United Kingdom should be guaranteed. There is no need for reciprocity. That is something on which we can act unilaterally, now. It is not about the future but about citizens who are here, now. It is about EU nationals who have exercised their rights as EU citizens, who are here and who have not taken out British citizenship, because they never thought they would have to. Some of them may do—some may be able to. Others will not be able to afford it and, as we heard from the noble Baroness, Lady Hayter, and many others, the forms are complex and difficult and many people do not have the appropriate paperwork. As EU citizens, they never needed it. We need to guarantee the rights of those people right now, so that we do not tear apart our society and communities, as the right reverend Prelate said. This is something on which the United Kingdom can take the moral high ground, and we can make a decision now. The Liberal Democrats call on the Government to secure the rights of EU nationals resident in the United Kingdom.

The rights of UK nationals resident elsewhere in the European Union are clearly also important. We have all received emails from people who are concerned about their pensions and about whether they will be able to stay in the countries where they are. If we take the lead, however, we can try to negotiate the rights of UK citizens resident abroad. To use EU nationals currently here as pawns is completely wrong.

The future rights of UK and EU nationals and free movement is the subject of the future negotiations. I could ask whether the Government will tell us what will be in the negotiations, but I am sure I will get the answer that we are not going to get a running commentary, as that will damage the negotiations. I therefore would rather suggest a set of things that perhaps the Government can consider in future negotiations, about what sort of United Kingdom we want to be and what sort of relationship we need with the rest of Europe to secure our economic future. The NHS, financial services, the agricultural sector, higher education—people in all those areas have already expressed concerns that if we lose the benefits of EU nationals who are here, we will face problems. It is vital for the British economy that we keep some sort of rights of free movement of labour—free movement of people may not be there if we are outside the European Union—which will be beneficial to the UK economy. Surely the Government can think about that when they lay out their negotiating hand. In addition, please can we not have the imposition of visas on EU nationals? To keep the economy open, it is vital that we do not create barriers that we have not seen in the past and will not benefit us in the future.

1.36 pm

The Parliamentary Under-Secretary of State, Department for Exiting the European Union (Lord Bridges of Headley) (Con): My Lords, I thank all noble Lords who have contributed to this excellent debate. I start by heeding the remarks of my noble friend Lord Forsyth and the noble Lord, Lord Davies, about the length of speaking time. I note that, and I will have conversations. It is important that we give everyone the opportunity to scrutinise these important matters as we proceed in the weeks ahead.

[LORD BRIDGES OF HEADLEY]

I will put today's debate in a little more context. Leaving the European Union will, obviously, touch on every aspect of our nation. As the great, late Lord Denning put it, European law has been like "an incoming tide". It has flowed into the estuaries and up the rivers of our communities, our businesses and our lives. Today, with Brexit, we are seeking to do what no nation has done before: to create a new relationship with an economic and political entity whose regulations and laws we currently observe and with whom we co-operate and collaborate on a range of issues, from justice and home affairs through to education, science and space.

As I have said and will continue to say, we are leaving the European Union but we are not leaving Europe. It has always been and will always be in our interests for Europe to be stable and prosperous—a continent with which we can trade freely and with whose nations we can collaborate and co-operate where it is in our national interest. Given this, it is entirely correct that we should look to forge a unique relationship with the European Union: one that befits a nation that is one of the largest economies in the world, which has been an EU member for over 40 years, and which has deep links, not just across Europe but around the world.

This is why, as the Prime Minister set out last week, our approach is to forge a new partnership with our European neighbours, in which, as a sovereign, independent nation, we have a new, comprehensive, bold and ambitious free trade agreement with the European Union. This agreement should allow for the freest possible trade in goods and services between Britain and the EU's member states. It should give British companies the maximum freedom to trade with and operate within European markets—and let European businesses do the same in the UK.

On the noble Baroness's Motion, I will say a little about the word "impact", which lies at its heart and which brings me to what the noble Baroness, Lady Smith, said passionately. In the referendum campaign, the debate was, obviously, about the economy—about matters of pounds and pence. However, it was also about something more profound, which my noble friend Lord Forsyth mentioned. It was about parliamentary sovereignty and national self-determination. In a word, as my noble friend Lord Cormack said, it was about control.

After that debate and the referendum, the majority of people voted to leave the EU, which is what we are now going to do. That is why the Prime Minister has been clear that the UK will no longer be a member of the single market nor abide by the common external tariff or the common commercial policy. As my noble friend Lord Forsyth mentioned, we need to consider the impact of our not following the course of action the Prime Minister set out. Remaining a member of the single market would mean accepting that the European Court of Justice still has direct legal authority in our country, so the impact of not leaving the single market would be, to all intents and purposes, to keep the UK under the aegis of the EU. We would not control our laws, nor our borders. We would not be leaving the EU.

As to the point from the noble Lord, Lord Livermore, his remarks were very well judged in many respects, but I disagree with him. We are not putting immigration control above free trade. That is not the case. As I have been arguing, we want a new partnership in which we enjoy free trade, and we wish to control immigration. That is our ambition, and it will be spelled out in the White Paper, which we are now committed to publishing. I turn to what my noble friend Lord Hamilton said: the White Paper will build on the 12 negotiating objectives laid out in the Prime Minister's speech to build a global Britain with this strong new partnership with the EU after our exit.

I am not going to go into further great detail now, but I will say a couple of words about the White Paper's components to pick on what a number of your Lordships said on specific issues. First, I know that the noble Baroness, Lady Warwick, speaks with a lot of authority about higher education. I can confirm that we will continue to look at how we can continue to co-operate and collaborate with European partners so we can build on our world-class universities and our record in research and development. I have been fortunate to meet a number of the representatives of universities—I hope to continue to do so—to hear about their needs. The noble Baroness might have mentioned that there was some connection between Horizon 2020 and freedom of movement. That is not my understanding. I do not think it is correct to say that all models of co-operation require the acceptance of freedom of movement.

We would also be willing to take the same approach on co-operation for Erasmus and other schemes. Erasmus was referred to by the noble Baroness, Lady Coussins, who has great expertise on the teaching of foreign languages. On that point, I entirely heed the points she made about the need to continue to ensure that we are training our young people to have the right skills in modern languages. That is why we are increasing the amount we are spending on training and the help we provide teachers in that area.

To briefly touch on financial services, which the noble Lord, Lord Davies, touched on, the Government are obviously incredibly conscious of the challenges faced by financial services right across the sector. I am certainly not complacent about the future, but I was heartened to read that the chief executive of Barclays said within the last few days that he thinks the UK,

"will continue to be the financial lungs for Europe".

Likewise, the chief executive of HSBC said he thinks that,

"actually, London will remain a global financial centre".

Finally, the German Finance Minister said:

"London as a financial centre will play an important role for Europe even after Brexit".

The Prime Minister was quite clear in her speech how we will negotiate. The noble Lord, Lord Owen, made some very interesting remarks about Article 50 and the process around it, which I have noted. I will not add to what the Prime Minister has said, other than to repeat that we expect to get an agreement in two years. We look to negotiate our exit agreement and the new relationship at the same time, as set out in Article 50.

I will now focus on the position of EU nationals now and after Brexit, which has been raised by a large number of your Lordships. I start by thanking the right reverend Prelate the Bishop of Durham for the contribution that the Church of England has made and continues to make in hosting events with church groups across the country. I am extremely grateful for that. It has provided a welcome forum in which to have a very wide-ranging discussion. I also thank the noble Baroness, Lady Kennedy, for the contribution that her committee makes and made in its report.

On this point, of course I recognise the important role that EU nationals make in a vast number of areas in our society and to our economy. Obviously it has been the Government's approach and wish throughout to provide as much certainty for them in the days and months following Brexit as possible. That is why the Prime Minister in her speech last week made protecting the status of this group of EU citizens a top priority. It is also why we must move to trigger Article 50 as soon as possible. I will spell out why that is the case. The Prime Minister has made it clear that she stands ready to reach an agreement right now. Indeed, she has already told EU leaders that we could give people the certainty they want straightaway—a point the noble Lord, Lord Bilimoria, might like to bear in mind. However, we know that they are not open to any negotiations before Article 50 is triggered. To provide that certainty, I argue that we need to proceed, as the Government intend, to trigger Article 50 by the end of March. Then, we can proceed to seek an early agreement when we have begun formal negotiations, while being very mindful, as the noble Lord, Lord Owen, so rightly mentioned, of Article 8.

Despite this strong signal from the Prime Minister, I understand and have heard today that a number of your Lordships and others wish us to make a unilateral move to grant assurances now, ahead of the negotiations. The noble Lords, Lord Teverson, Lord Greaves and Lord Oates, the noble Baroness, Lady Kennedy, my noble friend Lord Cormack and a number of other people have made these points. I sense the strong feeling there is on this issue.

I am sorry to disappoint your Lordships, but I am not here to move the Government's position. The Government disagree with this point. We need to ensure that the rights of EU nationals in this country are seen concurrently and negotiated alongside protecting the rights of UK nationals in the EU. I argue as some have done—the noble Lord, Lord Oates, mentioned this—that there are currently living in other EU member states more than 1 million UK nationals. I argue, as my noble friend Lady McIntosh of Pickering picked up on, that we as a Government have an obligation to them. They are UK citizens after all.

I add that there have been no changes to the rights and status of EU nationals currently in the UK as a result of the referendum. Until exit negotiations are concluded we remain a full member of the European Union, and all the rights and obligations of EU membership remain in force. This includes the right, as transposed from the free movement directive under EU law, for any EU national who has been lawfully residing in the UK for more than five years to automatically acquire permanent residence.

The noble Baroness, Lady Hayter, and the noble Lord, Lord Greaves, mentioned the delays that EU citizens face. I am sorry to say I am not going to comment on individual cases—I am sure your Lordships would not expect me to—but the terms under which an EU national can be considered as lawfully living in the UK are set by EU law. Guidance is available for EU nationals wishing to obtain a document to provide permanent residence. To simplify and ease the process that the noble Baroness, Lady Prosser, mentioned, the Home Office has introduced a European passport checking service to avoid the need for EU nationals to send in their passports.

The noble Lord, Lord Teverson, asked about the rights of individuals, in particular spouses. I cannot go into detail on this point right now, but I will say that there has been no change to the right of EU nationals to reside in the UK, as I said, and therefore no change to the circumstances in which someone could be removed from the UK. EU nationals can be removed only if they are considered to pose a genuine threat to the public or if they are not lawfully resident, and, as he referred to, the Government are obviously aware of Article 8, on the right to a private and family life, and Article 1, on the right to property, of the ECHR. I repeat that the Government have no plans to withdraw from the ECHR.

I will now say a word about UK nationals in EU institutions. I thank from the start my noble friends Lord Balfe and Lady McIntosh of Pickering for their contributions on this issue and for the time they have spent talking to me about it. The Government are very seized of this issue: I have had conversations with both officials here in London and those based in UKRep about it. I will return to the fray in the light of what my noble friend Lord Balfe said about wishing to signal this more strongly. If he feels that his message has not got across to those UK nationals in EU institutions, I will redouble my efforts.

UKRep is currently undertaking engagement—which I have asked to be stepped up—with our British nationals out in EU institutions, to ensure that their concerns are heard. On top of that, we are recruiting the necessary expertise from within the UK Civil Service as well as opening some positions up to external recruitment.

As regards pensions, the rights and entitlements that will apply following the UK's exit are subject to the wider negotiation on our future relationship with the EU. I can assure your Lordships that at every step of these negotiations we will ensure the best possible outcome.

Let me now turn to the future immigration system. I entirely concur with the comments of the noble Lord, Lord Bilimoria, who made a very powerful speech, and of the right reverend Prelate. We need to be extremely sensitive with regard to both the language that we use and the approach that we take. We are looking to take control of immigration. That is sometimes misunderstood or misread as meaning “ending immigration”. This is absolutely not the case. As my ministerial colleagues and I have said on many occasions, we still want to attract to this country and retain the brightest and the best of European talent and talent from right across the world. I agree with what my noble friend Lord Patten said about the need to make

[LORD BRIDGES OF HEADLEY]

sure that we attract them to work not just in financial services, but in creative industries—in which the noble Lord, Lord Puttnam, is interested—biotech and academe, upon which the right reverend Prelate remarked. Meanwhile, as we look to create a new system, we also should not do anything that would cause labour shortages in other sectors such as construction, agriculture and finance.

We are extremely conscious of these points and we are also looking at means by which to improve the opportunities for British people, which my noble friend Lord Hodgson mentioned. The Government have set out how they intend to do so in their industrial strategy earlier this week, which furthers existing proposals, and therefore we are looking at the vast panoply of measures and implications that taking control of immigration involves.

As the Prime Minister set out in her speech last week, we want to ensure that this country emerges from Brexit stronger, fairer, more united and more outward-looking than ever before. We will have further debates of this kind, and it is absolutely right that we do so as the Government's thinking is set out before your Lordships and before the country. I welcome the chance for your Lordships to scrutinise that policy and I thank noble Lords for the contributions that have been made today.

1.53 pm

Baroness Hayter of Kentish Town: I join the Minister in thanking everybody for their contributions today. He might not like the content of them as much as I did: it was a very strong plea to recognise the rights and expectations of those 3 million people already living here. I regret that he was not able to make any move on that.

The Minister might say that there is no change now, but two years is a very short period, particularly for those with children, making arrangements for their future. As has been said, these are families: they should not, in the words of my noble friend Lord Judd, be seen as pawns, or, in the words of a Home Office letter, as “negotiating capital”. As the right reverend Prelate said, they are not bargaining chips to be used: they are human beings, our friends and colleagues. We urge the Government to make a commitment not to use these people as a negotiating hand. Indeed, as my noble friend Lord Chandos said, it is not a good technique: it is not a good tactic in negotiating to start using human beings. It will not be looked at very well by the other side, particularly as it was we who opened this whole negotiation for change.

The right reverend Prelate the Bishop of Durham said that the manner of how we leave will say something about us as a country, but it will also be of wider international interest. As the noble Lord, Lord Owen, said, it is a matter of honour and of our future good relationships with our EU neighbours. Therefore, while we recognise and welcome the commitment to look after UK nationals living abroad, who are also uncertain of their future, we hope that there will be a grown-up approach to this and that we will recognise the rights of people living here without saying that as something that is a reciprocal tool to be played with. If, as I am

sure she is, the Prime Minister is such a good negotiator, she will have other cards up her sleeve that will enable us to get a good deal and other tricks to play to ensure, without trading the rights of people living here already, that UK nationals living abroad will also have their future guaranteed.

The Minister quoted Lord Denning saying how EU laws have flowed up the river into every part of our lives. The Government might find, like the earlier Canute, that waters do not withdraw quite as easily as they think. This very short Bill that we have in our hands today is only the start of the process: I hope that we do not make these EU citizens wait the full two years to know what their future is. In the very short term, I ask him to look at that form. I reassure the noble Lord, Lord Balfe, that my mother got to a military hospital while his mother-in-law was coming back to England, so I was actually born British. I do not have to fill in the form, but lots of others do, so will the Minister look at that and see whether the paperwork can be simplified?

With that, I thank everyone for, I hope, the strong noises that they have left ringing in the Minister's ears. I beg to move.

Motion agreed.

Women and Girls: Employment Skills in the Developing World

Question for Short Debate

1.57 pm

Asked by Lord Loomba

To ask Her Majesty's Government, in the light of the report published by Oxfam on wealth disparity, what steps they are taking to ensure that women and girls in the developing world are equipped with the right employment skills.

Lord Loomba (Non-Aff): My Lords, I thank noble Lords for speaking in this debate and for the wealth of knowledge and ideas that I am sure will be forthcoming on what is a serious issue that we face in these unpredictable times.

As I am sure your Lordships are all aware, the Oxfam report highlights a truth that the world is becoming more, not less, unequal. For this to happen after one of the worst economic crashes the world has ever seen makes its theme that the wealthy few are keeping it all for themselves all the more unpalatable. While we face ever more political uncertainty, wealth distribution has not been addressed properly by successive Governments, both here and abroad. This point has been used to good effect by the new President of the United States, Donald Trump, who has sworn to give back power and wealth to the people.

It is welcome that poverty has been vastly reduced since the introduction of the millennium development goals. The sustainable development goals, building on the MDGs, aim to reduce poverty even further. However, the idea of relying on the concept of the “trickle-down effect” to facilitate some of the wealth trickling down from on high to those at the bottom does not work; it clearly goes against the aims of the goals if wealth is

polarised in the bank accounts of the few. If wealthier nations are truly to embrace change and allow even more people to share in the wealth that is generated, more will need to be done to address these imbalances.

Although the obvious answer lies in how Governments deal with wealth, taxation and channelling help to those most in need, there is also a great need to ensure that the people who need the most help have the correct skills to take up employment opportunities so that they too can share in a fairer distribution of wealth. This point is more acute when the situation of women and girls is addressed. It is a well-known fact that it is women and girls who suffer most from poverty and from a lack of support to empower them and provide the ability for them to help themselves.

The DfID bilateral development review, published last December, emphasises what education is being provided to young people, and this is to be welcomed. DfID's key objective is to end extreme poverty and spread prosperity—an objective which is particularly linked with having the correct skills to access employment opportunities. DfID aims to address,

“the chronic need for jobs and economic livelihoods for young people”.

But what of the many adults who have not been able to access any education and are now illiterate and lack the skills to be employed? And what about the general acknowledgment that it is women and girls who suffer most when it comes to a lack of educational opportunities that lead to employment? Women and girls in developing countries are more likely to be held back from education for financial, family or cultural reasons. Many more women and girls grow up without any education at all in the developing world, and it is they who need our help and assistance the most.

A key message of the review in relation to the sustainable development goals is:

“We will invest in people, leaving no one behind”.

Facilitating schooling for the many displaced refugees in conflict states is a very worthwhile project that helps the children who are suffering now through conflict. But how are we to ensure that “no one is left behind” if we do not provide the best opportunities for the many people, particularly women and girls, who have already grown up without an education and face a lifetime of illiteracy?

Here, I declare an interest as chairman and founder of the Loomba Foundation, which was set up to help impoverished widows and their children worldwide. It is now acknowledged that widows face double discrimination when trying to rebuild their lives after the death of their husband. In the foundation, we have a specific scheme to tackle head on the issue of widows who are held back by adult illiteracy, with help given to some of the poorest widows in India. We are planning to work with the Rotary Club to set up facilities in all 30 states in India to help 30,000 widows—1,000 in each state. Providing this tuition is a way forward to opening the door to employment and ensuring that opportunities are not lost through the sheer inability to read and write.

A further question to consider in this increasingly globalised world is: do we create opportunities for women and girls to access tuition in the English language so that they are truly well equipped to tackle the

problems and situations that they face in becoming self-sufficient? I was recently asked to provide my perception of an empowered woman, to which I replied, “An empowered woman is one who can make her own way in the world unhindered by prejudice, abuse and cruelty, and who is considered of equal worth by her peers and her community”. To that, we can surely add: an empowered woman is also free from the tyranny of illiteracy and able to read and write to an acceptable standard.

2.05 pm

Baroness Hodgson of Abinger (Con): My Lords, I am grateful to the noble Lord, Lord Loomba, for raising this important subject today.

Tonight, one in nine people will go to bed hungry. In spite of much progress in recent years as a result of the millennium development goals, there are still 700 million people, mostly women and girls, who remain below the poverty line. It is women in developing countries who are often denied the opportunities to earn a living and thus lift themselves out of poverty. The OECD concluded in a 2012 study that greater gender equality in economic opportunities is key to sustainable economic growth and social cohesion. Thus, ensuring that more women are able to get into the workplace is crucial to helping transform developing countries. However, it is not just about building their skills; it is also about creating conditions that enable women to work.

At the core of inequality are entrenched cultural attitudes towards women. In some countries, it remains taboo for a woman to even talk to a man outside her own family or to walk down the street unaccompanied by her husband. In Afghanistan, the Taliban have a saying: a woman's place is in the home or the grave. Thus, employment outside the home can be almost impossible.

In most countries women are expected to be the care-givers. On average, women do two and a half times more unpaid care work than men. Societies do not value this unpaid work, even though it is estimated to be worth \$10 trillion a year globally, and it limits the time that women have available for paid work.

Access to basic infrastructure is often also a problem. It is estimated that women and girls in sub-Saharan Africa spend 40 billion hours a year just fetching and carrying water to use in the house. They may also be expected to collect the family's firewood or to work in the fields—all unpaid.

Of course, the journey to employment begins with education. Girls' education benefits the next generation as well, with children born to educated mothers being 40% less likely to die before the age of five. Although there have been improvements in recent years, there is still a long way to go. Girls in Africa are still much less likely than boys to start secondary education, and two-thirds of the world's illiterate are women.

In 2011, UNICEF found that each additional year of primary school boosted girls' eventual wages by 10% to 20%, and an extra year of secondary school by 15% to 25%. But too often girls fall out of school, frequently because of issues such as a lack of girls' lavatories, insufficient numbers of female teachers and negative classroom environments.

[BARONESS HODGSON OF ABINGER]

I remember talking to mothers in a village in Sierra Leone. They did not want their girls to go to secondary school. The school was in another town and they were worried that their girls would be attacked on the way there or that they would be raped in the school by teachers or fellow pupils. Once a girl in Sierra Leone was pregnant, she was unmarriageable and a lifelong burden on her very poor family. Thus, they felt it was better to marry her off to protect her from sexual harassment and unwanted pregnancy. In developing countries, one in three girls is forced to marry before her 18th birthday. Child marriage restricts the lives and livelihoods of millions of girls each year.

To protect women, systems of law and order are required, with laws that are implemented at local level. Too often national laws are not known about in villages, with customary law being in the hands of the male elders. I remember hearing in a village in Liberia that a woman who had been raped was not able to report this to the police. The nearest policeman was in the next village and she could not go unless given permission by the village elders, who preferred to “sort things out themselves”.

So how can we help? DfID must continue to fund programmes that help address some of these issues. Developing countries must be helped to build their capacity to educate and encouraged to have laws that protect women and prevent early marriage. Women need to be trained in economic-generating skills and helped to gain access to microfinance and markets for their products.

We must, however, work with the men in these countries by explaining the benefits of caring duties in the home being more equally shared, which will release women to help bring income into the family. Employers need to pay women equally: the global gender pay gap is still 23%, with the gap higher in poorer countries.

To conclude, achieving greater female employment in the developing world, with the resulting positive economic growth, will help lift families, communities and countries out of poverty and contribute to the SDG aspiration to “leave no one behind”.

2.10 pm

Baroness Miller of Chilthorne Domer (LD): My Lords, I congratulate the noble Lord, Lord Loomba, on securing this debate. I am particularly struck by how appropriate it is to be debating this issue following last Saturday’s worldwide women’s marches. Solidarity with the rights of women in particular and human rights in general was underlined by those marches. The achievement and realisation of those rights has been a struggle. For many women in the world, it is still a far off dream. After the march, I read some comments in the *Guardian* from a woman in the Central African Republic. She said that even to know about the marches was difficult for them, because they are not connected to the rest of the world.

Why the election of President Trump has been such a setback, beyond the man himself, is that it has unleashed a swathe of voices that feel able to be anti-choice and anti-equality, taking us to a nasty, supremacist world in which women are diminished—a

world that we thought we had left behind to fade into history. Many of your Lordships will have seen the picture of all the men gathered round as Trump signed away aid for organisations involved in abortion work. That picture said it all. As somebody wryly wrote, “When did you last see a group of seven women writing into law what men can do with their reproductive organs?”. I ask the Minister whether the Government will consider supporting the initiative in the Netherlands to create a worldwide fund to fill the gap in reproductive health that will no longer be covered by contributions from the US. The strength of support for the marches worldwide showed that, for women in particular, the efforts to undo the progress in equality of the past two generations are simply not acceptable.

The noble Lord, Lord Loomba, underlined the importance of education. Providing girls with an education helps break the cycle of poverty. Educated women are less likely to marry early and against their will, less likely to die in childbirth, more likely to have healthy babies and more likely to send their children to school. As UNICEF underlined, an extra year of primary school for girls can increase their eventual adult wages by 10% to 20%, and an extra year of secondary school increases those wages by 15% to 25%. Education is absolutely vital. Will the Minister confirm that the UK Government will continue to fund the programme they announced in July 2016 to help 175,000—that was their aim at the time—of the world’s poorest, most marginalised girls to get a quality education? That programme, through the Girls’ Education Challenge, helps girls who have dropped out of or never attended school due to a whole number of pressures that have made life really difficult for them. I hope that DfID will continue to fund educational programmes in general, but that that programme will be especially protected.

I conclude with another question for the Minister. Do we actually know satisfactorily what is happening for girls and women in different countries? As far as I understand it, fewer than 50 countries can provide data disaggregated by sex from vital statistics and civil registration systems. If so few countries can produce gender statistics on, for example, informal employment, entrepreneurship and time use, it will be very difficult to measure progress. The Minister may have better statistics than that. It is very important that, in funding educational programmes, we can measure their results to be sure they are addressing some of the issues raised by the noble Baroness, Lady Hodgson, in her important contribution—for example, in the sectors of unpaid work and agriculture.

2.15 pm

Baroness Flather (CB): My Lords, it is said that women form half the population of the world, do three-quarters of the work, own 1% of the property and get 10% of the world’s wages. This may or may not be exactly true, but to some extent we know that women do not earn much and do more work than men.

For the past 10 years, I have focused not on educated women who are doing well or who are entrepreneurs but on the needs of poor women in developing countries. The two areas I have focused on are the Indian subcontinent and Africa. I know the Indian subcontinent

well personally and I have visited many countries in Africa. In Africa, you see the women working, working, working, and you see the men standing outside a shop or a place where they can get drink, chatting with other men. It is quite depressing to think that these men can enjoy their life to such an extent and all the work has to be done by the women. I have not been to Nigeria, but I am told that, there, a man will marry three wives: one to look after the children, one to look after him and one to do the agriculture. This is not the world that we should be looking at in the 21st century.

Everybody agrees that in developing countries women's lives are not good, that they are not doing well and not getting an education. Who is taking the initiative to fight this? I know that DfID is doing what it can, but we have to work with the Governments of these countries and say, "Look, your women are not in the economy—you are not using a valuable resource in your economy". If China did not have women in its economy, would it have done as well as it has? No, it would not. Indian and African women are not in the economy.

I know that my noble friend Lord Loomba's particular interest is in widows, and Indian and African widows have a terrible time—all widows have a terrible time. Without a man, they lose their identity and lose whatever the man might have owned. Some Indian widows are taken to places of pilgrimage and left there. They literally have to sing for their supper. It is horrible. The lives of women in developing countries are appalling, and even those of us who think we understand, through the newspapers and our own knowledge, do not understand. The reality is far, far worse than we think it is.

With that in mind, the year before last I set up the charity Women Matter—we are still working on trying to make it happen. Its main concept is skilling women and girls and finding them paid employment. In India and Africa, women are not seen as normal employees. I know of a woman from Kenya who went to the city and got a job. When she came back to her village, they refused to let her in. There are so many stupid things that do not help anybody, including the country that the women live in. My proposal, through this charity, is to try to find big companies that will meet their CSR by employing women. India has set aside 2% of net profits for CSR. It could all be used to help women, but I am sure it will not be. We will talk about it for ever, but I do not know how we will make that happen. How will we make people realise that women, who are crucial to the world in every way, are treated so badly?

I have always spoken in debates tabled by the noble Lord, Lord Loomba, because I will speak in every debate which gives me an opportunity to speak about the situation of women. But please let us not just speak about it; let us see what each of us can do and what each of us can add to the value of women.

2.20 pm

Baroness Manzoor (Con): My Lords, I thank the noble Lord, Lord Loomba, for securing this important debate. It is important that economic and social empowerment and labour rights, which are critical if women are ever to play as full a role in the labour force as men, are addressed.

Today I will talk about women's and girls' access to education and nutrition as the foundation from which they can develop crucial skills and knowledge for success in the workplace. The day a girl is born, she is already placed at a competitive disadvantage as regards her male counterparts. Discrimination and socially defined gender roles will narrow a girl's opportunities from infancy, creating a knock-on effect throughout her life.

When a family living in poverty is faced with school fees, parents are far more likely to send their sons to school over their daughters. Daughters will also face a much higher burden of domestic chores. At present, some 31 million girls worldwide do not attend primary school. We all know that there is a strong link between early child development and success in later life. The rate of return on school fees for earning per additional year of schooling is 9.7%. Those girls may never even learn how to read or write—a huge lost potential.

I commend DfID's considerable support for helping girls, and particularly marginalised girls, access education. Between 2010 and 2015, the department supported 5.3 million girls, but there is still a significant financing gap in education and it is often the girls who miss out. If we are to widen the employment opportunities available to women, DfID needs to focus on supporting the delivery of free, quality and inclusive education systems that address gender inequalities and do not leave children behind. Even if a girl manages to complete primary school, the barriers to accessing secondary education will multiply. As other noble Lords have mentioned, an adolescent girl's education is too often cut short by forced marriage and early pregnancy.

The parallel problem of undernutrition, which hampers the physical and cognitive development of so many teenage girls, cannot be ignored. Good nutrition is essential for improving school retention and academic achievement. I visited India in a delegation with RESULTS UK last year. It is a country where more than half of all adolescent girls are anaemic and just under half are underweight. I saw at first hand how a lack of basic nutrition can undermine a girl's chances of staying in education and developing skills for the future. An undernourished girl is more likely to experience pregnancy-related complications, causing serious health issues or even death. At the same time, early and frequent pregnancy will stunt and slow her growth and harm the health of the infant once born. Too many girls are trapped in a vicious cycle and locked out of the labour market before they even reach adulthood.

I understand that the department recognises the intersecting obstacles that girls face, but this needs to be reflected in the design and delivery of all its programmes if we are to address gender inequality. Although I am pleased with DfID's commitment to improve the nutrition of 50 million people by 2020, I must emphasise the importance of integrating nutrition into health interventions—particularly sexual and reproductive health interventions. This would present a unique opportunity to reach the most marginalised girls and deliver a number of vital interventions that would significantly improve their health and development.

As I said, good nutrition and education set the stage for women's economic and social empowerment. Girls who have access to school and healthcare will

[BARONESS MANZOOR]

have more choices: the choice to complete education, the choice to have fewer children and the choice to pursue a wider range of employment opportunities.

But we are falling short. In most countries around the world, women earn between 60% and 75% less than men. Women are more likely to work in low-skilled, unpaid or informal employment. If we want to give women and girls the right employment skills, we need to address the gender disparities that affect a girl's life from day one and aim to rectify them at every stage of her development. I would welcome the Minister saying how this is being achieved throughout our aid budget.

2.25 pm

Baroness Sheehan (LD): My Lords, I add my thanks to the noble Lord, Lord Loomba, for securing this very important debate. The impact of the economic empowerment of women on a family in the developing world is well documented and I will not dwell on it here too long, other than to mention a fact that caught my eye when I read the UN Women report included in the excellent briefing note prepared for this debate by the House of Lords Library. A 40-year study using data from 219 countries found that, for every additional year of education for women of reproductive age, child mortality decreased by 9.5%. That says it all. When share of household income controlled by women rises, children benefit.

I was therefore delighted to see the Secretary of State for International Development, Priti Patel, commit the UK to continue to play a key role as part of the UN high-level panel which aims to help women around the world get jobs, overcome discriminatory laws and reduce the burden of unpaid domestic work. However, I was less delighted when the Secretary of State capitulated to the *Daily Mail's* vitriolic campaign against funding for the Ethiopian Yegna project by the NGO Girl Effect. This project works to break the cycle of intergenerational norms, to change the way that individuals, families and communities think, feel and act towards girls—a point touched on by the noble Baroness, Lady Hodgson of Abinger.

All too often, we treat the symptoms of poverty but overlook the cause. We focus on services such as schools and health clinics—which of course are important. But research shows that girls are consistently passed over or are denied access to the services they need. They fail to take up immunisations or they drop out of school.

Using storylines that confront real-life issues such as early forced marriage, violence and barriers to education, the Yegna brand provides role models and inspiration. It gives voice to girls' desire to stay in school, stay safe and healthy, have economic opportunity and participate fully in society. Yegna today reaches 8.5 million people—50% of the population in Addis and the Amhara region of Ethiopia—and is helping to change the lives of some of the hardest-to-reach and most disadvantaged girls in the world. Seventy-six per cent of girls who listen to Yegna say that this has inspired them to continue their education, and 95% of boy listeners—so important—say that they would speak out against a girl being forced to marry.

DfID has consistently recognised Yegna's impact. The project has received an A grade in its annual evaluation for the past three consecutive years. The Secretary of State, appearing before the International Development Committee, said:

“UK aid in Ethiopia is combating forced child marriage, violence, teen pregnancies—all those really big, substantial issues. We are doing a range of work there. That is just one project”.

It is a pity that the Secretary of State no longer feels able to support a programme that was transformational on many levels, and capitulated to the *Daily Mail's* campaign to withdraw from it. Who is responsible for policy decisions at DfID—the *Daily Mail* or the Secretary of State? Will the Minister confirm that the *Daily Mail's* campaign to undermine the 0.7% ODA spend will not succeed and that the Government remain committed to it?

Funding to change the norms within which women in developing societies are viewed and empowering them to believe in themselves is crucial if we are to meet the sustainable development goals and leave no one behind. Women's economic empowerment is crucial, as study after study shows that when they have money at their disposal the whole family benefits: the elderly, the young and the disabled.

In the few seconds that remain to me I will touch quickly on the election of Donald Trump as President of America, which has really put fear into the hearts of many NGOs that work in sexual reproduction and women's health. The global gag rule brought in by previous US Presidents has been not just reinstated by Donald Trump but significantly expanded. The Government in the Netherlands have already announced the creation of a fund to counter the global gag rule. What role will DfID play to counterbalance the global gag rule?

2.32 pm

The Lord Bishop of Derby: My Lords, I thank the noble Lord, Lord Loomba, and congratulate him on the splendid work that his foundation does in targeting widows, who are some of the most vulnerable people. I also congratulate Oxfam on producing such a helpful report. Many noble Lords have spoken about the issues. I want to stress the fact that this is not just about inequality and discrimination; the report shows that they are both growing. That growth is the context in which we look at this debate.

I will ask three brief questions about our approach. The Oxfam report rightly talks about the importance of companies. The Minister knows a great deal about my work on modern slavery, as we were partners on the Modern Slavery Act. As we know, given what is happening to companies in an age of tight margins, agency working—because you want a flexible workforce—and desperately vulnerable people needing work, it is very easy to exploit human beings. In fact, as modern slavery increases as a crime, so people become commodities in an economic process. That commodification of people is reinforcing the cultural commodification spoken about by the noble Baroness, Lady Hodgson, whereby women and girls especially are treated as bits of equipment—as cooks or those who run agriculture, or whatever their role is. There is

an urgent need for companies and the consumers on whom they rely to raise important questions about the value of human beings, especially the neglected such as women and girls, and to push back against a force which is accelerating and which treats human beings who are vulnerable as commodities. The place of women and girls especially is being reinforced at the bottom of the chain—something that has been culturally true for so long.

The Oxfam report also talks about the importance of government in creating a frame for taxation. One issue we have to face is that in our society, as in others, it is non-governmental actors who call the tune. In some countries, sadly, that is by military action, but multinational companies are also non-government actors that call the tune. But of course there is a noble and strong tradition—we need to bless and work with DfID on these things—of churches, faith groups and volunteers being non-state actors who can make a difference.

In the diocese where I work in Derby, we have partnerships with churches in Calcutta and Delhi, for instance. At this very moment, we are working in partnership to create employment and education for women and girls because all the evidence shows, as I know from visiting these projects, that when you put the energy and wisdom of women and girls into the mix, things take off. That is often because the economy has been slow and leisurely, with its male-dominated kind of norms—so this is a very important thing. Good things can happen and are happening. I hope that the Government and DfID can recognise that non-state actors such as charities, churches and faith groups are already doing important work and can get under the radar of some of the problems with government policy and multinational behaviour. They can begin to empower people from the grass roots up—which is where women and girls make such a difference.

My last point is one that I want to bring home much more to us in this Chamber, and to the people whom we serve in government. One key which the Oxfam report points to is taxation: that is, raising money for the common good. If we are honest, we all live in a culture where nobody wants to pay any tax. Governments get elected by promising the lowest taxation margin that they think they can get away with. There is an urgent need to help people understand that to be mature is to be a citizen who sees it as a joy and a privilege to pay tax into a common pool for a common life—one that will look out especially for the vulnerable, such as women and girls in our own culture, let alone in others. That common pool will create funds for us to invest in DfID, in the United Nations and in the well-being of people in our own society.

We have to speak up on this issue because if we take it as normative that nobody wants to pay tax and somebody else will pick up the bill, the inequality and discrimination that is increasing as we speak will just accelerate, along with the commodification of people. The small efforts of churches and faith groups will be less and less effective as the problem expands. So I would be interested if the Minister would comment on the possibility of appealing to people to be good citizens and to contribute gladly to a common good, especially for those who are vulnerable.

2.37 pm

Lord Tunnicliffe (Lab): My Lords, I too start by thanking the noble Lord, Lord Loomba, for securing today's debate and I pay tribute to his tireless commitment to these issues. Women in countries across the globe still face, and fight against, endemic social and economic discrimination and gender-based violence. It is a personal tragedy for every woman and girl who is undervalued, not safe in her home or at work and not allowed to realise her potential. It is a shared tragedy for the communities and economies which miss out on such a vast array of their own talent. We are proud of the record of successive UK Governments in tackling global violence against women and girls, and leading the push for an explicit commitment to gender equality in the post-2015 framework. Your Lordships' House is all too aware, after last weekend's women's march, that this is no year in which to be complacent about women's rights.

The fifth sustainable development goal reads:

"Achieve gender equality and empower all women and girls".

Goal 8, to promote inclusive growth,

"and decent work for all",

is vital to achieving opportunity and personal security. Recent news has not all been encouraging. According to the World Economic Forum, gender equality in the economy moved backwards last year, to 2008 levels. The Oxfam report highlights levels of wealth inequality which have had a hugely detrimental effect on women. We must be careful not to give the impression that women are not already working. Women and girls shoulder the burden of the majority of household and care work, taking on three times more unpaid work than men. The millions in paid work tend to be employed in sectors with low pay and poor working conditions.

We know that the barriers to economic advancement are multiple: violence, infrastructure, access to education and training, access to capital—I could go on. The Minister will be aware that the UN High-level Panel on Women's Economic Empowerment has identified seven key drivers for economic empowerment, including positive role models, legal protection, a redistribution of unpaid work and changing business practices. Is the Minister able to update the House on what the Government are doing to consider each of these drivers and to build on the work the UK is already doing?

Access to education and training is clearly vital. The UK has led on work to get more girls into primary and secondary school. Will the Minister say what work is being done to replicate any successful policies from these schemes to improve access specifically to technical and vocational education as a means of moving into employment?

The theme of the sustainable development goals is "no one left behind". I pay tribute again to the excellent work of the noble Lord, Lord Loomba, in raising the plight of widows. What work is the Minister's department doing to look at rural women and older women and what can be done to remove the specific barriers to training and employment that affect these groups? I have a particular interest in this subject because of my wife's involvement with Sreepur Village in Bangladesh. It was formed by a movement led by a former British

[LORD TUNNICLIFFE]

Airways stewardess, Pat Kerr, some 28 years ago, and has taken in homeless and destitute women and their children. Many are single mothers who have extreme problems in such societies. For three years, the women receive training and their children receive schooling before they settle back into the community. There they are able to utilise their skills and gifted equipment, such as sewing machines, to support themselves and their children. This is an outstanding example of how investment in women has a powerful wealth multiplier effect. Whether we men like it or not, investing in women often has much higher rewards than investing in the general community.

Former Secretary-General of the United Nations Ban Ki-moon said,

“Gender equality remains the greatest human rights challenge of our time”.

I welcome today’s debate as an opportunity for noble Lords to keep building momentum and awareness, and I look forward to the Minister’s reply.

2.41 pm

The Minister of State, Department for International Development (Lord Bates) (Con): My Lords, I join other noble Lords in paying tribute to the noble Lord, Lord Loomba, for securing this debate and for his consistency in raising these issues over many years in this House and giving us an opportunity to talk about them. However, there is much more than talking going on, as the noble Lord, Lord Tunnicliffe, said, as in the case of Lady Tunnicliffe’s work in Bangladesh. Many other noble Lords who spoke in this debate did so not from a theoretical perspective but from practical experience which they have had in their charitable work around the world, which we recognise and to which we pay tribute.

Inequality is not just the subject of two of the sustainable development goals, as the noble Lord, Lord Tunnicliffe, referred to, but is at the heart of everything DfID does through its mission to eradicate extreme poverty. Taxpayers in this country expect that aid should go to those most in need of it in another country, and this is why the Secretary of State has made it her objective to challenge and change the global aid system so that it properly serves the poorest people in the world.

The Oxfam report makes a good contribution to the debate on inequality and has generated substantial media interest in inequality, but we need to move away from and beyond simple headlines and dig deeper to find international solutions. This debate is helpful in doing that. We agree that effective taxation is critical for inclusive growth. As the right reverend Prelate the Bishop of Derby rightly pointed out, people need to be good citizens in paying their taxes and corporations need to be good corporate citizens in paying their taxes, but taxation cannot be the answer on its own because without wealth creation it is axiomatic that there is nothing to tax. Nowhere has defeated poverty without sustained economic growth. Reference has been made to China, which has lifted more people out of poverty than any country in human history, not necessarily through a tax policy but through sustained

economic growth and investment in social and physical infrastructure. We need to empower and equip the poorest to work and trade their way out of poverty, a point which my noble friend Lady Hodgson raised. Countries need trade, investment, infrastructure, energy and strong institutions to reduce poverty and inequality and to be self-sufficient in the long term. That also means a healthy civil society, and the importance of church and faith groups as part of that society is recognised and noted. They are integral to our approach to economic development, which supports inclusive growth and tackles inequality by creating jobs and opportunities across society.

For this, our focus on women and girls is critical. No country can achieve sustained economic development by denying economic opportunities to half its population. The noble Lord, Lord Tunnicliffe, described the contribution of women as integral. It is a fact that no country can lift itself out of poverty while leaving half its population behind. As Oxfam’s report highlights, the global economy does not treat women and men equally. The noble Baroness, Lady Flather, referred to this. It is a fact we all know, particularly in the labour market, where women are 25% less likely to be in employment. As my noble friends Lady Hodgson and Lady Manzoor said, women do significant additional work in caring for others and looking after the home, yet they find that their wages are significantly less.

Education, particularly beyond the primary level, is a key part of improving women’s lives and their livelihoods. Educating girls brings incredible returns. Reference has been made to the financial and economic returns not only for girls and women themselves, but for their families, communities and economies. Educated women marry later and have fewer children. Their children tend to live longer, partly because education brings the importance of nutrition into the family home, as my noble friend Lady Manzoor pointed out, and they are more likely to attend school. If they are more likely to attend school they are more likely to be employed, and if they are more likely to be employed they are more likely to work their way out of poverty, so we know the system works.

Significant progress has been made since 2000 on getting girls into school, but gender inequality in education persists. My noble friend Lady Manzoor and the noble Baroness, Lady Miller, referred to this. There are entrenched cultural barriers to girls’ education. For example, boys are still 1.5 times more likely than girls to complete secondary education in Africa and south Asia, areas in which the Loomba Foundation works. I am grateful to the noble Baroness, Lady Miller, for mentioning the girls’ education challenge, and I will come back to that in a minute with a specific answer to her question. DfID has prioritised getting more girls access to education, staying in education and making the critical transition from primary to secondary school, where the benefits are greatest and where they can learn and develop the skills to access employment and allow their families and communities to prosper.

My noble friend Lady Manzoor, the noble Baroness, Lady Miller, and the noble Lord, Lord Loomba, welcomed and highlighted the success so far of the

girls' education challenge programme which is supporting up to 1 million marginalised girls across 18 countries. It is a ground-breaking programme. With all ground-breaking programmes—this is a point raised by the noble Baroness, Lady Sheehan, when she referred to other programmes we have had—there is an element of risk when you are trying to reach the most marginalised girls and get them into education. We are therefore mindful that the girls' education challenge needs to improve further. A recent Independent Commission for Aid Impact report on the girls' education challenge found that we still need to do better, but the reality is that we are doing a lot better than we were, and the girls' education challenge is providing an important part of that. That is why we announced an extension to that fund.

Education is one aspect of equipping women and girls with the right employment skills. It is also imperative that we look towards technical and vocational education, including working with the private sector, to ensure that they have the right skills that are valued in the labour market. DfID's skills for oil and gas Africa programme is an example of working in partnership with industry to promote skills development for local people so they can access jobs and business opportunities linked to oil and gas investments in east Africa. It is traditionally a male-dominated sector, and DfID's intervention aims to create 84,000 jobs for women and girls—40% of which will be for young people aged between 15 and 24. There are of course many other examples, and the noble Lord, Lord Loomba, gave some of his own in partnership with the chamber of commerce in India.

We are also helping to remove women's financial constraints to self-employment. An example of this is the joint DfID and Coca-Cola enterprise scheme in Nigeria that is helping 18,000 young women with financial and leadership training. My noble friend Lady Hodgson mentioned the importance of microfinance in this regard, which we are also supporting, there and elsewhere.

Success in a fast-changing world requires a mix of skills throughout a child's learning cycle. The underprivileged children's educational programme in Bangladesh gives four and a half years of education and business-related training to some of the neediest families in urban slums. Graduates are placed into employment or provided with loans to set up in small business, creating better lifetime opportunities and combating child labour. We work on modern slavery, and there is the important work that the right reverend Prelate the Bishop of Derby has done in that area. Combating modern slavery and trafficking is not only at the heart of our mission at DfID but also the Prime Minister's passion, which she is following through across all government departments.

Investment in skills is important, but it does not create jobs and does not overcome the barriers women face in accessing jobs and moving into better positions. Our work across economic development and gender equality recognises this and aims to address the fundamental barriers that prevent women from having a voice, choice and control over economic decisions and resources. We work to increase women's access to

productive assets, including land and financial services, and to tackle discriminatory regulations that prevent women from doing business.

We are having a real impact. For instance, we have reached more than 35 million women with the access to financial services that help them work their way out of poverty. Investments by the CDC—a Bill on which was supposed to be before your Lordships' House yesterday, but because of the interest in it, it is now being brought forward on 9 February—have created more than 300,000 jobs for women in 2015 alone. We have enabled 3 million women to secure land rights in Rwanda, Ethiopia, Tanzania and other countries.

The noble Lord, Lord Tunnicliffe, and the noble Baroness, Lady Sheehan, also mentioned the important work of the High-level Panel on Women's Economic Empowerment. It has issued a call to action to global leaders across business, government and civil society to tackle behaviours and laws that keep girls and women back, to make the changes in the workplace and supply chains that will give women more opportunities, and to ensure women have access to resources and time to make the most of their talent.

The noble Baronesses, Lady Hodgson and Lady Sheehan, were concerned about some aspects of sexual and reproductive health. This is something DfID is a world leader in, and we have a specific commitment to ensure that people get access to sexual and reproductive health advice. I can also say that this is why we plan to host a global summit on family planning in 2017, aimed at reaching the most marginalised and those affected by it, including conflict survivors and victims of modern slavery. That will be a very good and timely forum to discuss the global response to these issues.

DfID's work on girls and women does not limit itself to economic opportunities but works to support girls and women at all stages of their life, to enable them to take control and determine their own future and contribute to a more prosperous, equal and peaceful society. I think that is fairly close to the definition which the noble Lord, Lord Loomba, had of empowerment of women. It means that they take control of their own lives and are able to make their own choices, for them and for their families, and benefit the whole of wider society in the process. I pay tribute to the noble Lord and all noble Lords who contributed to the debate.

Brexit: UK International Relations

Motion to Take Note

2.55 pm

Moved by Lord Jopling

That this House takes note of the United Kingdom's international relations in the light of Brexit, including its future engagement with the United Nations and the United States.

Lord Jopling (Con): My Lords, I am sure the whole House will share the sadness of the International Relations Committee at the news that my noble friend Lord Howell was taken ill last night and is unable to be in his place today. I am sure we all join together in wishing him well.

[LORD JOPLING]

We have two Motions on the Order Paper. The first is concerned with the United Kingdom's changing international position in the post-Brexit era, while the second concerns itself with the United Nations and the tasks of the new Secretary-General. This is the first report of the new committee on international relations, for which many of us pestered for many years. It is most welcome that at last we have a proper International Relations Committee.

The Motions overlap, since the firm conclusion of the IRC report is that the UK's role in the United Nations has to be revised. It will become even more important after Brexit, but could, if handled well, provide us with new leverage in the world. I am sure I speak for the whole committee in being very grateful to the clerks and the advisers for their admirable support in putting this report together. We are also grateful for the Government's response, which seems largely in agreement with our recommendations. As my noble friend Lord Howell himself said in his notes, in fact it is "almost alarmingly" in agreement with our recommendations.

The United Nations has undoubtedly had a rollercoaster ride in recent years. There was, initially, the hope that the end of the Soviet Union would mean an end to constant Russian vetoes. The belief was fostered by some naive economists that throwing off the communist yoke would lead immediately to free markets and flourishing Russian democracy. Instead, we have ended up with oligarchs, crime, corruption and Vladimir Putin, and a new era of tension and turbulence in the United Nations.

Perhaps I can begin by dealing with the committee's report. We all welcome the new objective way in which the new Secretary-General was appointed. The old system, which seemed to rely on it being Buggins's turn, or on regional appointments, was clearly faulty. António Guterres seems to have very promising credentials, which we welcome. But the committee felt that appointment to the leadership of the United Nations and its agencies should be based on qualifications regardless of other factors, which should only come into effect when candidates have equal qualifications. The question is how we can be sure that the best people will be appointed. In the Government's response, they refer to the influence of the Geneva group—of which the United Kingdom is a member—of 17 like-minded members which are major funders of the organisation. It is important that we use our influence there to buttress the Secretary-General and encourage him to bring about the changes which are so badly needed. It is through the Geneva group that we have one way of applying better practices. Many of these long-running problems are covered in the report and need to be addressed at last.

I am bound to say that before the inquiry I had not realised that the various United Nations agencies had such a degree of autonomy that they were de facto separate empires which sometimes were beyond the influence of the Secretary-General's control. A classic example of this was UNESCO, which in the 1970s caused the United Kingdom and the United States to opt out of that body. The Government's response was not, I thought, very specific on whether the United

Kingdom intends to try to increase the Secretary-General's influence and to co-ordinate better the work of the whole organisation, including the agencies. Here, again, the influence of the Geneva group in selecting appropriate leadership and trying to get people elected could be very important indeed.

I turn next to peacekeeping. The committee stressed the need for more investment in conflict prevention, pre-deployment training and more specialised equipment such as helicopters and drones. I have been concerned for many years about the sometimes ad hoc nature of United Nations peacekeeping forces and the sheer incompetence and unsuitability, on occasion, of some of those units. I remember being in Cambodia when part of the United Nations force, from a nation I will not name, had to be sent home for gross incompetence and illegality. I wonder whether the Government believe that there is work to be done in preparing and training regional peacekeeping units in a more positive way in advance of crises, so that they are available at short notice to answer the Secretary-General's requests for help.

I began by saying that the arrival of President Trump seems to present the new Secretary-General with major new challenges, because we have had news overnight from Washington that the United States seems to be of a mind to propose major cuts in United Nations funding and support. I note that the BBC has used the figure of 40%. This situation is of great concern and we can only hope that our natural alarm is exaggerated. To sum up the views of the Select Committee regarding the United Nations, I can do no better than to quote from the report's conclusion:

"This report is based on our firm conviction that the UN remains more than ever an essential global institution and a lynchpin of a rules-based international order".

Perhaps I may turn to the other issues to be considered in our debate today, which concern the wider international situation. First, however, on the overall international scene, the immediate question is of course the one I referred to earlier: the way in which President Trump is going to jump, since he is an avowed protectionist while we in Britain are telling everyone that we are free trade enthusiasts. The meeting between Mr Trump and our Prime Minister is going to be interesting, to say the least. Most people would counsel extreme caution over signing any speedy deal with the new Administration and urge that we should first examine closely the small print. That, I think, is the experience of anyone who has been involved in what the President calls "deals" over the years.

The talks will be influenced by our Brexit approach, which now requires a vote in both Houses to get going. The media love to portray this as a coming punch-up, especially here in the House of Lords, but frankly I do not see any great problem. It may be that the Liberal Democrats will do their best to amend the forthcoming Bill by, as I understand it from their spokesman, proposing a second referendum. While I personally do not rule out a second referendum, this is not the time for us to be talking about one as it seems to fly in the face of the verdict of the nation in the first referendum. It will become relevant only when the terms of the Brexit deal are clear; if the deal appears to be a catastrophe, which it may be, and public opinion is repelled by the prospect of the outcome,

that might be the time for us to consider the suggestion of a promised second referendum.

After the presidential inauguration last Friday, it occurred to me that I have never known a period of such uncertainty about United States foreign policy as that which confronts us now. Quite frankly, we do not know where we are and I do not think they know where they are in Washington. It is to be hoped that the visit of our Prime Minister this weekend will help to clarify some of these uncertainties. We can only hope that the Prime Minister will be able to point out that the 70 years of peace between the great nations of the world which we have been fortunate enough to live through, a time when these nations have not militarily been at each other's throats, is due in large part to successive United States Administrations believing in a multilateral foreign and defence policy in conjunction with their friends and allies.

We had a dangerous wobble in our relationship with the United States several years ago, just before and during the second Iraq war, when the attitude and philosophy of the United States seemed to be one of, "We are going to do this. If you want to support us, by all means come with us, but if you do not, get out of our way". We should remember in that context where such an attitude has got us to now in the Middle East. As one who has always been a friend of the United States—indeed, I ran the British-American parliamentary group for 14 years—it was my reservations about the then new attitude to the lack of post-military phased plans that caused me to speak in this House against the second Iraq war before it began.

The UK-US relationship is of crucial importance and we should do everything to support it. The Prime Minister is very fortunate to have the opportunity to influence the President and to try to lead him towards a constructive and traditional path. But given the uncertain trumpet call from the White House, we should remember that the United States constitution is based on a series of checks and balances, so I would guess that the Prime Minister's meeting today in Philadelphia with Republican Members of Congress is of special importance.

Of course, the President has good reason to make some of the attacks he makes in his pronouncements. I am thinking especially of NATO. He has rightly criticised its European members for not taking part or taking a fair share of their responsibilities. Given the consequences of Brexit, it is vital that the UK strengthen its ties to and responsibility and enthusiasm for NATO. According to an article in the *Times* the other day, our defence budget is now approaching 2.2% of GDP—I wish people would understand that when they say it is just 2%—and, given Russia's revived aggression, there is surely a good case for increasing that in future. However, we should certainly go heavy on those whom President Trump has rightly criticised for being lamentably below the 2% level they all solemnly agreed to at the Wales summit some years ago.

I hope today's debate starts an important wider debate on international affairs. We live in very difficult and uncertain times. There has never been a time since the end of the Second World War when resolution on the part of our country and our allies was more important.

3.11 pm

Lord Reid of Cardowan (Lab): My Lords, like everyone else, I hope for a speedy recovery for the noble Lord, Lord Howell, and congratulate the noble Lord, Lord Jopling, on standing in at such short notice in such fine fashion.

It is a truism to say that we are living in times of great change domestically, on our continent and globally. In the limited time available I want to keep my remarks focused on one or two aspects of that change which offer a huge challenge to the traditional manner and means of conducting our international relations. This applies both to single states and to institutions that are based on states, such as the United Nations.

To begin with, the sheer range of political entities with which we must, or should, engage in the course of conducting international relations has expanded enormously. For centuries, international relations have been conducted through, between, among, or at the level of nation states. That has more or less held true since 1648 and the Treaty of Westphalia. In recent decades, however, powerful political, social and technological change has changed that reality.

First, the emergence of powerful political entities at the level beneath the nation state—regional government, devolved power, national entities inside nation states, including our own, and decentralised political structures—must inevitably add to the complexity of international relations. Of course, that is not an unfamiliar phenomenon in Europe itself, as we will no doubt discover in time when trying to develop free trade agreements with the EU, which will be dependent on the assent of numerous substate actors. It therefore should not surprise us that it is a trend that is strongly emerging in other parts of the world—in the Middle East, for instance, where existing national state boundaries were not so much organically grown from local conditions but, rather, are lines drawn on the map by former colonial powers, sometimes without due regard to ethnic, tribal or other historical factors.

Many of those substate actors now play a powerful role, especially within states undergoing rapid change, conflict or social turmoil. Many have no formal constitutional basis. They range from local power blocs to ethnic groups or NGOs. The question of how and to what extent we can develop the capacity for formal and complex arrangements in addition to our traditional means of international relations becomes a very important aspect. The Foreign Secretary acknowledged these changes in his speech at Chatham House on 2 December. When addressing the challenges, his answer was that,

"we need to redouble our resolve and to defend and preserve the best of the rules-based international order".

I am always for redoubling our resolve. I was continually doing it as Secretary of State for Northern Ireland; every time something went wrong, we redoubled and rededicated ourselves. However, a Canute-like defence of the past order hardly explains how we are to tackle the new one. Perhaps the Minister could respond to that later.

Secondly, in addition, technological change has undermined the hitherto unchallenged nature and sovereignty of the nation state. Cyberspace is not

[LORD REID OF CARDOWAN]

just an amalgam of technologies or a means of communication; it is truly the first man- and woman-made environment. It permeates and helps to shape new relations in economic, political and social spheres. Above all, it is transnational. Of course we have had reason to notice the domestic effects of cyber and social media, not least in the Arab spring, but we sometimes forget that it has also changed the nature of global transnational relations. Moreover, cyberwarfare and transnational industrial espionage, with all the difficulties of verification and attribution, present a new and unprecedented challenge to traditional state-based diplomatic solutions.

Thirdly, we have what is commonly called globalisation. Transnational commercial organisations now have an unprecedented mobility to transfer assets or taxable income from one state to another. Mass media and social media stimulate economic migration, lawful and unlawful, from poorer to richer states, while terrorists can communicate on a global scale. None of these renders state-to-state relations redundant, but they all challenge the traditional manner in which those relations are conducted.

Separately from that, I have a final point that bears on our relations with the United States. I do not intend to expound upon the special relationship; the Prime Minister is in Washington today, presumably making a lot of that. However, as someone who has worked closely with our American allies over the years, I believe we should not blind ourselves to the potential conflicting objectives that seem to be emerging from the new President. I do not need to mention them all but I shall mention three: a strongly protectionist trade policy, the legitimisation of the use of torture and the unravelling of the Iran nuclear deal. It is the nature of good allies that we tell our friends when we think they are making a terrible mistake, and I hope the Prime Minister will be doing so in that spirit. As they stand apparently in complete contradiction to the aims and objectives of Her Majesty's Government, and it is difficult to see how they can be reconciled, I would be grateful if the Minister could respond when she draws her conclusions at the end of the debate.

3.18 pm

Baroness Smith of Newnham (LD): My Lords, like the noble Lords, Lord Reid and Lord Jopling, I am a member of the International Relations Committee. I express my hope that the noble Lord, Lord Howell, recovers quickly, and my thanks to him for getting today's debate on to the agenda. What a timely debate it is.

The International Relations Committee was set up in 2016. Our very first meeting was either just a week before or the week after the referendum on whether the UK should remain in the EU. We decided that as our first piece of work we would look at the United Nations and the priorities for its incoming Secretary-General, but almost all our evidence sessions have taken at least one question on what Brexit is going to mean, whether for our relations with the United Nations, the Commonwealth or the United States, and what our role in the world is going to be.

One thing that came out very clearly from the evidence sessions was the importance of the United Kingdom working closely with our European allies. The government line was: when we leave the European Union, we will be leaning more closely to the other alliances, to the United Nations, to NATO. Other evidence-givers suggested that that is all very well, but the United Kingdom on its own, outside the European Union, is perhaps not as influential as it likes to think. Yes, we are a permanent member of the Security Council at the United Nations, but a huge part of our influence in the United Nations is because we are a member of the European Union.

Will the Government accept the committee's Recommendation 197, which was that the United Kingdom should be working closely with the European Union in the United Nations even after we leave the EU? The security situation for the United Kingdom does not change when we leave the European Union. We do not suddenly become less or differentially vulnerable to security threats than our European colleagues, so it is vital that we find a way to keep close security links with the European Union.

The committee took evidence from the Foreign Secretary earlier today. He seemed to suggest that his Dutch colleague had said, "Well, when the UK leaves the European Union, we are going to lose 20% of the budget, 25% of defence and 30% of aid". The Foreign Secretary, if I noted him down correctly, said: "But we're not going to be leaving Europe in that way". I was a little surprised, because I thought that, financially, that was the very thing that we would be doing. He seemed to be suggesting that the United Kingdom would indeed be trying to ally as closely as possible to the European Union in terms of the security relationship. That would clearly be most welcome to those of us who believe that the UK's security interests are closely allied to those of the European Union. Is that indeed the Government's position and, if so, will that be part of the negotiations for Brexit?

Beyond that, the Prime Minister has gone off to the United States—again, this debate is extremely timely. If we are to have an ongoing special relationship with the United States, there is a question about what it will be. The President appears to want to play Ronnie to the Prime Minister's Maggie: to recreate an alliance of the 1980s. A problem that the noble Lord, Lord Jopling, mentioned in his introductory remarks and the noble Lord, Lord Reid, picked up on, is that some of the statements coming out of Washington are not those we would expect from allies. Do we suddenly believe that torture might be an appropriate method to get information out of people? Surely not.

The Prime Minister has said that she is willing to take on the President—effectively, to speak to truth to power, or to the President. Can we expect her to say that the United Kingdom will not accept some of the things that he appears to have said overnight? In particular, the President has suggested that NATO allies should be spending 2% of GDP on defence, as we have all committed to do. Will the Prime Minister be suggesting to him that the United States ought to be keeping up its expenditure to the United Nations and sticking to its commitments?

3.23 pm

Lord Hannay of Chiswick (CB): My Lords, the first report of your Lordships' relatively new International Relations Committee has been most ably introduced by the noble Lord, Lord Jopling. I regret only that the indisposition of the noble Lord, Lord Howell, has prevented him from taking credit for the way he has guided the fledgling committee, and I wish him a very speedy recovery.

The arrival of a new UN Secretary-General, António Guterres, in that office on the 38th floor of UN headquarters which I know so well, is, as changes of Secretary-General always are, something of a watershed moment. It is not getting the same attention as President Trump's inauguration or the triggering of Article 50, but it is nevertheless an important moment for a country such as the UK, whose permanent membership of the UN Security Council is even more salient in its foreign policy than it was before the referendum.

The Government's response to our report shows that there is a lot of common ground between us when it comes to identifying the priorities of the new Secretary-General. It is particularly welcome that the Government share the committee's view that the UN, for all its weaknesses and failings, remains an essential global institution and the linchpin of a rules-based international order which it is in Britain's interest to support.

That might sound a little bit like motherhood and apple pie, but with the arrival in the White House of a new President who did not have a single good word to say about the UN in his campaign, it is nothing of the sort. President Trump has now expressed his disregard for a number of the US's international obligations—specifically, on torture, on refugees and on paying the UN's assessed contributions for regular and peacekeeping budgets—which puts him at variance with our Government's policy. If followed up with deeds, it will bring us into sharp disagreement with our principal ally. That is in addition to the other disagreements over NATO and free trade. It will inevitably affect efforts to establish a good relationship with the new Administration, but I shall not go further into that matter today, with the Prime Minister in the United States.

On what points, then, does the committee not agree with the Government? I shall identify a few. The Government seem to be underestimating the number of threats to international peace and security expressed in no-go areas for the UN. There is Syria, of course, which they recognise as such. Who could not feel a sense of collective shame and despair after the agony of Aleppo? But there are also Ukraine and Crimea and the tensions in the South and East China Seas. It is surely important that those no-go areas be reduced, not allowed to expand and spread like ink blots to cover the whole globe, as they did during the Cold War.

Secondly, there is the process of choosing a new Secretary-General. The Government deserve a lot of credit for the major contribution they made to reforming and improving the process that led to the unanimous choice of António Guterres. That this was achieved with greater transparency than before, without any pre-emption of a regional or gender kind—desirable though it undoubtedly is that a woman Secretary-General

should emerge before too long—was a major achievement. But why do the Government feel the need to dismiss the idea of moving to a single, seven-year, non-renewable term for Secretary-Generals, and with such weak arguments? In a rather dismissive way, they suggest that that idea has been circulating for many years. Well, so was the reform of the franchise; so was giving women the vote; so was abolishing slavery. It did not make them bad ideas. They also say that re-election after five years makes the Secretary-General more accountable. That is a polite way of saying that it makes him more subject to a veto from permanent members—not necessarily a good thing. I hope that the Government will think again about a seven-year term.

Thirdly, although the Government appear to agree that the UN's capacity for conflict prevention needs to be boosted, they qualify that by saying that, "spending more is not the only way to achieve this". The committee did not say it was, actually, but it is rather difficult to see the UN becoming more effective at conflict prevention at nil cost.

Fourthly, there is accountability for sexual abuse by peacekeepers. The Government first rejected the recommendation of the Committee on Sexual Violence in Conflict that an international jurisdiction be set up to help root this out. Now, they have rejected even the less ambitious idea of convening a group of experts to consider its feasibility. The primary responsibility for dealing with such matters lies, they say, with the troop-contributing countries. Precisely so, but perhaps the Minister can say when she winds up which countries exercise that duty. I think the answer is zero.

Lastly, on the implications of Brexit for our work at the UN, the habitual paralysis that seems to afflict every government department when it is asked to think beyond the mantra of "Brexit means Brexit", seems to have afflicted the FCO. It seems to accept that we share values and interests with the other members of the EU, but it says nothing about drawing the natural conclusion that we need to go on working closely with EU members at the UN.

I apologise if I have sounded a bit grumpy, but it really would not do if we always pretended to agree with the Government when we do not, and the points that I have mentioned are ones on which the committee came to a considered view. What matters is that the UN counts more for the UK than it has ever done before.

3.30 pm

Baroness Helic (Con): My Lords, first, I humbly apologise for arriving late. I join noble Lords in thanking the noble Lord, Lord Howell, for securing this debate, and I wish him well in his recovery. I thank the noble Lord, Lord Jopling, for his speech.

It is a time of dangerous uncertainty in international relations. There is a deficit of predictability in our relationship with the European Union, over the future of the EU itself, and in the foreign policy of our single most important ally, the United States. While I have great faith in American democracy, it is deeply unsettling to hear a US Administration cast doubt over the value of NATO, the United Nations and even the European Union, downgrading human rights and contemplating policies that can only fuel religious intolerance. I fear

[BARONESS HELIC]

that, when there used to be consensus on internationalism, populist politics in some western democracies are fuelling a fake patriotism that is in fact a narrow nationalism more suited to the last century than this one.

As someone who has lived through war, I am deeply sensitive to the appearance of a leadership vacuum, and the agreements and principles that we risk sacrificing at the altar of this new, skewed reality. I therefore welcome the Prime Minister's visit to Washington, particularly in the light of Brexit, and her desire to reinvigorate US and UK leadership internationally. But I caution against allowing ourselves to be taken for granted or used to defend some rather dubious policies. For example, no one disputes that Daesh, or ISIS, must be confronted and eventually defeated, but the tools that we use and the choices that we make can have direct consequences for our own societies, as we learned through the painful lessons of the "war on terror". I hope that we will always remember that we must defend our values as strongly as we defend our borders.

Let me be a bit more specific. Following President Trump's latest pronouncements on torture, will the Minister assure the House that Britain will not accept or connive at torture, and that should the United States Administration pursue this path, it would have an inevitable impact on our intelligence co-operation? Let us not forget that we have the ability to influence US policies, and I hope we will have the courage to do so.

I fully recognise that in post-Brexit Britain, a free trade agreement with the United States is of enormous importance, but a free trade agreement amid a sea of disorder and insecurity would be a very narrow basis indeed for the future prosperity of our country. Will the Minister be clear that it will remain the United Kingdom's policy, now and after we leave the EU, to strengthen rather than allow the weakening of the institutions that have underpinned international security for over half a century? In particular, I hope that our Prime Minister will discourage the new Administration from selling the exit dream to other EU countries. Twice, American and British soldiers fought for peace in Europe in the last century, and only after the EU was founded did we secure long-term peace on this continent—the Balkans excluded, as ever. The EU can and will move forward without the United Kingdom, but peace in Europe can be secure only in a union where the interests of Germany and France are balanced, and that can happen only within a wider union with common goals and shared values. Any other arrangement takes us back a century.

If there is one thing I could agree on with the new Administration in Washington, it is that NATO allies must share the burden more fairly. We cannot just consume security—we have to share the burden of providing it. But any suggestion that NATO is obsolete will not encourage this trend; it will instead sow doubt that US commitment to the alliance is continuing.

Finally, as the committee recognises in the report, the UN is in urgent need of reform. I hope that the Prime Minister will champion the organisation when she meets President Trump tomorrow, and remind

him that the United Nations is not a bureaucracy imposed on us; it was created by us because of needs which remain as compelling as ever. In doing so, the Prime Minister will not only defend our country's interests but speak in defence of wider peace and security, which surely must be at the heart of Britain's global role.

3.35 pm

Lord Anderson of Swansea (Lab): My Lords, as the first non-committee member to speak, I will offer a few reflections on our relationship with the United Nations and the United States, and of course comment on the report itself. How might Brexit change our relationship with the United Nations? At one level, of course, it will be unchanged. We will remain a member of the P5 and still be active in the agencies—and we will still send our brightest and best ambassadors to New York. I look particularly in the direction of the noble Lord, Lord Hannay, while sparing his blushes.

Will our weight be changed as a result of Brexit? Clearly, the UN works through caucuses—for example, the EU spokesman in New York has great weight, as part of a bloc, and in pushing our candidates for key posts and lobbying generally. Furthermore, membership of the EU acts as a shield. For example, when *démarches* are made on human rights issues, one member cannot be picked off for retribution. So if our weight is likely to be reduced, what thereafter do the Government envisage as our relationship with the United Nations? Will we be tagged as associated with the European Union, as Norway is? Are there any alternative alliances to maintain our influence? The Commonwealth is certainly helpful on climate change, but it is clearly not a lobbying group—pace the noble Lord, Lord Howell, whom we miss and who we hope will have a speedy return to health.

On our relationship with the United States, no doubt over the next day or so President Trump will talk of a special relationship—of a Scottish mother who loved the Queen. He will have seen our Prime Minister first and will make us feel warm inside. But we delude ourselves if we think we will have special favours. Certainly there were no special favours to Mrs Thatcher—I think of the invasion of Grenada. The President said that we would be at the front of the queue on trade—after two years, presumably—but that conflicts with the idea of America first, the repatriation of American jobs, and the creation of American jobs, or else, for corporate America. Furthermore, constitutionally, Congress has a major role in trade negotiations and is a bear pit of lobbying by corporate and agricultural interests. Now we are forced to try to position ourselves with the new Administration—but let us not delude ourselves. There will be key differences on the Middle East, Crimea, NATO, Russia and Iran. The UK and EU position on sanctions will be challenged and will possibly unravel.

I turn to the report itself and priorities for the Secretary-General. It is right, of course, that the noble Lord, Lord Howell, after his campaign for the committee—and he is much respected—should chair it. There are a few points to be identified. The UK had a key role in the process of selecting the new Secretary-General. Guterres was the wrong gender and from the

wrong region, but the right person, as he knows the possibilities of the machine from the inside—but regional considerations still often prevail. Problems—which there is no time to develop—include indiscipline, whistleblowers not being encouraged, no collective memory of appointments, and stovepipe organisation, as stressed in the evidence of the noble Lord, Lord Malloch-Brown, and Sir Emyr Jones Parry, regarding the independent UNDP and the very weak response to Ebola. Radical reform of the Security Council is unlikely; at best, there may be incremental changes.

On peacekeeping and the avoidance of conflict, we failed in Rwanda, we failed certainly in Aleppo, but I witnessed the UN at its very best in Namibia. No other organisation could do as well—though again there were allegations of indiscipline and corruption there. On migration, my one point is that there has been a failure, or unwillingness, of UN members to identify the underlying problem of the booming world population, which adds to desertification, climate change and armed conflict. The noble Lord, Lord Hannay, reminded me that in the 1990s, there was a rather unholy alliance of the Vatican and Iran, which stopped discussion. So peacekeeping generally happens well enough in stable conflicts, such as Cyprus, but it is very difficult in a fluid situation such as South Sudan, where there are non-state actors who will not play according to the rules.

The conclusion can only be that the world has changed radically. The vision of those who created the post-war institutions is no more. Realistically, we can only build on what we have and adapt as best we can. I believe that the report is realistic, a model, and a tribute to the noble Lord, Lord Howell, and his committee, and should be warmly welcomed.

3.42 pm

Baroness Coussins (CB): My Lords, I am privileged to serve on the International Relations Committee and I add both my good wishes to our chairman, the noble Lord, Lord Howell, and my thanks to the clerk and policy analyst who supported our first inquiry on the UN and the UK and the priorities for the new Secretary-General, António Guterres, who I most warmly welcome into his new role.

In this very wide-ranging debate I will focus just on some of the recommendations concerning the organisation and management of the UN, which is not nearly as dry and dusty, or as peripheral to the big issues, as it might sound. On the contrary, at a time when the role and actions of the Secretary-General could prove to be decisively influential in a number of scenarios around the world in a way that those of no other individual could be, it is important that he is able to operate with the strongest possible network of support and coherence within the leadership, culture and structure of the UN—but this is not currently what he has. He will need the active and committed backing of the UK to make some fundamental changes and I hope that the Minister will assure the House that the UK will build on its most welcome support for the limited reforms which so improved the process of selecting him, and go on to achieve the wider reforms which are now needed to allow Mr Guterres to fulfil the potential of his position and of the UN as a whole.

First, the increased transparency that we saw around the selection process should be made permanent, with agreed explicit criteria and qualifications for the role. The report recommends that the UK should take the initiative in getting this ball rolling, as well as looking carefully at the proposal that a single seven-year term should replace the current five-year renewable term. Like my noble friend Lord Hannay, I feel that the Government's response is too negative on this last point and I ask the Minister to reconsider whether the Secretary-General really should be spending time and effort towards the end of a first term standing for re-election: whether this really does increase his accountability as the Government argue, or whether it is in fact an unnecessary distraction from the time and energy that should be devoted to world affairs, not internal positioning.

Secondly, the reforms in recruitment and selection should not stop with the Secretary-General. Greater cohesion and quality of leadership could be achieved if a whole range of positions within the UN Secretariat and agencies, and in senior leadership positions in UN peacekeeping, were also subject to more transparency and accountability. Many of these positions will be coming vacant during Mr Guterres's first term, so it is important, as the noble Lord, Lord Jopling, said, that action be taken quickly. I hope that the UK will do more than express its support in principle, at the Geneva Group and elsewhere, and will table specific proposals designed to make change happen in time to be effective for this Secretary-General, not his successor.

Thirdly, our report recommends that the Secretary-General should be allowed more autonomy in managing the budget, while of course remaining accountable to member states. At present he has only limited authority over the size of the budget and is highly restricted as to how he may allocate it. This works to stifle accountability and puts process before purpose. Witnesses as distinguished and experienced in the affairs of the UN as the noble Lord, Lord Malloch-Brown, and Sir Emyr Jones Parry strongly advised radical reform in this area.

Finally, the UN should launch a new communications strategy, including a distinct focus on young people, and the UK should support this. People under 25 currently make up 45% of the world's population and witnesses including the noble Baroness, Lady Amos, stressed that the UN needs to be much more proactive in its engagement with them in particular. It should not just be an information-giving exercise but a genuine strategy to create mechanisms by which they can be consulted about what the UN does. I would welcome from the Minister a little more detail than is mentioned in the Government's response to the report about what the UK is doing to support this engagement, particularly through social media.

3.46 pm

Lord Balfre (Con): My Lords, I join other noble Lords in sending my good wishes to my noble friend Lord Howell, and thank my noble friend Lord Jopling for the excellent way in which he introduced this debate.

[LORD BALFE]

I shall talk about the US, particularly its external relations. President Trump is probably coming to office with the biggest opportunity, and the biggest division between himself and his predecessors, of anyone since FDR in 1932. Unfortunately, unlike FDR, he does not have a vice-president of the calibre of Sam Rayburn to get things through the House. Therefore, I think he will face the difficulty of translating the enormous promises he has made into any sort of action. Much of the action, of course, we would prefer not to see.

We love Roosevelt but it is worth looking at the reality of his time, which we have glossed over. He was also very much an American President. We should remember that he did not declare war on Germany; he declared war on Japan. Germany declared war on him, so he had no option in that regard. Roosevelt was a tough negotiator. If we are expecting favours in Washington, we should read the memoirs of John Maynard Keynes and a few other people, and we will soon see that the United States is not unlike any other country in that it looks after its own national interest. That is what Foreign Offices do. As I am sure my noble friend Lady Anelay will confirm, the job of a Foreign Office is to get the best deal for its country. Therefore, we may get our equivalent of Smoot-Hawley in tariffs but the best way of resisting that is to point out the disastrous effect it had on the world and the world economy last time round. However, the prospect of infrastructure expenditure may well make it easier for the President to rebalance defence expenditure, because, when push comes to shove, it is how much public money goes into your district, not what it is spent on, that gets votes in the US Congress.

My next point will probably not find much favour in this House. I believe that the advent of President Trump gives us the opportunity to reset our relations with Russia. I think that we have fundamentally misunderstood Russia. Russia has not rolled back to communism; it has moved to a nationalist, Christian-based, fairly fundamentalist way of looking at the world. One of the factors about Russia is that it is very keen on getting its equivalent of a Monroe doctrine. It believes that it is as much its right to have at least partially on side the countries round it as the United States does. That, of course, does not stop us having views, opinions and interventions in countries such as Cuba, Venezuela and Nicaragua. But after a lifetime of dealing with foreign affairs, I can tell your Lordships that the UK Government always pull their punches slightly further back in some areas than they do in others. Russia regards itself as having interests. That gives us an opportunity to reset our relations with it.

If we are to make NATO work, the countries of NATO have to start paying. You cannot expect the United States to spend 3.3% of its GDP on defence to defend Latvia, which, according to my research on Google, spent 1.1% in 2015. That is not on. There has to be a rebalancing. The United Kingdom's priority should be to secure the borders of the EU and to relieve the pressure on them. I want to speak particularly about the Baltics, an area I have been to on several occasions. We have to say two separate things to the Baltic states. The first is, "You've got to make your Russians want to live here". There is far too much

discrimination against the Russian populations of these states. The second thing is, "If you want us to defend you we're up for it, but you've got to put a reasonable amount of money into the pot. We've got to come to an agreement on what you want and you've got to pay a good proportion of it". Otherwise, quite frankly, we are going to make commitments we cannot carry out. The Russians are not fools. They hear us saying, "We'll defend this. We're going to do this with Crimea". They know that we cannot, and will not, deliver that, and that we will not spend the money to do so.

This is an opportunity for us to reset our relations in a way that works. We have to negotiate with our allies to make sure that they are prepared to put up the money and give the commitment we need to make an alliance work. In or out of the EU, I believe that we can offer our help and support, but we should take this opportunity to try to cast our relations in a more realistic way and get rid of some of the "drama queen" stuff that has been around in western European foreign policy for the last few years.

Baroness Goldie (Con): My Lords, before the next speaker commences, I invite the co-operation of your Lordships in this very well subscribed debate in observing the time limits. We have a serious bit of slippage, which will impact on other speakers unless we can gather it up. I seek noble Lords' assistance in looking at the clock. When the clock says "five", that is the time to reunite the noble posterior with the Red Bench.

3.53 pm

Baroness Miller of Chilthorne Domer (LD): My Lords, I join other noble Lords in sending my best wishes to the noble Lord, Lord Howell, for his speedy recovery. I thank the noble Lord, Lord Jopling, for his excellent introduction.

In my brief intervention today, I want to talk about an issue which both Mr Ban and Mr Guterres feel merits the most serious effort: progressing work towards a world without nuclear weapons. On 23 January, Mr Guterres underlined his commitment to this work when he said:

"As Secretary-General, I am firmly resolved to actively pursue the abolition of all weapons of mass destruction and the strict regulation of conventional weapons. I am committed to achieving a world free of nuclear weapons".

Of course, nuclear weapons remain the only weapons of mass destruction not yet outlawed in a comprehensive and universal manner, despite their well-documented catastrophic humanitarian and environmental impacts. Last year, in its 71st session, the UN voted to begin negotiations on a treaty to ban nuclear weapons: 123 countries voted for, 38 against and 16 abstained. It will not surprise your Lordships that the UK was one of those which voted against. The Government have explained why. Their official line is that,

"we firmly believe that the best way to achieve a world without nuclear weapons is through gradual multilateral disarmament negotiated using a step-by-step approach and within existing international frameworks".

I am sure the Minister will agree that the UK wants to see a world without nuclear weapons eventually, so my question to her is: what international framework, given that the Conference on Disarmament has made no progress in 20 years, and given that progress on

Article VI of the NPT has been non-existent, which is a driving fact behind the resolution that was passed by the UN last year? Instead of progress being made, trillions of dollars are going to be spent on modernising and renewing nuclear weapons. It is against that background that non-nuclear weapons states see the ban as a positive step along the road to the realisation of Article VI of the NPT.

There can be an aspirational treaty with a long-term view without upsetting the current world order. Of course, the argument that our Government and the other nuclear weapons states always come back to is: we cannot admit to this aspiration in any treaty without it upsetting the current system of deterrence. Can the Minister say whether the UK Government will be part of the discussions in March and June on the UN ban treaty? That would be a tremendous step forward. The treaty is not asking for an unrealistic, overnight timetable. It simply firms up a goal that is widely agreed, including by the UK, but which is essential. Will the UK be at those negotiations? Will the Government start to take a more positive long-term view?

3.57 pm

Baroness Deech (CB): My Lords, I join others in very much missing the wise presence of the noble Lord, Lord Howell. I wish him well.

Brexit does not mean that Britain's place in world affairs will diminish or recede. On the contrary, far from declining, we can now be a more influential voice for the maintenance of peace in international affairs and co-operation with like-minded countries. No longer 1/28th of a voice, whose aims and ideas are suppressed by others, Britain will have a strong independent position on the Security Council and in relation to NATO, and the opportunity to maintain good relations with the USA. No matter what views are held on President Trump's record, any one four-year presidency should present little risk to the 100-year history of a close relationship between the two countries. It is a good sign that the Prime Minister is visiting and that the President has expressed keen interest in a trade deal, whereas the EU has never managed to conclude such a deal with the US.

In the United Nations the UK's position could be even stronger for there will be no EU competition for influence in the Security Council. EU views can competently be put by France. Indeed, the whole idea of a seat for the European Union as a whole in the UN, or in other international bodies concerned with foreign affairs, has come up repeatedly against a real stumbling block: the EU's inability to agree on a foreign policy or to have one at all. There is no sign of a unified EU policy towards Syria—Assad or no Assad—or Russia, and its meddling with the Israel-Palestine situation has not improved matters.

British foreign policy, once freed from entanglement with the EU, can make progress, and we can start to challenge Turkey on its serious breaches of human rights and the rule of law. Out of the EU, we will not need to flirt with Turkey or be blackmailed by it over migrants. Our Government should invest more in its relationship with the UN and should develop other relationships, including with, but not limited to, the Commonwealth, which should never have been neglected.

Brexit must allow NATO to flourish. It should not continue to be deprived of its rightful share of resources by the refusal of most EU states to pay their contributions. Their failure no doubt helped to create the impression in President Trump's mind that it is obsolete. One hopes that the Prime Minister will be able to persuade the US President of the importance of NATO, and that it will be a vital channel of US-UK influence and interests without having to consider what the strategy of the other 27—if there is one—might be. Britain will have to step up to international defence, even on behalf of the other 27. Germany in particular, for understandable reasons, has failed sufficiently to express to its people European ideals and aims, and its Government have left a vacuum that is being filled by the far right. The far right and anti-Muslim sentiments are on the rise in Austria, Poland, Croatia and Hungary. Walls are going up all over Europe, which has its own mini Trumps. Europe's need to struggle against those movements will distract the EU from a more global role.

Next, on security, in the EU it seems to have gone from bad to worse. After the 2015 terrorist attacks in Paris and the 2016 terrorist attacks in Brussels, which showed how weak the measures were for sharing intelligence across Europe and how vulnerable the lack of borders made us when it came to tracing terrorists, the European Counter Terrorism Centre was set up. But then came the Berlin Christmas market attack, which is *prima facie* evidence of no improvement.

Being a member of the EU has undermined the UK's relationship with other countries in security matters, because some of the member states are not trusted. Some have close ties with Russia or are plain incompetent. The former US Attorney-General Loretta Lynch warned that the planned EU data protection law would stand in the way of transatlantic information sharing, and a former CIA director said that the European Union,

“in some ways gets in the way”,

of security services. Not only is there little confidence in EU intelligence-sharing, but the EU itself has attacked Britain's intelligence-sharing agreements with other countries, which have been at the heart of security policy since the end of the Second World War. Therefore, all in all, our international, security, United Nations and world position can only grow in stature once free of the impossible task of formulating foreign policy with 27 other countries with wildly different aims and standards.

4.02 pm

Baroness Hooper (Con): My Lords, I join noble Lords in sending good wishes for a speedy recovery to our noble friend Lord Howell and I thank my noble friend Lord Jopling for his masterful performance in introducing this wide-ranging debate at short notice. I shall concentrate on the first of the two Motions, but I am glad that I have been able to hear so many well-informed contributions on that first report of the International Relations Committee.

Much has been said about the special relationship with the United States of America, especially in the light of the Prime Minister's visit. However, I wish to

[BARONESS HOOPER]

draw attention to the special relationship between the United Kingdom and the countries of Latin America: that is, from Mexico, through to central and South America—countries with a combined GDP as great as that of China and a combined population of over 500 million. From the historic support given by George Canning and his Government to the independence movement led by Simón Bolívar, San Martín and Bernardo O'Higgins just over 200 years ago, to the development of infrastructure, especially railways, and considerable involvement and co-operation in agriculture, in particular cattle-breeding, which helped develop the trade in meat for which countries such as Argentina, Uruguay and even Venezuela are rightly famous—not to mention the introduction of football—British engineers and farmers, entrepreneurs and immigrants have been welcomed and appreciated in the 20 independent and sovereign democracies I am talking about. As a consequence, the British are regarded with esteem and affection throughout the continent. There are many open doors to push on.

Many of your Lordships will know that my vote in the referendum was cast in favour of remaining in the European Union. I was bitterly disappointed at the result. Nevertheless, I have been surprised and pleased by the way the Governments of Latin American countries are now showing great enthusiasm for building up new direct relationships and potential trade agreements with the United Kingdom. Their ambassadors on the ground here in London are working actively, looking at the opportunities and possibilities that follow on from Brexit.

Given that our allotted time is short, I shall concentrate on Mexico, since its Under-Secretary of Foreign Affairs chose to come to the United Kingdom earlier this week as his first port of call in Europe. He delivered the message that Mexico remains a nation open to the world, competing in global markets with high-value products and services, and stands ready to start negotiations on a trade agreement with the United Kingdom once we formally leave the European Union. This is in spite of the fact that, as a result of the new Administration in the United States, it faces clear obstacles to conclude the long-negotiated Trans-Pacific Partnership Agreement, a possible renegotiation of the NAFTA agreement, and the wall. Mind you, Ambassador de Icaza was adamant that the Mexicans would not pay a peso to the construction of that wall.

I hope my noble friend will take this message back to the Foreign Office and ensure it is heard in the Brexit, trade and other relevant departments. At the same time, I hope it will not be forgotten that countries such as Peru, Chile and Colombia also have economic growth rates to be envied; that Brazil, in spite of its apparent difficulties, has a huge and significant economy in world terms; and that our relationship with Argentina's new Government is improving by leaps and bounds. In short, the Canning agenda, so clearly outlined by my noble friend Lord Hague of Richmond when he became Foreign Secretary, will be enhanced and revitalised so that the United Kingdom can enjoy the new opportunities offered in trade, investment and other long-term relationships with the countries of Latin America.

4.07 pm

Lord Judd (Lab): My Lords, I thank the committee for its excellent report, with which I find myself largely in agreement. I would like to say how much I appreciated the words of the noble Lord, Lord Jopling. I have known him a very long time in politics. He spoke with the wisdom I have always thought was central to his life.

I know I keep saying this in this House, but the truth remains that the world is totally interdependent. That is the first reality of existence; we cannot escape it. It is demonstrably there in security, of course, and the threat from terrorism. It is there in climate change, economics, trade, culture—in every dimension we can think of. There is not one major issue I can identify that faces us, our children and grandchildren that can possibly be solved on a national basis. They all require international co-operation. I have no doubt whatever that if history survives as a discipline, this generation of politicians will be judged by our successors on the success we make of international governance. That is how we will be seen.

There are different approaches to what practical arrangements make sense and what do not. We have decided that we want to come out of the European Union, which I think is very sad indeed. I cannot say how sad I find that, but it has happened. That will not mean that the realities to which I have just been speaking will go away. Therefore, we shall have to work very hard at other means of promoting international co-operation and other ways of meeting the challenges that face the whole of humanity. Of course, the UN will be an important part of this, and with a new Secretary-General with a very impressive pedigree, we will need to work hard with him on this. We will need to work with him, of course, on strengthening the UN administration itself.

There is one thing that has always troubled me: it is the ability of politicians of all persuasions to talk about the UN as though it were a separate entity. When things get difficult, we like to be able to pile the blame on the UN. The UN is not a separate institution: it is us and all of its members. We must never forget that. It is no stronger than the commitment of the members themselves. We have to make very certain that, if we believe that the UN is indispensable—as I think many of us do—we are ensuring its success. As a member of the Security Council, we obviously have particular responsibilities in this context.

There are some immediate issues that need to be addressed: the successful new arrangements for the election of the Secretary-General must become the culture for appointments right across the UN system. That is essential: we should be supporting the Secretary-General in that. We should also recognise that, in a renewed concentration and priority on peacekeeping, mediation, conflict resolution and the rest, we take very seriously the reports—they are more than reports; they are evidence—of UN operations in terms of their personnel having gone very far awry and wrong, not least in sexual abuse. That needs to be tackled as a priority, because it is undermining the credibility of the United Nations across much of the world.

We are entering a difficult phase. We have talked a lot this afternoon about the United States. I find that situation very challenging; in many ways I find it grim. Let us remember, however, that in the popular vote, the majority of the American people did not vote for Trump. Among a majority of the American people, there are people who share our values passionately. We must not give up and start playing to Trump, because we know that in the United States, there are people who again, in the future, can become champions of the kind of world in which we would like to live.

4.12 pm

The Earl of Sandwich (CB): My Lords, the noble Lord, Lord Judd, personifies internationalism and I am delighted to follow him in this historic debate, having long advocated an international relations committee in this House. I have also valued the leadership of the noble Lord, Lord Howell, over many years and his tenacity in adapting to changing times, ahead of most of us. He would have found the evidence on the Commonwealth from the noble Baroness, Lady Amos, and others, disappointing. She and others said that Commonwealth countries had little or no visibility at the UN unless they operated within their regional groups. Fortunately, the noble Baroness, Lady Anelay, was more positive as a witness. The response of Her Majesty's Government was that they were committed to encouraging a more proactive Commonwealth. Remembering the 1970s, it is evident that, in leaving the EU, we will surely be active in seeking closer co-operation with the Commonwealth.

Surprisingly, this seems to be the first Brexit debate on international affairs, excepting trade, security and defence. It is comforting that Europe, both in the report and in the Government's muted response, remains centre stage, not only in the UN but in our own foreign policy. The report says in paragraph 196 that the UK,

"has strong reasons to continue aligning with the EU"—
at the UN, and that on some issues, the EU is,
"the bloc most allied to UK interests and values".

The Government replies more cautiously that,
"we will continue to work closely with EU member states at the UN to support our mutual interests".

I get the feeling, like the noble Baroness, Lady Smith, and others, that the Government are unwilling to state the obvious: that our European neighbours will continue to be the first port of call for this Government, but are at present unwilling to say so. If the amber and red signals already coming from Washington are correct, our European friends are going to be needed even more on the major issues of human rights and diplomacy.

Following the comments of the noble Lord, Lord Balfe, on Russia, I would like to ask the Minister about the EU's enlargement policy after Brexit. Do we assume that HMG still support the applications of prospective member states in the Balkans, for example? Are we helping to nurture the historic agreement between Serbia and Kosovo, in which we and the EU have played a leading role? I shall be visiting Kosovo next month. Through the IPU I have already heard complaints from Albania and other Balkan states that, in leaving the EU, we may be deserting them too.

Can the Minister assure me that the rule of law programme, policing and public administration in Kosovo will continue for some time ahead? And what about our support for the EU's own peacekeeping programmes? Will we gradually pull out of these in favour of NATO operations?

I was glad to see that the Government intend to strengthen the UN's capacity for conflict prevention. The other day we had a defence debate, during which I asked the noble Earl, Lord Howe, to what extent the UK will continue its EU and UN peacekeeping projects. I received some reassurance but the Minister may wish to expand on that.

On leadership, I was pleased that the Government singled out two British nationals, Ian Martin and Nick Kay, for their work in conflict zones. Ian Martin did outstanding work in Nepal during the civil war. Ex-President Thabo Mbeki is another name associated with tireless negotiation, most recently over South Sudan. In that connection, I am glad to see the Government continuing their concern over conflict-related violence against women, recognising the need for much more training within the United Nations system on human rights.

The United States remains an enigma. The new regime presents a threat in many ways to our established international liberal order, set up after 1945. We can be sure that we will now have to be more active in what I call the UN preservation campaign unless, as we hope, the new President is forcibly restrained by his own Congress colleagues.

4.17 pm

Lord Purvis of Tweed (LD): My Lords, it is a pleasure to follow the noble Earl. It is very helpful that this debate immediately follows the excellent debate that focused on the need for greater development support for women and girls in the world. It highlighted the context of where we are in the developing world. The need for an increased focus on that area is part of the changing global environment in which the new Secretary-General will be taking up his role.

With regard to the previous debate, I reflected that it was UK leadership within the European Union, at the financing for development conference in Addis Ababa, that led to an increase in EU support for aid. I was considering what the European Union's position on the 0.7% target will be, given that it was UK leadership that increased EU aid year on year. Not taking part in future such conferences will be one of the consequences of the United Kingdom leaving the European Union. However, it highlights that the global pressures are materially different from when the UN family and its agencies were established two generations ago, so I was very pleased that the committee chose as its first subject what the priorities of the new Secretary-General should be.

As a member of the committee, I wish to add to the best wishes expressed by colleagues to our chairman, the noble Lord, Lord Howell, and I thank the noble Lord, Lord Jopling, for stepping into the breach. It is a real privilege for me to serve on the committee with far more experienced colleagues in this House and to learn a great deal from it.

[LORD PURVIS OF TWEED]

As the noble Baroness, Lady Coussins, indicated, the material difference in the world community is the great pressures on the youngest generation. Unprecedentedly, the Middle East and north Africa have their youngest generation experiencing the highest employment pressures—especially those with an education. Globalisation is not only here and is having an imbalanced impact but it is irreversible. The fact that we have also an unprecedented number of internally displaced people within countries around the world puts huge pressures on individual UN member states, and we have unseen levels of movement of people, whether caused by those seeking refuge, those seeking employment or those affected by climate change.

A strong part of the committee's report is where we highlight that one of the absolute priorities for the new Secretary-General will be to take forward the 2015 and 2016 global conferences, which offered solutions in these areas. I was very pleased to see the Government's response to say that they agreed with paragraphs 161 and 162 of the report—there is overall consensus. I wish Amina Mohammed, the new deputy Secretary-General, well in the role that will be played in that position.

It is fair to say that there were questions in the committee about whether Brexit would provide the UK with a greater ability to play an increased role in meeting those challenges. The Government somewhat asserted that it would—it is fair to say that the Minister said it with a higher degree of enthusiasm than the officials did. Nevertheless, we need more evidence as to how that assertion will be backed up. I agree with the noble Baroness, Lady Amos, when in her evidence to the committee she said that another element of Brexit would be that the UK would lose its role to, “interpret to the rest of the world what is happening in the EU, and the rest of the world expects us to have a huge, positive influence on that”.

That is of concern. It is also the case that we will not necessarily be able to turn to the Commonwealth, nor does the Commonwealth necessarily wish us to, and be a leader in that community, which is so well established and has its own networks.

Finally, I turn to the UK's relationship with the United States, which is pertinent. I cannot see, yet, how the position of the UK Government, with their “global Britain” approach, will sit comfortably alongside the “America first” approach. The fact is that on all the issues—international development, women's rights and climate change—President Trump has a different view not only from the United Kingdom but from the consensus around the world. As he has said overnight, his preferred approach is based on how he feels about issues rather than the evidence presented to him. That is a very deep concern. I look to our Prime Minister to send clear signals that the UK is prepared to separate itself from US foreign policy, rather than simply adhere to it.

Baroness Goldie: My Lords, I am sorry to be tiresome, but time is tight and there is still slippage. I invite noble Lords' co-operation in trying to trim their contributions as much as possible in deference to the winding-up speeches. I thank noble Lords for their co-operation.

4.22 pm

Lord Selsdon (Con): I am grateful for the opportunity to speak for a very short time. I begin by looking at Britain's maritime role in the world. When I first joined your Lordships' House, I did not know what to do, and I was grabbed by the then Leader of the House and Leader of the Opposition and told to go and sort something out with the maritime sector as I had just come out of the Navy. Effectively, shipbuilding was being shut down, and so I did a bit that helped. What was nice was that although I did not do very much, the industry was kind enough to send me a chart, which I have on my wall. It was of British Empire shipping in 1937, the year of my birth, and it showed a little dot where every British ship was at sea around the world, followed by, should I so wish to know, a list of their trade. I still have that on my wall, and it moves me quite considerably. I realised that we are a maritime nation, which we have not mentioned much today, with global relationships and a global role. There are other countries that are also maritime nations, with which we used to fight.

I am looking at the continent of Europe and saying, “What can we do in the Mediterranean?”. It seems that an awful lot of the rows going on at the moment are water-related, due to illegal migration and things of this sort, and a lack of capability to do anything about it. It is migration that is causing the problem, although it was there historically.

If rather than looking at just the economic exclusion zones around—which EEZs, and we were not sure what they were—we looked at which of the maritime countries we could co-operate with, we would see that the most logical one is France. I have to declare an interest in that I have produced some quite good rosé in Provence, but the wild boar attacked us rather severely this year and they won. There are an awful lot of wild boar around in the world and life is not too easy, but if we could look at the ganging-up between certain countries on specific projects, we would see that it is logical that France, with her links to Africa and to her own territories, could be quite a good partner.

For example, if we look at the square kilometres of economic exclusion zone interests of the United Kingdom and the overseas territories, together with the Commonwealth, we see that it comes to 60% of the world. If you add in the French, that comes to 76%. I just raise this as a little issue: that maybe we should look at the maritime sector and see what we could do. I declare my interest as secretary and treasurer of the House of Lords Yacht Club, and we are solvent.

4.26 pm

Lord Alton of Liverpool (CB): My Lords, in warmly congratulating the noble Lord, Lord Howell, and the committee's other members on this excellent first outing, I, too, hope that he recovers swiftly from his illness.

The courageous Dag Hammarskjöld, the second of the United Nations Secretaries-General, has always been a hero of mine. I commend his book, *Markings*, to President Trump, who recently described the United Nations as a “club” for people to “have a good time” and yesterday reined in the US's funding to the UN by 40%. Ironically, he included in his executive order the

International Criminal Court, yet the US currently pays nothing to the ICC and is not a member. I hope that the Minister will say what this might add up to but also address the composition, competences and resources of the ICC in its capacity to bring to justice those responsible for genocide and crimes against humanity in so many parts of the world.

Hammar skjöld once said:

“We should ... recognise the United Nations for what it is—an admittedly imperfect but indispensable instrument of nations working for a peace evolution towards a more just and secure world”.

He also said:

“Setbacks in trying to realise the ideal do not prove that the ideal is at fault”.

So we must distinguish between agencies which need reform—such as UNFPA, which indirectly aided and abetted China’s grotesque one-child policy—and the reasons why the UN, or for that matter the EU, were created. The objective must always surely be to strengthen and reform international institutions and not to weaken them.

In this context, the Prime Minister was right to reassure our European neighbours that, as we leave the Union, we have no gleeful wish to see its collapse or unravelling. The only beneficiaries would be, for different reasons, Vladimir Putin and those parties of the far right which this year will campaign strongly in either general or presidential elections in some six EU countries. As occurred here, such parties will receive oxygen from Junckerism’s dangerous inflexibility, which played such a part in Britain’s decision to leave and now endangers continental European cohesion, yet the Schuman declaration disavowed one “single plan” and emphasised adaptability. So, for instance, a reform requiring an applicant to obtain a job offer before moving would not violate the Schuman declaration and would address a running sore. In this context, too, I welcome the Prime Minister’s bold and defining vision of what Britain must now do. Britain’s capabilities in many spheres—economic trading, intelligence, military—must be strengthened and directed towards open and free markets, with diplomats, politicians and civil servants working tirelessly to make a success of this.

If the elected House votes to trigger Article 50, we would have no right to try to sabotage this. Constitutional showdowns between this House and the House of Commons have never ended well and we must tread with great care and wisdom—I say that as someone who voted remain.

While these interminable arguments have been going on, the world has not stood still. Let us consider, for instance, Mr Putin’s new alliance with Turkey, now a semi-detached member of NATO, following the abandonment of Ukraine and the wave of fear now sweeping Baltic countries. All this should give us pause for thought.

The Select Committee report rightly identifies the shifting of power from west to east. One of the great imponderables of the Trump presidency is how he will deal with China. It was another US President, John F Kennedy, who famously employed the trope that the

Chinese word for crisis contains two distinct characters, signifying both danger and opportunity. The region is full of both.

When the Minister comes to reply, I hope that she will address the stand-off over the Spratlys. My noble friend Lord Hannay referred by allusion to the situation in the South and East China Seas, where £3.4 trillion of trade passes over the Spratlys. There is also the dangerous nuclear expansionism of North Korea, with its horrendous violations of human rights and treatment of refugees. I declare my interest as joint chairman of the All-Party Group on North Korea.

Failure to resolve these issues peacefully would all undermine President Xi Jinping’s unlikely but welcome speech at Davos last week, in favour of free trade and against protectionism. At one with the Prime Minister, he said that we need to be “well connected and interconnected” and to learn to “share prosperity”. China is not in a customs union with the EU or a member of the single market, so the freight train that arrived at Barking on 18 January, having crossed seven countries and journeyed for 14 days on the new silk road from the Chinese city of Yiwu, pointed to new opportunities for the UK. In our generation, there are many dangers and opportunities, and in that context the Select Committee’s report is so welcome.

4.31 pm

Lord Taylor of Warwick (Non-Affl): My Lords, I too thank the noble Lord, Lord Jopling, for moving this important Motion, and of course I wish the noble Lord, Lord Howell, a speedy recovery.

In 1971, a young man from Liverpool named John Lennon wrote a song called “Imagine”. Your Lordships may be relieved to know that I am not going to sing it, but its last verse reads as follows:

“You may say I’m a dreamer,
But I’m not the only one.
I hope some day you’ll join us
And the world will live as one”.

There remain many challenges to the international unity that the song “Imagine” aspires to. While I am not suggesting that Brexit will fix it overnight, I believe that a properly managed British Brexit will help and not hinder global relations. Despite Brexit, we will remain an influential permanent member of the UN Security Council, the second largest contributor to NATO after America, and a leading member of the G7, G20 and the Commonwealth—we must not forget the Commonwealth. We will remain an outward-facing nation, with a diplomatic network respected across the world.

This week, we have heard much about the special relationship between Britain and America. I am delighted about this because I have a special relationship with an American—my wife, Lady Taylor. It is true that while I say “to-mah-to”, Laura says “to-may-to”. In her home state of Texas, a cricket is an insect; in England, cricket is a summer sport played in between showers of rain. These are but superficial differences between our two cultures. More importantly, whenever we go to America for family reasons or if I am invited there to speak, it is clear that the British brand remains very strong in America. I recently had the privilege of being interviewed by Fox TV News about the referendum.

[LORD TAYLOR OF WARWICK]

It was clear to me from its questions that America is listening to and watching Britain closely, as we bring on Brexit. It is encouraging for us that the new American President, Mr Trump, has already declared himself favourable to Brexit and Britain. I am delighted to have been invited to President Trump's forthcoming prayer breakfast in Washington DC and looking forward to my scheduled meeting with Dr Ben Carson.

Tomorrow, the Prime Minister will be the first world leader to meet the new President. She could of course discuss a number of issues with him, including defence, trade, security—including cybersecurity—human rights and the environment. But I hope that NATO and the UN are top of the agenda for their meeting. Our membership of NATO is at the heart of British defence policy and we must retain our commitment to it. We spend 2.2% of our GDP on defence, which is more than the 2% target, and 20% of our defence budget is spent on major new research and development.

We are also the sixth largest financial contributor to UN peacekeeping. I hope that the new President will set a new precedent for a stronger and more effective NATO and UN. Peacekeeping is not enough to create a more secure world. There is an often-overlooked passage in the Bible in Matthew 5:9: "Blessed are the peacemakers". Peacemaking is over and above just peacekeeping. This is one of the recommendations in the report from the International Relations Select Committee concerning the future of the UN. Paragraph 91 reads:

"The UN needs to invest more in conflict prevention. Member states should consider awarding more financial resources, intelligence and analytical capacity to support the 'good offices' of the Secretary-General. The UK should take the lead in this field".

I support that recommendation and I think the committee recognises that spending money alone is not the way to achieve those reforms.

As the Chancellor, Philip Hammond, said, we are leaving the EU but not leaving Europe. We are still geographically in Europe, but we will no longer be inhibited in our ability to forge new alliances globally. Last June's referendum resulted in a Brexit breakaway from the EU which will ultimately improve international relations. Provided it is managed properly, Brexit will cause European and other international institutions to reform. Yes, Brexit is bold and brave. Britain will be the first country to withdraw from the EU but, as the former Prime Minister Margaret Thatcher once said, "Don't follow the crowd, let the crowd follow you".

4.36 pm

Baroness Berridge (Con): My Lords, part of the answer to the questions of post-Brexit international relations and UK engagement with the UN raised in these Motions was stated by the Secretary of State for Foreign and Commonwealth Affairs. He said that the Commonwealth is,

"yet another forum in which Britain—our country—is able to express our values, to get things done and to get things moving."

I declare an interest as I am working on a Commonwealth initiative on freedom of religion or belief. I, too, miss the contribution of the noble Lord, Lord Howell, because he would have been championing the Commonwealth as usual.

As the noble Earl, Lord Sandwich, said, the noble Baroness, Lady Amos, said in her evidence to the Select Committee that the Commonwealth has "little or no visibility" at the UN. This is not surprising given the lack of resources for the Commonwealth for such diplomacy. A multilateral network of nearly one-third of the world's population, all democracies, is nearly invisible at the UN. Foreign and Commonwealth Office Ministers represent the UK at the UN, and the Commonwealth as an institution is nearly invisible. Post-Brexit must mean enhanced Commonwealth engagement for the United Kingdom, but with a clear strategy and a clear plan to achieve that enhanced status.

The United Kingdom is the only P5 and current Security Council member from the Commonwealth. Twenty-three of the states which have never been on the Security Council are Commonwealth members, and many do not have the resources for permanent diplomatic presence. Commonwealth representation at the UN could be thematic outside the regional groups that Commonwealth nations rely on; for example, trade, anti-slavery, climate change or indigenous peoples. Will the Minister outline whether the Government will give increased resources for UN relations as recommended at paragraph 202 of the Select Committee report and, if so, will we ensure resources for the visibility of the Commonwealth, not just for the support we give to the Small States Office? Will Her Majesty's Government's strategic priorities include building the Commonwealth in this post-Brexit era? The UK is due to host the Commonwealth Heads of Government Meeting in 2018, and I hope that the UN Secretary-General will be invited, but if there is no visibility at the UN, why should he? In the words of the noble Lord, Lord Howell, when will we utilise this underutilised network? Many British citizens from Commonwealth diaspora are looking to Her Majesty's Government to see whether the immigration we will undoubtedly need will come once again from their countries of heritage.

The United Kingdom was elected to the UN Human Rights Council, and this month we begin our two-year term. Among our commitments is to promote the universal right to freedom of religion or belief. This brings me back to thematic or transnational issues. The UN is often criticised for its interstate response to issues, but it is an interstate body, so that will be how it will respond. The noble Lord, Lord Reid, made the point that the rise of transnational communication by social media means that transnational phenomena, such as religion, are taking on a new dynamic and need to be understood by the UN. Rightly, the Select Committee says the UN should seek to engage youth and civil society. But a huge part of civil society is not NGOs but FBOs—faith-based organisations which deliver aid, development work, education and healthcare. The UN struggles to work out how to relate to religion, its leaders and these bodies which are vital to fulfilling the SDGs as well as reducing global terrorism and conflict. How will the United Kingdom fulfil its commitment on the Human Rights Council to freedom of religion or belief if the UN itself does not understand religion?

The United Nations should take its model from religious leaders. The leadership of the more than 1 billion Catholics recently passed to the global south.

When one sees the United Nations on our television screens, it always seems to be based, obviously, in either New York or Geneva. That is undermining the universal nature of human rights as a global south phenomenon.

The United Kingdom should encourage the UN and its Secretary-General to engage with religion and with freedom of religion or belief. Generalisations are dangerous, but at a time in which anti-Muslim sentiment, along with anti-Semitism, nationalism and related movements, is rising in parts of the world, Britain has taken great pains to defend its Muslim population—although not always perfectly—from discrimination and persecution. The United Kingdom's more nuanced voice and understanding as a P5 member will perhaps be better received by the world's 1.4 billion Muslims than those of France, Russia, China and now, sadly, the USA.

4.41 pm

Lord Hylton (CB): My Lords, I will concentrate on two points: refugees and peacekeeping. I have visited Palestinian refugees from Gaza to Beirut, and others in Iraq and Syria. I congratulate UNRWA, the UN agency, on preventing all major epidemics and on providing schools better than many in poor countries, so that Palestinians have gained good jobs throughout the Middle East. It is now 70 years since the first Arab-Israeli war, and what were once temporary camps have become permanent, squalid townships, while UN members and neighbour states have prevented the return of refugees or their resettlement elsewhere.

It is crucial that this sad history should not be repeated for today's refugees from Iraq, Syria and some African countries. The emphasis for all, whether in camps or not, should be on acquiring skills in preparation for return to their own countries. We will, however, need solutions in third countries for those who will not go home. The report rightly calls for a global plan, and large and developed states—for example, the United States, Canada and Brazil, along with Australia and New Zealand—will have a vital part to play. We should note that some cities in Syria and Iraq have been so destroyed that a huge input will be needed to make them habitable. I saw this for myself in Homs and Aleppo.

I welcome the new Secretary-General, since he has served as High Commissioner for Refugees. I hope Mr Guterres agrees with the report on the point of redefining who is a refugee. We should perhaps distinguish those with individual personal fears of persecution. There will be other people who have fled because of genuine fears of group violence, war or natural disaster—their plight is real, but different from the more personal kind.

The report shows that UN peacekeeping costs over \$8 billion a year, employing 86,000 troops and a total personnel of almost 120,000. We can all agree that it must be possible to get better results from such massive resources. Sexual abuse and exploitation by so-called peacekeepers has been a long-running scandal which cries out for effective reform, given that protecting women and children should be a top priority.

I have two questions for the Government. Will they make the case for enhancing the use of the UN Secretary-General's good offices, which have already been mentioned, in particular in order to prevent conflicts? Will they insist on Article 99 powers for preventing wars, genocide and refugee flows? Today, many wars involve non-state parties, so I would ask this. What relations does the Secretary-General have with groups like Hamas, Hezbollah, the PKK and the free cantons of northern Syria? I believe that they are too important to be ignored.

I trust that leaving the EU will not absorb all our energies. Surely we must try to help the UN to perform more effectively than ever before.

4.45 pm

Lord Jay of Ewelme (CB): My Lords, like others I wish the noble Lord, Lord Howell, well, and I congratulate the noble Lord, Lord Jopling, on his introduction to this debate. I want to talk about relations with the United States and the European Union of 27, of course, after our departure.

As others have said, our relationship with the US will be tested tomorrow when the Prime Minister meets President Trump. No doubt she will talk to him about a possible US-UK trade deal on which we can expect the Americans, like the Indians, the Australians and others, to negotiate as toughly in their own interests as I hope we shall in ours. The Prime Minister will also be able to say that we share the view of the US on the need to counter international terrorism and will want to continue to work together with it to do that, including through the sharing of intelligence. But I hope she will say that we do not countenance torture, which includes waterboarding; that we are not in favour of closing our borders to those who are fleeing from conflict and repression in the Middle East—here I agree with what my noble friend Lord Hylton has just said about refugees; and that we believe that the UN will continue to have a key role to play in an uncertain world. I hope that the Prime Minister will also seek to convince President Trump that the continued coherence and indeed strengthening of NATO is in western interests and, as she has promised, that the promotion and protection of western values needs a strong European Union, albeit without Britain, as well as that the break-up of the European Union and a retreat into a world of protectionist nation states is not in anyone's interest.

It follows that Britain's own interest lies in a continuing close relationship with the European Union even after we have left. We shall not be members of the European Union. We shall not be members of the common foreign and security policy and we will not be present when EU Heads of State and Government meet to discuss the crisis of the day. But it is surely in our interest as much as in the interests of the members of the EU themselves that we should continue to work closely with them, in particular bilaterally with France on, for example, the approach to and sanctions on Russia, on the Middle East and on north Africa.

None of that will be easy because the conduct of foreign policy seldom is, but I hope that the Minister is able to confirm that it will be a sense of our own national interest that determines our relations with others, including the US and the European Union.

4.49 pm

Lord Wallace of Saltaire (LD): My Lords, I welcome the report and the work of the new committee. I welcome, too, its reiteration of the UK's commitment to the preservation and strengthening of the liberal global order, to the UN and the international institutions of the UN family, and to the extensive framework of international law, including the global human rights regime, in which the noble Baroness, Lady Anelay, is so actively engaged.

International law, courts and institutions of course constrain national sovereignty. Successive UK Governments have accepted the trade-off that treaties and international norms share sovereignty and build an open international order. Now it appears that we have a US Administration who reject many of the constraints of global institutions and international law. That puts Britain in opposition to the current thrust of US foreign policy and I very much hope, as we all do, that the Prime Minister will be robust in warning President Trump of the dangers of his approach.

Although British Conservatives support global law and institutions, they reject the constraints of the strongest and most effective regional order. They uphold global human rights but passionately reject the invasion of British sovereignty by the European human rights regime. There are uncomfortable parallels between what drives the Trump Administration's antagonism to the UN and the British right's antagonism to the EU.

I was struck by the warnings in paragraphs 183 to 199 on the potentially negative impact of Brexit on the UK's influence within the UN and the limitations of the Commonwealth as a potential alternative framework. The EU has evolved into one of the most effective groups within the UN and has thus been a valuable asset to the British global influence. We are now abandoning that diplomatic framework.

Since we are also debating the UK's international relations in the light of Brexit, I have looked for declarations by senior Ministers on British foreign policy in recent months. There has been remarkably little beyond empty repetitions that by becoming a much less European Britain we will somehow become a more global Britain, which is a bit like saying "Brexit means Brexit". Boris Johnson's Chatham House speech on 2 December, however, promised that it was,

"the first in a series of speeches setting out our foreign policy strategy".

However, it was not very strategic. It spent more time discussing the fate of the African elephant than the future pattern of co-operation on international issues with our European neighbours, and indeed more time on the resonance of Harry Potter novels for children in south Asia. There was much discussion of the British involvement in Afghanistan over the past 200 years, but no reference to the centrality to British foreign policy, since before the English state became the United Kingdom, of relations with France, the Netherlands, Spain and Scandinavia. The most he would say was that Britain would be a "flying buttress" to the European church—whatever that may mean, and I suspect he does not know himself.

However, Mr Johnson repeated the old Tony Blair line that Britain is,

"a bridge between Europe and America",

and that we are,

"at the centre of a network of relationships and alliances that span the world",

in which,

"people around the world are looking for a lead from Britain".

Mr Johnson wrote a book on Winston Churchill, which had mixed reviews, and he should know that Churchill's concept of the UK at the centre of a network of relationships depended on our retaining a key role in the European circle as well as in the transatlantic relationship and in what Churchill called "the British Commonwealth and Empire". Cut the European dimension out of Winston Churchill's "three circles" concept, and our position in the world is sharply diminished.

The only substantial speech by Mr Johnson that I can find since then was given at a conference in Delhi on 21 January. He made no mention in it of the Commonwealth, in the capital of what had been the jewel in the crown of the British Empire, probably because he had been told by his staff that the Indian Government are not enthusiastic about returning to a subordinate role in a British-led network. There was much in the speech on Scotch whisky exports and about the "pesky" tariffs that India imposes to limit them, but how nevertheless India and the UK stand together in their commitment to free trade. "Pesky" is a term that I last came across when I was a boy reading comics, and it is interesting that that is the language that our Foreign Secretary still uses. He continued,

"we have just decided to restore our military presence east of Suez with a £3 billion commitment over ten years and a naval support facility in Bahrain. We have a commitment to the whole world ... And as our naval strength increases in the next ten years"—

the noble Lord, Lord West, will be very glad—

"including two new aircraft carriers, we will be able to make a bigger contribution. In the Indian Ocean, we have a joint UK-US facility on Diego Garcia—an asset that is vital for our operations in the region".

It is exactly 50 years since Harold Wilson's Labour Government announced the UK's withdrawal from east of Suez on the grounds that it no longer made any sense to continue to defend an empire that had now been given its freedom. Boris Johnson is too young to remember that: he was only three at the time. We maintained our presence across the Indian Ocean then with a fleet that included between 35 and 40 frigates, against the 16 we have now, as well as bases in Aden and Singapore. The Foreign Secretary claimed that Diego Garcia is a vital UK, as well as US, facility. Perhaps the Minister can remind us how many UK military personnel we have there—the last time that I was told, I think there were two; perhaps there are now four—and whether any British military assets are based there. This image of the world is not about taking back control, it is about taking Britain back to the 1960s, boys' comics included.

Now we have the PM going to the USA to tell President Trump, according to the media this morning, that "together we can lead the world"—a phrase straight out of Daniel Hannan's book on how the Anglo-Saxons

invented freedom and the modern world. Is Theresa May going to attempt the same subordinate relationship as Tony Blair pursued with George W Bush? Does she share the same illusion that Anglo-Saxon Americans love Britain above all others, and that clinging to American coat tails gives us global status superior to the international roles of Germany and France?

Independence from Europe; dependence on the United States. Commitment to a liberal international order, but dependence on a Republican Administration who are against many of the assumptions of that international order. That is not a coherent strategy for a post-Brexit foreign policy.

4.57 pm

Lord Collins of Highbury (Lab): My Lords, I, too, thank all noble Lords who are members of the committee for an excellent report. I, too, thank the noble Lord, Lord Howell, for initiating this debate and pass on my best wishes for a speedy recovery.

In one of our previous debates on the subject, the noble Baroness, Lady Goldie, in acknowledging that we face significant challenges to peace and stability ahead, asserted,

“that they are not ones brought about by the UK’s decision to leave the EU, nor do we assess that they will be exacerbated by our leaving the EU”.—[*Official Report*, 18/10/16; col. 2312.]

That is the crux of today’s debate, and it has been highlighted by all noble Lords. The question is how the Government will deliver on that assertion.

Man-made and natural humanitarian crises, poverty and climate change can be met only by international co-operation. The report highlights that 2015 was the year the international community faced up to its responsibilities by reaching agreements, including the Sendai disaster risk reduction framework, financing for development, the SDGs and Agenda 2030 and, of course, the Paris climate change accord. It acknowledges that the watchword for the UN and the new Secretary-General will be “implementation” of those agreements. Paul Williams from the FCO said:

“Implementation will be key to maintaining credibility in the Agenda 2030, Paris Agreement and the UN itself”.

As we have heard, the challenges to implementation are both political and economic, and not least, as all noble Lords have referred to, is our future relationship with the US and its new President. As we have heard, according to this morning’s papers, the Prime Minister will remind President Trump tomorrow that the United Kingdom is, by instinct and history, a great global nation that recognises its responsibilities to the world.

Downing Street sources say that Mrs May prefers to have a grown-up relationship with the new President to remaining aloof. The benefits of a close, effective relationship are that we will be able to raise differences directly and frankly with the President. Clearly, this week we will see in a little more detail what those differences may look like; we have seen a series of executive orders, beginning to honour pledges made on the campaign trail. On Monday, he reinstated the global gag rule that bans aid funding for groups that offer abortions or abortion advocacy, even if they use their own funds to do so. On Tuesday, he angered Native Americans and climate change activists by

signing executive orders to allow construction of the Dakota access and Keystone XL oil pipelines. On Wednesday, he signed two executive orders to boost border security, including with reference to the wall and the crackdown on illegal immigrants.

This week, we have also seen television interviews in which President Trump said he will bring back torture as an instrument of policy. We have also seen leaked draft executive orders, one saying that there is to be a 40% cut to US voluntary contributions to international bodies and a second calling for a review of and possible withdrawal from certain forms of multilateral treaties that do not involve national security, extradition or international trade. Examples of potential targets, according to the *New York Times*, include the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. According to the *Washington Post*, the proposed funding review is envisaged to take a year and be overseen by a panel, including the Departments for Defense, State and Justice. Some in the diplomatic world believe that campaign pledges by the President will be mitigated by Cabinet members such as Rex Tillerson at the State Department and James Mattis as Defense Secretary.

Heavy cuts to the US funding to the UN are likely, but with a review period there is still time for the new Secretary-General and our own Prime Minister to persuade President Trump that the US needs the UN to help it in places such as Syria. As the report says:

“The Secretary-General has the scope to rationalise the UN Secretariat. We urge him to ... build more coherence between its various departments and offices”.

But if Guterres is planning to slim down parts of the UN Secretariat anyway, that may well play well with Trump. As we have heard in this debate, one fear over tomorrow is that the Prime Minister will prioritise the need for a public restatement about a trade agreement over publicly upholding our international commitments and responsibilities, particularly in relation to the rule of law. Will the Prime Minister make it clear that there are no circumstances in which she will permit Britain to be dragged in to facilitating torture? Will the Minister assure all noble Lords that high on the agenda tomorrow will be a discussion on long-standing US priorities, such as peacekeeping and development initiatives aimed at stabilising fragile states and combating extremism?

Today Gordon Brown launched a paper started by the late MP Jo Cox, which argues that Britain has a duty to stand up for civilians threatened by war. He said:

“In her last speech in the House of Commons, Jo Cox said that ‘sometimes all it takes for evil to triumph is for good men to do nothing.’ Nothing is more important than the responsibility of each state to protect their populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and the responsibility of the international community to act if a state is unwilling or unable to do so”.

These are principles that I hope the Prime Minister will express strongly to President Trump tomorrow, both privately and publicly.

5.05 pm

The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns) (Con): My Lords, I add my good wishes to my noble friend Lord Howell

[BARONESS ANELAY OF ST JOHNS]

and I hope that he is soon restored to good health. I am grateful to my noble friend Lord Jopling for stepping in to lead our debate today, which gives noble Lords the opportunity to address some of the vast range of issues encompassed by the two Motions before the House. The heart of the matter is the role of the UK in the world once we have left the EU. I shall seek to reflect on some of these issues in my response today.

The history and culture of this country is profoundly internationalist. We have for centuries been an outward-looking nation—a nation whose success has been built on the alliances and relationships that we have made around the world. As the Prime Minister said recently, we want the United Kingdom to be more outward-looking than ever. We remain absolutely committed to maintaining—and in fact reinforcing—our links with old friends, and building relationships with new allies too. My noble friend Lady Hooper was right to refer to Latin America. In recent months, I have visited Mexico, El Salvador, Guatemala and Honduras, though I am sad to say that, with Honduras, it was 17 years since a UK Minister had visited. My noble friend's stricture has indeed been heeded. The noble Lord, Lord Reid, reminded us of the stark and important fact that we can no longer keep to traditional thinking about how international relationships work, because of the rise of non-state actors and the danger that they pose in so many parts of the world. I assure him that in the FCO we take that into account and it is certainly part of the way in which we discuss these matters with those in the diplomatic academy.

To our European neighbours, we will continue to be reliable partners, willing allies and close friends. We will support them as they take the EU forward to the next stage of its journey, because it remains overwhelmingly in Britain's national interest that the EU should succeed. The noble Earl, Lord Sandwich, raised a particular issue about a strong and stable neighbourhood in the Balkans. We certainly want to maintain that and we remain of the view that the EU accession process is fundamental to delivering security, stability and prosperity. So we will continue to support countries that are committed to the accession process, as long as they meet the necessary requirements.

Beyond Europe, we will maintain and strengthen our existing partnerships, above all with the United States. The special relationship is as important as ever. The fact that, tomorrow, the Prime Minister will be the first world leader to have a meeting with President Trump following his inauguration is testament to the strength of that relationship. It is a relationship based on shared values: a commitment to freedom, democracy and enterprise. That is why it is right that we engage fully with the Trump Administration to continue our work. There may indeed be areas where we disagree, but fundamentally the US and UK remain natural, strong and resilient partners and allies. I have been asked by several noble Lords to clarify one area where we will, it seems, disagree with the US—let us wait and see—which is the use of torture. The Brexit Secretary told Members in another place that:

“The British Government's stance on torture is very plain: we do not condone it and we do not agree with it in any circumstances whatever”.

At a committee hearing in this House, the Foreign Secretary said that the Prime Minister was,

“clear that our principled position and our objection to torture remains unchanged”.

Indeed, the Prime Minister referred to this at Question Time yesterday and made it clear that we would not be dragged into a position where we condoned the use of torture.

As we leave the EU, our relations with the US will become more important than ever. We look forward to a strong special relationship continuing under President Trump. The economic relationship between our countries remains special, too. We should not forget that our exports to the US were worth £100 billion in 2015, a fifth of total UK exports, more than double those to our next biggest market, Germany, and five times those to China. The US is the single biggest source of inward investment to the UK, with a total stock of £253 billion. We look to the results of the Prime Minister's discussions tomorrow with President Trump. Several noble Lords asked me to forecast what might be discussed and what might be the outcome. I think that I will leave that until I know the result and shall deal with it in future debates.

Many noble Lords have stressed the importance of our relationships with the United Nations. The UK has long been one of the most active UN member states, and that is as it should be. As we leave the European Union, we will continue to play a leading role in this vital institution. We remain a permanent member of the Security Council—the P5—a leading international donor and a strong champion of human rights. We are the only major country which will simultaneously meet the NATO target of spending 2% of our GDP on defence—I hear what my noble friend Lord Jopling said; it can sometimes be more than that—and the UN target of spending 0.7% of our GNI on development. I stress that we will continue to persuade other NATO members that they should increase their defence spending.

We remain a passionate advocate for the women, peace and security agenda and the sustainable development goals. We know that building prosperity for all is vital for long-term stability. That is why we continue to work hard to increase women's participation in all areas of life, stamp out corruption, reduce poverty and tackle climate change. We work closely with a wide range of like-minded partners at the UN, including EU member states, the G7, members of the Commonwealth and other regional groupings.

Noble Lords were right to remind us of the importance of the Commonwealth and the importance of saying why we value it so strongly. The Commonwealth does not work as a recognised regional group in the UN. I discussed that with representatives of the Commonwealth at a special meeting I convened during the ministerial week last September. Nevertheless, there are areas where we can work more closely with Commonwealth members in a way that supports our shared objectives. As an organisation with immense global reach, the Commonwealth has huge potential to exert influence on issues of global importance. I am glad to say that we are offering support, including financial contributions, to the small states offices in Geneva and New York to

enable some of the Commonwealth's smaller members to participate fully in UN business. I am pleased to say that I am looking forward to the first ever meeting of Commonwealth Trade Ministers, which will be hosted in London in March this year, and to the next meeting of the Commonwealth Heads of Government, which will take place in the UK next year. Last but not least, we take an active role in the Geneva group of major funders of the UN to push for continued reform and value for money.

At this point I turn to the Select Committee's report on the priorities for the new UN Secretary-General. We welcome the Select Committee's timely report and support most of the recommendations. The government response was published earlier this month and is available in the Printed Paper Office to be read in full. Indeed, some noble Lords quoted some of the recommendations. We absolutely agree with the committee that the UN is a vital institution to help resolve disputes peacefully, to preserve the rules-based international order, to protect human rights and to promote sustainable development. The Security Council, the General Assembly and the other bodies all play important roles. As we leave the EU, we will remain actively engaged in the full range of UN activity and will promote reforms to strengthen the UN's ability to meet future challenges.

One of those challenges, of course, is on refugees and migration. The Prime Minister has set out three guiding principles: refugees should claim asylum in the "first safe country" they reach; states should exercise their right to protect their borders and commit to taking back their nationals; and there should be a clear distinction between refugees and economic migrants. We have made it clear that we must ensure we provide proper protection for refugees. We also want to allow global economies to enjoy the benefits of controlled migration, while providing protection for the most vulnerable migrants, including victims of that evil trade, human trafficking. We intend to take this forward in our engagement with the UN and other agencies. We agree with the committee that changes in geopolitics and other global trends present new challenges for the UN. We will work with other states through the UN system to ensure its continued relevance.

I will be delighted to do that alongside the new Secretary-General, whose appointment presents an opportunity for further reform of UN structures and delivery of its programmes, and to address modern challenges more effectively. We will continue to play a leading role in this regard, promoting reform across all the pillars of the UN's work—a structure that has done so much to vitiate the best of attempts to bring the UN up to standard. It is vital to drive forward this reform. Our priorities, such as strengthening UN peacekeeping, preventing sexual violence in conflict and promoting the economic rights of women and girls, can be achieved only when there is strong UN reform.

António Guterres has made an impressive start to his tenure as UN Secretary-General. He is getting straight into the key policy issues and sending the right messages on UN reform, including on points highlighted in the Select Committee's report. Mr Guterres

has set out three high-level priorities, all of which have our full support: the UN's work on peace; support for sustainable development; and improving the UN's internal management.

I note the question from the noble Lord, Lord Hylton, with regard to the use of Article 99. The UK raised this point regularly during the General Assembly hearings with candidates who were seeking the position of Secretary-General, asking them how they would approach that, as I did when I met each of the candidates in advance of those hearings when they visited me here in London. We made it clear how important it was that the Secretary-General should make use of his power under Article 99.

During his first appearance at the UN Security Council on 10 January, Mr Guterres expanded on his idea of a "peace continuum". His fresh thinking bears examination by us all and deserves our support as he develops it. I know that he will find difficulty in some areas. We have conflict prevention and resolution to tackle in countries such as South Sudan, Somalia, Libya and Yemen. The UK leads on many of these issues and we pledge to work closely with António Guterres's team and other member states to strengthen the UN's work on these matters.

The noble Lord, Lord Hannay, raised a specific question about accountability with regard to sexual exploitation and abuse, and asked which countries exercise the duty to prosecute. As he made clear, prosecutions are a matter for troop-contributing national courts, but I can say that Uruguay and Pakistan court-martialled their troops in Haiti for SEA, as did South Africa in the Democratic Republic of the Congo. Egypt claims to have prosecuted its troops, although I do not have further information on that at the moment. No doubt I will press Egypt on that.

On sustainable development, Mr Guterres has appointed an excellent deputy Secretary-General, Mrs Amina Mohammed, who was instrumental in building consensus on the 2030 sustainable development goals. The UK supports their reform plans, which include closer integration of humanitarian and development assistance. I wish the new deputy Secretary-General well.

On internal management, the Secretary-General has rightly highlighted the need to streamline procedures in areas such as staff recruitment and deployment. As UN High Commissioner for Refugees, he made efficiency savings by moving back-office functions to lower-cost locations. The UK will work with like-minded member states to support sensible reforms of this kind. The Prime Minister met the UN Secretary-General in Davos on 17 January. They had a substantive meeting, which included discussion of the recent talks on Cyprus. There was much common ground. However, there is much common ground for all members of the United Nations to pursue, and I am glad that we have to assist us the advice of the Select Committee.

I will now draw my remarks to a close. Although I am aware that in theory I have 20 minutes, that would mean that my noble friend Lord Jopling would have no opportunity to respond, as earlier speeches overran rather severely. In closing, therefore, I stress that we will use our departure from the EU as an opportunity

[BARONESS ANELAY OF ST JOHNS]

to forge a new identity as an independent nation, ever more outward-looking and a force for good. We will continue to play a leading role in tackling the global challenges of our time: poverty and disease, mass migration, insecurity, conflict and climate change. It is absolutely in the UK's interests that we do so. That is our vision for a truly global Britain.

5.21 pm

Lord Jopling: My Lords, the Minister could have gone on for another two minutes and still allowed me to say what I want to say. Members of the committee will be most pleased that so many noble Lords have joined in this debate, and particularly pleased at the welcome it has received. When my noble friend Lord Howell reads *Hansard* tomorrow morning, he will be particularly pleased by three things: first, the good wishes for his future health; secondly, the praise for the report; and finally, the number of noble Lords who mentioned the Commonwealth. I happen to have with me the words he would have used if he had opened this debate, with regard to the Commonwealth:

“My own view is that our links with other Commonwealth countries, with their common working language and common ethical, political and social characteristics will also provide increasingly rewarding. The May 2018 CHOGM meeting here in London could prove a milestone in that respect, and in cementing”— as he used to say—

“old links and new ties—a phrase which may be familiar to some of your Lordships”.

Motion agreed.

UK and UN: New Secretary-General's Priorities

Motion to Take Note

5.23 pm

Moved by Lord Jopling

That this House takes note of the Report from the *International Relations Committee on The UK and the UN: Priorities for the new Secretary-General* (1st Report, HL Paper 60).

Motion agreed.

Combined Authorities (Mayoral Elections) Order 2017

Combined Authorities (Mayors) (Filling of Vacancies) Order 2017

Motions to Approve

5.23 pm

Moved by Lord Young of Cookham

That the draft Orders laid before the House on 28 November 2016 be approved.

Lord Young of Cookham (Con): My Lords, we move from the international to the local. The draft orders we are considering this afternoon, if approved and made, will provide the rules for the conduct of elections for directly elected mayors of combined authorities

and the rules by which mayoral vacancies are to be declared, and the procedure for filling them through by-elections. They are essential to enable the first elections of combined authority mayors to take place in May 2017.

The two orders we are considering, if approved and made, will mark a further milestone in implementing agreed devolution deals to date. They are essential for ensuring that elections for the office of mayor can be conducted and any mid-term vacancies filled on a consistent and fair basis.

As noble Lords will be aware, the Government committed in their manifesto to implement devolution deals where there was local support and where such deals would result in benefit to local communities. These deals have been forthcoming. Devolution involves conferring significant powers and budgets on local areas that have agreed to have directly elected mayors, providing that essential single point of accountability for such major new powers.

I remind noble Lords that Parliament has approved, and we have made orders, establishing city region mayors in Greater Manchester, Liverpool city region, Sheffield city region, the West Midlands and the Tees Valley. Furthermore, orders creating such mayors in the west of England and for Cambridgeshire and Peterborough have been laid before Parliament to be considered. If approved, they will be in place in time for them to elect their first combined authority mayors in May. In all these cases, the councils have agreed and consented to having a directly elected mayor.

The orders provide first and foremost for the conduct of the elections for those mayors that will first take place in May this year. The rules will apply in those and subsequent elections. The second and smaller order provides for how vacancies in the mayoral office are to be handled should a vacancy arise following election. Both these orders have been debated in and consented to by the other place, with the vast majority in favour. This support reflects the vital nature of these orders to ensure that mayoral elections for combined authorities can go ahead in May.

Finally, for setting the wider context, orders that will confer devolved powers on these mayors once elected will come forward. The first such order was approved by Parliament before Christmas, devolving powers to the Greater Manchester mayor. Orders devolving powers to the west of England, Cambridgeshire and Peterborough, and the Tees Valley are before Parliament. We will bring orders in the coming weeks for the Liverpool city region and the West Midlands. We will also lay further orders for the Tees Valley and Greater Manchester.

On the specifics of the orders, I emphasise that they should be seen in the context of the full body of electoral law governing local elections throughout England. These orders do not seek to make piecemeal changes to this wider body of law. The rules set out in the Combined Authorities (Mayoral Elections) Order closely reflect the rules that apply to local authority elections, elections of local authority mayors and elections for police and crime commissioners.

The Combined Authorities (Mayoral Elections) Order makes detailed provision about the conduct of the elections for directly elected mayors of combined authorities. Although the order may seem bulky—running to some 151 pages—it is necessary to fully specify all the rules of these elections of combined authority mayors. This full specification of the rules is the approach we use for all other elections.

As I have said, these rules largely replicate the generality of election rules and apply them to the particular situation of combined authority mayors. Therefore, I simply highlight the four areas where special provision for combined authority mayors has been made, because the circumstances of these mayors is such that the standard rules could not appropriately be applied.

First, particular provision has been made for candidate deposits. These are the deposits that candidates must lodge and which are returned to the candidate if their share of the vote is more than 5%. The rules in the draft order provide that the deposit for a mayoral candidate is £5,000. This is the same amount as the deposit for candidates for police and crime commissioners. It is significantly greater than the £500 required for a local authority mayor. The difference reflects, and is commensurate with, both the larger size of the areas over which a combined authority mayor or police and crime commissioner will have jurisdiction and their level of responsibility.

Secondly, there is particular provision for nomination arrangements. This is the number of signatures that candidates are required to collect to be validly nominated for election. With this order, the requirement for candidates for election as combined authority mayors is to secure a minimum of 100 subscriptions—that is, signatures of electors. Moreover, at least 10 of these subscriptions must come from the area of each constituent council; in two-tier areas, from each district council within the area of the combined authority. In cases with more than 10 constituent authorities, candidates will still require at least 10 subscriptions from each area, and so in such a case will require more than 100 total subscriptions. This is a significant increase from the rule for local authority mayors, which requires candidates to secure 28 subscriptions. As with deposits, this increased requirement is commensurate with the increased constituency size and responsibilities of combined authority mayors. The requirement to obtain a number of subscriptions from each constituent area ensures that candidates secure support from the full range of areas, however diverse, within any combined authority. It would prevent for example, candidates being nominated who secure support, say, from one particular part of a combined authority area—perhaps the rural hinterland—but have no support in the urban core.

Thirdly, particular provision is made for candidate spending limits. This is the limit that restricts the amount candidates are able to spend on election expenses during the election campaign. For local authority mayors, candidates are limited to £2,362, plus 5.9p per registered elector in the local authority area. For a combined authority mayor, this limit is £2,362 per constituent council, plus 5.9p per registered elector within the combined authority area. This provision—with the majority of the funding being measured per capita—

ensures that appropriate candidate spending limits are set across the range of mayoral combined authorities, which vary significantly in size. Total candidate spending limits under this provision also, when appropriately scaled for numbers of electors, align closely with the spending limit for candidates campaigning for election as Mayor of London.

Noble Lords will notice that all these candidate limits—for local authority mayors, combined authority mayors and Mayor of London—are lower than those for police and crime commissioner elections. This is because candidates for police and crime commissioner will need to spend more in order to communicate directly with the electorate, since in these elections there is no requirement on the returning officer to prepare an election address booklet covering all candidates to be delivered to all electors at no cost to the candidates.

Fourthly, this order allows for the creation of a combined authority returning officer—or CARO—to be appointed by the combined authority. This is similar to the provision creating a police area returning officer—or PARO—for police and crime commissioner elections, and ensures that there is an appropriate individual appointed to oversee the election as a whole.

It should be understood that in both of these roles, the respective returning officers are personally responsible for publishing the notice of elections, administering the nomination process, ensuring that candidates comply with the requirements regarding the content of their election addresses, collating and calculating the number of votes given for each candidate, calculating the result and declaring the result. It is therefore highly important that this role is carried out by a competent individual.

Turning to the Combined Authorities (Mayors) (Filling of Vacancies) Order 2017, this smaller order is necessary to establish the rules by which vacancies are declared in the office of combined authority mayor, and the procedure for filling these vacancies through by-elections. They follow exactly the procedures adopted for other types of local authority. Noble Lords will understand that these provisions are required to be in place in advance of the election of combined authority mayors in May 2017 to ensure that any subsequent vacancies can be appropriately and consistently dealt with.

In conclusion, the draft orders we are considering today are vital to ensure that the democratic elections to these important offices can first take place in May 2017, and that associated arrangements are in place in good time should any mid-term vacancies occur. It is these detailed rules set out in the orders before us today that provide the strong legal framework for these elections. It is such a framework that ensures that all can have confidence that the elections have been fairly conducted and that the outcome of the poll genuinely reflects the democratic wish of local electors. I commend both draft orders to the House.

Lord Shipley (LD): My Lords, I welcome the discussion of these orders. I remind the House of my vice-presidency of the Local Government Association. I seek clarification on two points in one of the orders, because, broadly speaking, most of what is proposed is not contentious for us.

[LORD SHIPLEY]

I have a question about the combination of polls, and my query lies with paragraphs 8.7 and 8.10 of the Explanatory Memorandum. The memorandum says, rightly, that when you combine polls, that produces cost savings. Given that this is a new election, can the mayoral elections be held on the same day as a general election? In other words, might we end up with three elections on one day? I note the following words in paragraph 8.10:

“Government is confident that electoral administrators will be able to effectively administer combined authority mayoral elections and other polls that they may be combined with”.

That says that the Government are confident, but what evidence were they given by electoral administrators? Running three elections at once is clearly more complicated than running two.

My second question relates to the election booklet that the Minister referred to. Is it the intention to distribute that election booklet alongside poll cards? Clearly, if it is a single process, that will reduce costs at a time when local authorities are having great difficulty in balancing their budgets. Having to pay for two separate distributions will be more expensive and unwieldy than if both are delivered together.

Lord Kennedy of Southwark (Lab): My Lords, I refer the House to my declaration of interests—specifically, that I am an elected councillor in the London Borough of Lewisham and a vice-president of the Local Government Association.

As we have been told, the orders before us today, if approved, will provide the framework and rules for the conduct of elections for directly elected mayors of combined authorities, specifically for the elections taking place in May this year. The second order, as we have heard, deals with the process of addressing vacancies in the office of mayor and sets out how those will be dealt with. I am happy to support both orders before the House this afternoon.

I note that the first order contains matters such as the spending limits and the formula to calculate those limits, the number of voters needed to sign a nomination paper to make it a valid nomination, and other administrative matters which are quite normal for elections.

The noble Lord, Lord Shipley, has raised a couple of points and I shall be interested to hear the reply from the noble Lord, Lord Young of Cookham. However, he may be pleased to learn that in fact I have no questions for him in respect of either order and am content to approve both.

Lord Young of Cookham: It is very good that the noble Lord has no questions for me; it gives me more time in which to answer the questions asked by the noble Lord, Lord Shipley. I welcome the general approval of the orders that have been laid before us.

The noble Lord, Lord Shipley, is right to say that you can have more than one election on one day. Indeed, when I fought three general elections, they were held on the same days as the county council elections in Hampshire. In England, it is common for more than one poll to be held on the same day. As the noble Lord said, this helps to enhance voter turnout and produces cost savings.

However, there could be an issue in 2020, given the number of polls scheduled to take place. We will have a UK parliamentary general election, police and crime commissioner elections in England and Wales, Greater London Authority elections, local government elections in England, local authority mayoral elections in England and elections for mayors of combined authorities. I think that the number of polls scheduled to take place in 2020 raises issues for electoral administrators and administrative processes. We will consult the Electoral Commission, local authorities and administrators to make sure that there are no difficulties when we reach that date, and of course we have some time in which to plan.

The suggestion of combining the poll cards with the election addresses in one delivery seems to me to be common sense, if it can be done; I do not know whether the dates coincide. We have just had some in-flight refuelling—I have been handed a note to say that the precise timing of the distribution of booklets will be for the returning officer, the CARO. However, I take the point, and will pass it on, that there may be some economy if the poll cards and election addresses could be combined in the same delivery.

Motions agreed.

Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016

Motion to Approve

5.40 pm

Moved by Lord Young of Cookham

That the draft Order laid before the House on 28 November 2016 be approved.

Lord Young of Cookham (Con): My Lords, if approved and made, the draft order we are considering today will provide the basis for a robust and consistent approach to accountability in combined authorities across the country. The order will be another key step in implementing the agreed devolution deals and is essential for ensuring effective accountability for the new budgets and powers devolved to directly elected mayors and combined authorities. I remind noble Lords that Parliament has approved, and we have already made, orders establishing city region mayors in Greater Manchester, the Liverpool city region, the Sheffield city region, the West Midlands and the Tees Valley. Furthermore, orders creating such mayors in the west of England, for Cambridgeshire and Peterborough have been laid before Parliament to be considered and, if approved, will be in time for elections in May.

These devolution deals confer greater powers and budgets on the combined authorities. The order puts in place a robust framework to ensure that once powers and budgets are devolved and mayors elected, the actions of combined authorities and mayors are openly and effectively scrutinised and those responsible held properly to account. The approach we are taking in this order, therefore, is to mirror the current scrutiny

arrangements in local government and to strengthen them where necessary. Such strengthening, for example, includes requiring at least two-thirds of members to be present before the business of an overview and scrutiny committee can be transacted. It also includes a requirement for any independent chair of an overview and scrutiny committee—that is a person who is not a member of or otherwise associated with any of the constituent councils or the combined authority—to go through an open and transparent recruitment process.

The order will be supplemented by practical guidance provided by the Centre for Public Scrutiny—chaired by the noble Lord, Lord Kerslake, who was here a moment ago—on how these arrangements will operate on the ground. Officials are working closely with the Centre for Public Scrutiny, and we are very grateful for the centre's support and commitment to provide this practical guidance. It is through such practical guidance that a strong culture of scrutiny can be built to ensure that transparency and scrutiny are embedded in the day-to-day operation of combined authorities and their mayors.

Along with such guidance, it will be important that combined authorities ensure that scrutiny is adequately resourced and that there is sufficient capacity and expertise for the scrutiny function to be effective and credible. This is essential if combined authorities are to fulfil their duty to ensure value for money.

The order provides for a core legal framework for scrutiny arrangements in combined authorities, which the Government have developed in consultation with local areas and relevant stakeholders, including the National Audit Office, the Centre for Public Scrutiny, existing combined authorities and those involved in establishing new combined authorities. This order is the first piece of secondary legislation to be made under paragraphs 3 and 4(3) of Schedule 5A to the 2009 Act. It makes provision for the composition and proceedings of overview and scrutiny and audit committees, similar to the provisions in the Local Authorities (Committee System) (England) Regulations 2012 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The order, if made, will commence after the new combined authority mayors take office in May 2017.

5.45 pm

The order introduces several requirements regarding membership of the overview and scrutiny committee to ensure representativeness and accountability. The majority of members must be councillors of the constituent councils on the combined authority. The political balance of the membership must, as far as practicable, align with that of the constituent councils. To ensure the independence of the committee chair, where there is an independent mayor, the chair cannot be from the majority party on the combined authority. The order further sets out that at least two-thirds of members must be present before business may be transacted. To ensure clear outcomes, the order also provides that no member of an overview and scrutiny committee has a casting vote and that if a vote is tied it is deemed not to have been carried.

The order also includes important provisions to protect the committees' integrity and independence. As in local authorities, certain procedures must be adhered to when appointing an independent person, and committees must publish notices of appointments to ensure transparency locally. To ensure the overview and scrutiny committee's independence, the committee cannot include any officer from the combined authority or its constituent councils.

The order also provides for the proceedings of overview and scrutiny committees. They are able to call in a decision made, but not implemented, by the combined authority or the mayor and require that this decision remain unimplemented for up to 14 days. Within 10 days after the mayor or combined authority receives a recommendation from the committee, a meeting must be held to consider that recommendation and related decision. The combined authority must respond to reports and recommendations from the committee within two months. To ensure the necessary support for the overview and scrutiny committees, the combined authority must designate one of its officers as the scrutiny officer.

For audit committees, the order makes provisions regarding membership, again designed to ensure independence and representativeness. These are that: at least one independent person must be appointed; membership should reflect the political balance of the constituent councils; at least two-thirds of members must be present before the business of the audit committee can be transacted; and officers from the combined authority and its constituent councils cannot be members.

The order provides a clear legal framework to be enhanced by practical guidance. What is crucial is not just that there is a robust framework with strong practical guidance in place but that this framework is accompanied by each combined authority creating a culture of transparency and accountability. This will ensure that the public can be confident that combined authorities and their mayors are being strongly held to account for delivering their manifesto commitments.

The draft order we are considering today is vital for ensuring consistent, robust and transparent accountability in combined authorities in time for the first combined authority mayors to take office in May 2017. I commend the order to the House.

Lord Shipley (LD): My Lords, this a slightly lengthier discussion than we had on the previous two orders. It results from there having been great cross-party collaboration when the Cities and Local Government Devolution Bill passed through your Lordships' House. That work developed the basis for the proposals now before us. Let me say at the outset that much of it is welcome.

For the avoidance of any doubt, I want first to ask the Minister to confirm that the order will apply to all combined authorities automatically and that, if there is to be a combined authority in future which does not have a mayor, the order will apply to it as well. I then have a few specific questions. When the Cities and Local Government Devolution Bill passed, we had established separate overview and scrutiny committees and audit committees—it was right to separate those

[LORD SHIPLEY]

two functions. But in the case of audit, I hope that the Minister can confirm that it will encompass risk, particularly investment decisions.

One function of overview and scrutiny will be to scrutinise risk, but there are advantages in audit committees having a clear risk function as well, because some investment decisions will be very big financial decisions. It was good to see from the list of consultees that the National Audit Office and the Centre for Public Scrutiny were consulted, because one of the aims that we had with the Bill was to ensure that value-for-money audits were done, as well as simply financial audits. Can the Minister confirm whether the proposals given to the Government by the National Audit Office and the Centre for Public Scrutiny have been incorporated in this order?

I have a further concern that there is to be no governance framework for the operation of overview and scrutiny committees. My questions are: how does an overview and scrutiny committee know what it needs to scrutinise? Who will tell it what it should review? Am I right in assuming that agendas and papers for the meetings of combined authorities will be made available, and that they will include both the public and private parts of those agendas? We need to be clear exactly what is proposed here. When the Bill was passed, there was a lot of concern about access to meetings. We do not want to see decisions being taken in lengthy pre-meetings of combined authorities, from which the press and public are excluded, with the formal meeting of a combined authority being very limited in time and content. I submit to the Minister that such an outcome would not be good for local democracy or for the success of mayoral combined authorities in the public perception.

The absence of a governance framework places a lot of responsibility on the shoulders of the committee members, in particular independent members, to ensure transparency and openness. I suggest to the Government that they should monitor the appointment of independent members. There is clearly a process, which we welcome, but I think the Government will need to monitor that appointment process to ensure that it is indeed wholly transparent.

I have a further query about timescales, which relates to the two months allowed for a combined authority to respond to an overview and scrutiny committee. The timescales, as I understand them, are these: an overview and scrutiny committee will call in a decision if it wishes to, which will prevent implementation for up to 14 days. When that committee has held its meeting, the combined authority or mayor must hold a meeting to consider what it has said within 10 days. Potentially, that gives 24 days for the total time taken to that point. However, a period of two months is then allowed for the combined authority to respond to the overview and scrutiny committee, to explain why it made its decision. That is too long. I have not understood why it should take two months. I would be puzzled if it needed to take more than a fortnight, but there may be a reason that I have not understood. I am happy to seek the Minister's reassurance on this point.

Finally, I would like an explanation, if the Minister is able to give one, for the statement about protecting the overview and scrutiny committee's independence in the Explanatory Notes. The relevant bullet point, at the top of page 4, says that,

"to protect the overview and scrutiny committee's independence, the committee may not include any officer from the combined authority or the combined authority's constituent councils".

That sounds eminently right and reasonable. What I am not clear about is exactly how the overview and scrutiny committees will then be staffed. There will clearly have to be staff members present, writing opinions and papers for the attention of scrutiny committee members, which implies quite significant staffing. That may be fine, but presumably it also implies that the officers giving advice to the overview and scrutiny committee will potentially be required to give evidence to the overview and scrutiny committee. What power does an overview and scrutiny committee—which may not include any officer from the combined authority or the combined authority's constituent councils, so there must be independent officers present—have to require an officer who has given advice to a combined authority to attend a meeting? I should be grateful if the Minister will explain that point.

Lord Kennedy of Southwark (Lab): My Lords, again for completeness, I refer the House to my interests set out in the register in so far as they are relevant to the issues being debated. I should state at the outset that I am content with the order before your Lordships' House and am happy to approve it.

Generally, the order brings combined authorities under arrangements similar to those that exist elsewhere in local government. The new combined authorities, which will elect their mayors this May, will have considerable powers over large areas of service delivery and policy that have a tremendous effect over people's lives. The powers that it is proposed to give to these new elected mayors and combined authorities are, in some cases, not yet through their parliamentary procedures, such as bus franchising, which is being debated in the other place as it considers the Bus Services Bill. The noble Lord, Lord Shipley, raises some important points about how the procedures will operate in the future and I will be interested to hear the Minister's response.

I am pleased about the measures in respect of overview and scrutiny, which can serve a valuable function. I have first-hand experience of this, so I hope that the House will allow me to explain with a local example how valuable the function is. I have told the House many times before that I am a councillor in the London Borough of Lewisham. I may not have mentioned that I am a supporter of and season ticket holder at Millwall Football Club. I and many other councillors, residents and campaigners—including Vicky Foxcroft, the Member for Lewisham Deptford, Neil Coyle, the Member for Bermondsey and Old Southwark, and the Association of Millwall Supporters—were concerned at the proposals for redevelopment around the Den, which would not deliver any social housing or enough affordable housing. The club was clear that that potentially put its future at risk in a part of south-east London where it has been part of the

community since 1910. Councillor Alan Hall, Councillor Brenda Dacres and others on the overview and scrutiny committee were able to provide robust challenge to the proposals. Other cabinet members, including Councillor Joe Dromey, also opposed the plans, which in recent weeks had a considerable amount of publicity in the *Guardian*, the *Evening Standard*, the *South London Press*, *Private Eye*, Sky Sports and the BBC. I have been struck by how many members of the House's staff have said to me as walked past, "Defend my Den, my Lord".

Yesterday it was announced that the planned compulsory purchase of land leased to Millwall would not be going ahead and that the local authority wants to get around the table to seek agreement on the way forward in a manner that brings together the club, the Millwall Community Trust, which does a great job with children in the area, and others to secure the redevelopment by agreement. Overview and scrutiny played an invaluable role in achieving that turnaround, as did the Association of Millwall Supporters, by highlighting concerns and issues. That is a local example of effective overview and scrutiny. I am happy to support the order.

6 pm

Lord Young of Cookham: My Lords, the *Hansard* report of what the noble Lord just said should be sent to the members of every overview and scrutiny committee throughout the country in order to get an insight into how these committees can effectively further local democracy.

I will deal with some of the questions that were raised by the noble Lord, Lord Shipley. First, yes, the template that we are setting out today will apply not just to the authorities already up and running but to all combined authorities, whether or not they have a mayor—so existing and future.

The noble Lord then asked about risk. The 2016 Act sets out the requirement to establish an audit committee and gives these committees the power to review and scrutinise the authority's financial affairs, including the,

"risk management, internal control and corporate governance arrangements".

He asked whether we would monitor the appointment of the independent members to make sure that they were genuinely independent. Yes, we will. As for times, these are maximum times, and I may be able to say a little more about that in a moment.

The noble Lord also mentioned the absence of a governance framework. The order provides the broad legislative framework, while the guidance, which the Centre for Public Scrutiny is preparing, will help each combined authority to develop its detailed framework and operational arrangements for scrutiny. Officials worked with both the NAO and the centre in the development of this legislation, and their proposals have largely been included. We will work closely with the CfPS on the guidance, which it is going to publish shortly.

On access to information and the ability to summon, the overview and scrutiny committee has access to

information powers, including the power to require the mayor, officers and members of the combined authority to come before the committee and answer questions and give evidence. The combined authority will establish an O&S committee and the order requires that the majority of the members of that committee must be constituent councillors. It is for the combined authority to determine the size of the committee, taking into account the political balance requirement. It will be serviced by officers of the combined authority, who will indeed need to have the necessary resources to make sure that it can discharge its duties.

As to whether decisions will open to the public, the minutes of the committees are public, except that personal and confidential information, as defined in the order, will remain unavailable to the public.

We have dealt with the issue of holding the mayoral elections on the same day as a general election. There may be some other questions that the noble Lord asked which I have not answered, in which case I will write to him. He can get up and ask me again, but the chances are that I will still say, "I will write to the noble Lord".

Lord Shipley: May I just clarify the Minister's very helpful comment on officers of the combined authority attending overview and scrutiny meetings? The officers of a combined authority will administer the work of the overview and scrutiny committee. The Minister may prefer to write on this, but can they be the same officers as those who are administering the combined authority? In other words, there is a question about the independence of advice that is given to the overview and scrutiny committee. Who decides, for example, what gets on to an agenda of a meeting and how do the members of the overview and scrutiny committee know what they should be discussing? Presumably, the officers of the combined authority who are managing the work of the overview and scrutiny committee will tell them what that is, but I hope that when guidance is issued, it will be made absolutely clear that an overview and scrutiny committee must be given the maximum information possible to enable it to do its job properly.

Lord Young of Cookham: I think I need to write to the noble Lord. I understand the point he is making, which is that there could be a conflict of interest on the part of the employees of the combined authority who may be servicing the O&S committee but may also be employees of the authority doing something else, so one needs some form of Chinese wall to make sure that the O&S committee gets the information it needs, even if that may embarrass some of its fellow employees on the combined authority.

The combined authority must appoint a scrutiny officer whose role is that of scrutiny, which is helpful. As I say, perhaps I may write to the noble Lord to amplify the issues he has raised about conflicts of interest, Chinese walls and so on. I commend the order.

Motion agreed.

House adjourned at 6.05 pm.

