

Vol. 793  
No. 192



Thursday  
18 October 2018

PARLIAMENTARY DEBATES  
(HANSARD)

# HOUSE OF LORDS

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<b>Abbreviation</b>	<b>Party/Group</b>
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 18 October 2018

11 am

Prayers—read by the Lord Bishop of Chelmsford.

## Brexit: Economic Effect Question

11.08 am

Asked by **Baroness Quin**

To ask Her Majesty's Government, further to their assessments of the economic impact of Brexit made available in February, what analysis they have made of the economic effect of Brexit on (1) North East England, (2) other regions of England, and (3) Scotland, Wales and Northern Ireland.

**The Minister of State, Department for International Development (Lord Bates) (Con):** My Lords, we have committed to ensure that Parliament is presented with the appropriate analysis to make an informed decision when we bring forward the vote on a final deal. At this stage of the negotiation it would not be practical or appropriate to set out the details of exactly how the Government will analyse that final deal.

**Baroness Quin (Lab):** My Lords, when I last raised this question about the impact assessments and the huge concern that there had been among businesses in the north-east about them, the noble Lord, Lord Callanan, said that further analyses would be undertaken and completed by the time a deal with Brussels had been finalised. Can the Minister give the House and Parliament an assurance that those final impact assessments will be made available both to parliamentarians and to the public so that the economic consequences for our nations and regions can be taken fully into account before any votes are taken in Parliament on this issue?

**Lord Bates:** I am very happy to reiterate that commitment which was given to ensure that, before the meaningful vote—and, indeed, the debate in your Lordships' House—takes place, there will be an appropriate level of analysis to look at the consequences of the deal. Of course, we cannot set that out in detail now, because we do not know what the shape of that deal will be, but when it comes, that analysis will be made so that people can make an informed decision.

**Lord Forsyth of Drumlean (Con):** My Lords, given that the Treasury model for short-term forecasting has been right for only one quarter since the referendum, and that the Chancellor has indicated that it is defective, what faith can we put in any long-term forecast, and why does the Treasury believe that its long-term forecasts are likely to be any more accurate than its short-term forecasts?

**Lord Bates:** My noble friend raises an interesting point. When we look at the actual economic data rather than the forecast, we see: unemployment falling to record low levels; inflation and the deficit on the way down; employment on the way up; wage increases

at their highest level for a decade; and exports increasing. All this points to the fact that, as with all forecasts, these are not targets to be met but something to be beaten.

**Lord Cunningham of Felling (Lab):** My Lords, is it not the case, and does not the record show, that the north-east of England was one of the largest beneficiaries of Japanese inward investment exactly because the Japanese wanted to be in the UK because the UK was a member of the European Union? We know from statements by the Japanese ambassador and Japanese industrialists that decisions about investment in the UK have now been put on hold. Does the Minister anticipate that, whatever the decision and outcome of the negotiations, Japanese inward investment in the UK will continue as before as though nothing had changed?

**Lord Bates:** Certainly the evidence, though not specifically on Japanese inward investment, is that inward investment has been rising since 2015. I know how crucially important inward investment and exports are to the north-east of England. Those of us from that region were immensely proud to be one of the only net-exporting regions of the country. It is a very important element, but exports are continuing to rise and foreign direct investment is continuing to be made into the United Kingdom, up some 16% since 2015. We believe it is in both our EU friends' interests and, of course, our own that there is a proper deal so that this can continue and unemployment in the north-east can continue to fall.

**Lord Beith (LD):** My Lords, given what we already know about the potential severe impacts on the north-east, would not the honourable and honest position be, when we know what the deal is or whether there is a deal, to say, "This will cost in terms of jobs and prosperity in the future. If you want us to go ahead with it, we will need your explicit consent in another referendum"?

**Lord Bates:** There has been a referendum, which was endorsed by the votes cast in the general election that took place just last year—over 580 Members of the other place out of 650 stood on a manifesto to implement the decision taken in the referendum. We are now in the position of seeking to implement the decision that was taken in the referendum and endorsed in the general election.

**Lord Inglewood (Non-Aff):** My Lords, I declare an interest as chairman of the Cumbria Local Enterprise Partnership. We are now being asked regularly by businesses large and small about what the Government think the impact of Brexit will be on Cumbria. They want to know this to start planning for the post-Brexit era. It seems both ignoble from the Government's perspective and very unhelpful from the perspective of businesses, which will be so important in the future, to have so little to say and to say it so vaguely.

**Lord Bates:** I do not accept my noble friend's view that we have had little to say. I was in the Chamber earlier this week when the Leader of the House repeated

[LORD BATES]

the Prime Minister's Statement and some people suggested we had too much to say. Some 106 technical notes have been put out, and we have had significant debates. The crucial thing is that businesses have known since the referendum took place, and certainly since the general election, what the outcome of the referendum was and the Government's intention in implementing the outcome of that referendum. As a result, they have done incredible work in boosting their exports around the world. We are seeing that export growth is at record levels in terms of goods and that the fastest growth for those markets is in countries outside the European Union, such as India and China.

**Lord Davies of Oldham (Lab):** My Lords, the Minister knows that the north-east's average disposable income is only three-quarters of the national average. That is why my noble friend has raised this issue at this point. The Minister's reply that we will hear the Government's analysis before the crucial vote gives no indication of just how much time there will be for it to be compiled and to be analysed by this House and the other House before the meaningful vote. He must recognise that there are great anxieties about the present situation, and the Government are doing nothing to give any reassurance.

**Lord Bates:** I accept that there will be anxieties, but we have to point to the hard facts: businesses are still coming here and people are still buying British goods in greater quantities than ever before. Furthermore, it is an incredible achievement that last year unemployment in the north-east fell faster than in any other region in the country. It is now lower in the north-east than in London or the West Midlands—something that we have never seen in our lifetime. Therefore, there is a lot for people in the north-east and in Britain to be confident about in the future.

### Child Sexual Exploitation: Grooming Gangs *Question*

11.16 am

Asked by **Baroness Cox**

To ask Her Majesty's Government whether they are aware of the case of "Sarah" who was, as reported in the *Daily Mail* on 14 September, held captive by a grooming gang for 12 years; and if so, what assessment they have made of that case and its implications.

**Baroness Manzoor (Con):** My Lords, the House will understand that I cannot comment on a specific case while a police investigation is ongoing, but such reports of children who are sexually exploited by organised networks are truly shocking. The Government are committed to eliminating all forms of child sexual abuse and exploitation. Home Office officials are working with law enforcement partners to better understand the characteristics of cases such as these, as well as the implications for the investigation and prevention of offending.

**Baroness Cox (CB):** My Lords, I thank the Minister for her reply. Is she aware that I had the painful privilege of trying to offer support to Sarah—not her real name—who was kidnapped at the age of 15, held as a sex slave for 12 years, forced into three sharia marriages, and had eight forced abortions? Given that her case is the tip of the iceberg and that countless others have suffered similarly, what policies are in place to help these courageous women and girls who are now speaking out about their terrible ordeals, and how many perpetrators have been prosecuted for rape and/or abduction?

**Baroness Manzoor:** My Lords, I pay tribute to the noble Baroness, Lady Cox, for her excellent work in supporting vulnerable women and girls who experience these heinous crimes. This year the Government will provide £7.2 million for sexual violence support services and are allocating £68 million to police and crime commissioners for victim support services. In 2017, 145 defendants were proceeded against for child abduction offences, 3,141 for rape offences and 1,361 for rape offences against children.

**Baroness Eaton (Con):** My Lords, is the Minister aware that many victims of grooming still do not receive the support and protection they desperately need from the police and social services because of a reluctance to interfere in cultural practices? What steps are the Government taking to ensure that cultural sensitivities do not inhibit the protection of vulnerable citizens—or, indeed, override the law of the land?

**Baroness Manzoor:** My Lords, people who abuse children must be stopped. Their race, age or gender is irrelevant. Child sexual exploitation is not exclusive to any single culture, community, race or religion; it happens in all areas of the country and can take many forms. However, cultural sensitivities must not get in the way of preventing and uncovering child abuse. Our £7.5 million centre of expertise on child abuse is conducting research into offender innovations and motivations so that we can better understand and target different forms of offending.

**Lord Anderson of Swansea (Lab):** My Lords, regrettably, many perpetrators of this shocking crime come from the ethnic communities. Are the Government satisfied with the degree of co-operation from community leaders on this crime, which can have such a negative effect on race relations?

**Baroness Manzoor:** My Lords, as I have said, we must look at the perpetrators and understand the characteristics. On 3 September, the Home Office tasked a working group to look at what characteristics are involved. However, the issue is the vulnerability of people, rather than race or community. It is right that we offer the appropriate training and advice in those areas, and encourage community leaders to engage with this.

**Baroness Barker (LD):** My Lords, will the noble Baroness tell the House what guidance all faith organisations can access to allow them to identify instances of coercive control and to report that offence to the relevant authorities?

**Baroness Manzoor:** My Lords, I will have to write to the noble Baroness on the particular issue of how we are engaging with faith leaders. Certainly, however, the engagement is on a regular basis—but I am not quite sure what the mechanisms are to translate that into working groups within child protection teams.

**Baroness Butler-Sloss (CB):** Is the Minister aware of how many young women, very often under the age of 18, are victims of forced marriage, and how few refuge facilities there are for them?

**Baroness Manzoor:** As the noble and learned Baroness is aware, forced marriage was made a criminal offence in 2015. We know that we need to better protect victims and send a clear message that this abhorrent practice is not acceptable. We are looking at the number of refuges that are available. As she is aware, the number of places that these women can go to is perhaps not at the level that it should be.

**The Lord Bishop of Chester:** My Lords, the Minister's answers have related largely to child sexual abuse, but this is not a child case—it is a case of a vulnerable adult. I know it is a difficult issue, but I wonder whether a culture in which it is acceptable to pay for sexual services does not encourage some of the regrettable attitudes we have seen in these dreadful cases.

**Baroness Manzoor:** Most evidence suggests that people are victimised on the basis of their vulnerability rather than other characteristics. So I take on board the point made by the right reverend Prelate.

**Viscount Bridgeman (Con):** My Lords, the noble Baroness, Lady Cox, referred to the fact that “Sarah” had three sharia marriages. Does not this highlight the uncontrolled actions of many sharia courts and, once again, the need for legislation to require that all marriages in the United Kingdom be formally registered under the law of the respective Administrations?

**Baroness Manzoor:** I thank my noble friend for the question. We do not have sharia courts or an alternative legal system in the UK: UK law prevails in all circumstances.

**Baroness Finlay of Llandaff (CB):** My Lords, do the Government recognise that separating children from a woman who has had the courage to come forward could act as a disincentive to other women to come forward? It is a major step. These children may, as they grow up, become vulnerable to abuse because they have not had security. We may need to rethink the way we manage support for families—with, for example, proxy support grandparents—to help the mother who has been traumatised bring up her children so that they are not as vulnerable as she was.

**Baroness Manzoor:** I entirely agree. This is an area that has been discussed on a number of occasions, both in this House and elsewhere. Protecting vulnerable children and those who see domestic violence or abuse is absolutely key to the Government's strategy.

## UK Visas and Immigration: Customer Charges Question

11.24 am

Asked by **Lord Harris of Haringey**

To ask Her Majesty's Government how much UK Visas and Immigration charges its customers applying from outside the United Kingdom for making enquiries by (1) telephone, and (2) email; and how much money they have collected from those charges since 1 June 2017.

**Baroness Manzoor (Con):** My Lords, forgive me. This is like buses: nothing happens and then two come along at the same time.

For overseas customers, UK Visa and Immigration has a chargeable call rate of £1.37 per minute and a £5.48 email charge. The Home Office has a contract in place with Sitel UK Ltd for the provision of contact services for both UK and international inquiries. It is not possible to provide data requested on how much money has been collected since 1 June 2017 due to commercial sensitivity.

**Lord Harris of Haringey (Lab):** My Lords, £1.37 per minute plus the carrier costs and £5.48 for an email? This issue was drawn to my attention by a postgraduate researcher based in India seeking to clarify their visa position. The costs are not insignificant to such a person. The Minister mentioned commercial sensitivity because this is a privatised service. Presumably that means that, in this case, a graduate student would not even be talking to Home Office officials to get the answers they wanted. Can she place on record the equality impact assessment that was carried out when this was introduced, and tell us where the liability lies in the event of bad advice being given? Is it with the Home Office, the contractor or the graduate student in India?

**Baroness Manzoor:** My Lords, certainly if a quality impact assessment has been done we will make that available. To be clear, I should say that the Government believe that it is right for those who use and benefit directly from the UK immigration system to make an appropriate contribution towards meeting the costs. Fees set by the Home Office border, immigration and citizen services are set at a level that partially funds the immigration system; the remainder is funded through general taxation.

**Baroness Hamwee (LD):** My Lords, does UKVI see itself as a service? Also, large as these sums may be to the individual, as the noble Lord said, they are very small in the context of government. What is the cost of collecting such amounts? Can that be shown as a set-off against the income derived? Indeed, does UKVI successfully collect that income?

**Baroness Manzoor:** My Lords, it is a service, and many people believe it is a good service. International call and email charges are levied to fund the commercial contract, and the new service is delivered at a much lower cost to UKVI than previously. Before 2014,



[BARONESS MANZOOR]

there were 32 centres fragmented across the country. The new contract offers a modern, streamlined service which service users find helpful.

**Lord Rosser (Lab):** Why do not the Government run this inquiry service directly themselves instead of outsourcing it? Presumably the claimed difficulties over commercial confidentiality would then not arise over answering questions about the income arising from the charges made and the cost of providing the service. The reality is that the arrangements into which the Government have entered deny the public information and, conveniently for the Government, reduce their accountability.

**Baroness Manzoor:** I do not agree. There is accountability for the service. UKVI set up clear quality standards to monitor the service offered. I hope that the noble Lord will be pleased to hear that 98% of the targets for quality, timeliness and responses to issues are met. I will give an indication of the number of cases that come in: the volume of calls to the contact centres exceeds 100,000 people making inquiries per month. That is an awful lot of people wanting to come to the UK who are prepared to pay for the service.

**Lord Berkeley (Lab):** My Lords, has the Minister done any sensitivity tests? Would doubling the charges reduce the number of people who inquire and may want to come here? Is that not what the Government's policy is all about?

**Baroness Manzoor:** Absolutely not. It is about streamlining a service, providing good customer service and building on the digital platform for UKVI to provide an improved service. From January next year, it will provide services across the country where people living in the UK who want citizenship can have their visas or documents updated. Individuals can even be visited at their business premises or in their home. That is an exceptional service.

**Lord Geddes (Con):** Would it be possible for the applicant to use communications such as FaceTime, thereby saving them any cost at all?

**Baroness Manzoor:** That is an excellent idea, which I will take back to my department.

**Lord Roberts of Llandudno (LD):** If this is such a good service, why are 40% of Home Office decisions on immigration overturned in the higher courts?

**Baroness Manzoor:** The Question relates to charges and not appeals that individuals make, so I am afraid that I cannot answer the noble Lord's question.

## Historical Allegations: Operation Conifer *Question*

11.31 am

*Asked by Lord Armstrong of Iminster*

To ask Her Majesty's Government, further to the replies by Baroness Williams of Trafford on 11 October (HL Deb, cols 177–9), what steps they are taking to ensure that investigations into historical

allegations do not damage the reputations of the people against whom the allegations are made in cases where such investigations are not resolved conclusively.

**Lord Young of Cookham (Con):** My Lords, decisions on how to conduct investigations are the responsibility of the force concerned following guidance issued by the College of Policing. The college's recently updated guidance makes it clear that the names of suspects, including those who are deceased, should be released only where there is a legitimate policing purpose. Operational advice to senior officers investigating allegations of more recent child sexual abuse involving institutions or people of public prominence is also being updated.

**Lord Armstrong of Iminster (CB):** My Lords, as the Government persist in refusing to commission an independent review of Operation Conifer, perhaps they will muster the courage to express a considered view themselves. Operation Conifer produced not a single shred of credible evidence that Sir Edward Heath might have been guilty of child abuse, and a lot of credible evidence to show that he was not. Of the 42 allegations investigated by Wiltshire Police, 35 were dismissed. Of the remaining seven unresolved allegations, four can be shown to be without foundation. The other three are probably equally baseless, the product of a conspiracy to create and disseminate false allegations of child abuse by national figures such as Lord Bramall, Lord Brittan and Sir Edward Heath. Does the Minister agree that Operation Conifer's report falls far short of the standards of probability required to justify the institution of a criminal prosecution, if Sir Edward Heath had still been alive to be prosecuted? Does justice not require us to accept that Sir Edward Heath was not a child abuser and to consign Operation Conifer to the dustbin of history?

**Lord Young of Cookham:** No one could have done more to safeguard and defend the integrity and reputation of Sir Edward Heath than the noble Lord. On the Government's role, the noble Lord, together with my noble friends Lord Hunt and Lord MacGregor, went to see the Home Secretary on 10 September. Their meeting lasted 40 minutes and they deployed, with all the force and eloquence at their disposal, their concerns and proposals for the Government to intervene. The Home Secretary said that he would reflect on it; he has previously overturned the decisions of his predecessors where he felt that the case was made. In this case, a month after that meeting and having taken advice, he wrote to the noble Lord on 10 October. He said: "I do not think there are grounds to justify review or intervention by Government". He then set out his reasons. Unless something has happened in the past month, I do not believe that the Home Secretary will change his decision.

On the broader issues, I find it compelling that those who knew Sir Edward personally do not believe that there is one scintilla of truth in the accusations that were made. The noble Lord asked me to state from the Dispatch Box that in my view, had Sir Edward lived, the case would not have reached the level at which the CPS would institute a case. I hope that he,

as a former Cabinet Secretary, will understand that it would not be right for a Minister to make such a pronouncement.

**Lord Morgan (Lab):** The House will appreciate the tone of the Minister's reply, which seemed very fair, but the excellent Question from the noble Lord, Lord Armstrong, refers to historical allegations. These are not, of course, allegations by historians. We have a tradition in politics in this country of allowing these accusations to fester over decades, with the result that it is very difficult to form a clear view. If we were addressing matters that were, let us say, medical or scientific we would have authoritative and qualified people to deal with them. Could we not have appropriate scholarly authorities deal with this matter?

**Lord Young of Cookham:** This whole episode illustrates the problems confronting the police. On the one hand they are conducting thorough investigations and taking complainant's allegations seriously, and on the other avoiding unfair damage to the reputation of people who can no longer defend themselves. The College of Policing has reflected on this challenge as part of its review of guidance in this area. The previous Home Secretary asked Her Majesty's Inspectorate of Constabulary to see how this guidance is working. I hope that as part of that review, HMIC will take on board the very strong views expressed on many occasions by those on all sides of the House about the way the guidance is operating.

**Lord Cormack (Con):** My Lords, this House has consistently urged the Government to take action. No action has been taken. The reputation of a great statesman has been trashed and traduced. The reputation of a fine Field Marshal has been questioned. The reputation of an admirable colleague and former Home Secretary has been trashed. What do we have to do to persuade the Government to set up an independent inquiry under a judicial figure to look at these things and to report back to Parliament? Why cannot this be done?

**Lord Young of Cookham:** This was precisely the proposition in respect of Sir Edward that was put to the Home Secretary at the meeting on 10 September. In his reply on 10 October the Home Secretary set out his reasons. I quote from the final paragraph: "The problem that the police encountered was their inability to interview Sir Edward himself in order to secure his account of events. I have every sympathy, but that problem will of course remain and it is not clear to what extent a further review of the existing evidence by a judge or retired prosecutor would resolve this". For those reasons, the Home Secretary decided not to intervene. As my noble friend will know, there have been a number of independent inquiries into Operation Conifer. They concluded that the investigation was proportionate, legitimate and in accordance with national guidance. I know that it comes as a disappointment, but the Government do not believe that there are grounds for another independent inquiry into Operation Conifer.

## Arrangement of Business *Announcement*

11.38 am

**The Earl of Courtown (Con):** My Lords, with apologies to the House, today's list states that there will be 13 minutes available to speakers in the first debate. Due to an error, it is actually only 12 minutes. I apologise for this error.

## Cyber Threats *Motion to Take Note*

11.39 am

*Moved by Viscount Waverley*

To move that this House takes note of the scale and complexity of cyber threats facing the United Kingdom and the case for innovative approaches across Her Majesty's Government and beyond.

**Viscount Waverley (CB):** My Lords, I move this Motion with the purpose of bringing added awareness on the crucial issue of cyber threats that face the United Kingdom. I shall bring an internal and international dimension to my remarks and in doing so, I thank those contributing.

This debate follows on the heels of a keynote speech at the National Cyber Security Centre by Mr Lidington of the Cabinet Office. The responsibility of government is to provide the first line of security and last line of defence. I therefore reference the underpinning of the *UK Defence Doctrine*, from which every enabling activity emanates. Scrutiny of the required outputs, matched against clearly defined intent, is essential to gain understanding of the required operating framework and ensure the supporting capacity is capable and sufficient. The complexity and scale of the interconnected world has brought benefits, but also poses immense challenges. Cyber activity, in this world of obfuscation, is a worldwide phenomenon and affects us all. The entire social infrastructure of how we communicate and live our lives has altered permanently, and so the need for mechanisms to monitor, detect, protect against and repel incursions constitutes challenges faced by all cyber experts globally.

From the use of capabilities in battlespace operations during military warfare to cybercrime, state-actor interference in other sovereign states' critical national infrastructure and governance silos to the much-vaunted cyber interventions in national electoral processes, cyber confrontations have transformed 21st-century societies. Cybersecurity is a huge problem, and the global response is not moving at the speed needed. "Planning for the worst" should be the mantra. A major challenge is that it is hard to investigate given the non-sharing of intelligence between agencies, the inconsistency of the approach of Interpol and the lack of direct communication between banks, for example, which all compound the problem.

Another challenge is that companies often resist investing fully in their IT infrastructure and cybersecurity, believing it cheaper to clean up a mess than to prevent it in the first place. Reputational and financial damage is too often caused by not taking these threats seriously. The poor handling of breaches may also reveal deeper

[VISCOUNT WAVERLEY]

corporate failings. Threats will grow in volume and severity as criminal gangs gain access to more sophisticated tools and become reckless in using them. Mandatory reporting of cyber breaches has begun in some countries, but more must be done to raise awareness of the global nature of the threats. There is a call for an international outcomes-based approach to governance and regulation, to demonstrate the challenge of global cyber governance amid conflicting visions and approaches, and to set out the strategic direction of where we go and where we want to be.

The UK could lead the way. The UK's National Cyber Security Centre is raising resilience in both corporate and government arenas and deepening its intelligence exchange. However, the task is so immense that the Government alone do not have the resources to face up to this issue. The solution lies in partnership—essential partnership between public and private sectors, and between states and agencies.

Another challenge is to agree cross-border rules of the game and the legal framework to enshrine them. There are too many gaps and inconsistencies between the way that different agencies collect, process and use evidence. Threat intelligence, for example, should not be beholden to the vagaries of political impasse. Cybercrime networks are international and have merged with organised crime covering terrorism, human trafficking, drug trafficking and child abuse. A keyword throughout should be “awareness”; government should work to ensure businesses are aware of the manifold initiatives and their contribution to them, and convince them of the need to view cybersecurity skills within businesses as a priority. Lack of skilled workers makes this harder. Can the Minister set out measures that will fill the shortage of the necessary skills and so put us in a stronger position in years ahead? The UK has become a leader in the use of outcomes-based regulation to influence the right behaviours. The approach taken with GDPR, the NIS directive and the ONR's approach to nuclear cybersecurity suggests that the UK is creating the right environment.

While the UK has embraced and is implementing GDPR, other major states both inside and outside the European Union have been slow on the uptake. Cybercrime requires a united global response, as no single Government can act alone. As we prepare to leave the EU, we must call on international partners through groupings such as NATO, the Five Eyes, the UN and the Commonwealth to legislate more effectively. HMG should underpin international action and exert influence by investing in increased partnerships, including developing relationships with new partners to build on the levels of cybersecurity and protect UK interests overseas. The Five Eyes co-operation pledged at the end of August to make greater effort to attribute cyberattacks. This is welcome. The alliance has pledged to share more information between its cyber watch offices and, further, has plans to share risk assessments and certification practices to secure supply chain vulnerabilities.

The Commonwealth is embracing cyber development: the *Commonwealth Cyber Declaration* sets out a pragmatic vision for a free and open internet across the Commonwealth and a shared desire to build more resilient digital economies. The UK has an opportunity

to share with Commonwealth countries the outcomes-based regulatory approaches that we are adopting to drive cyber resilience. Rwanda's 2020 CHOGM will offer a milestone for what progress has been achieved. On a point of detail and given the increased importance of the Commonwealth in a post-Brexit world, will the Minister share an update on how the UK's £15 million commitment to help review the national cybersecurity capacity of Commonwealth members and improve their capabilities has been spent to date, and detail what private sector innovation has been brought to bear?

It is understood that NATO formally recognises cyberspace as the new frontier in defence. The UK has offered both support and leadership to the establishment of NATO's new cyber operations centre in Mons. This centre will not be fully operational until 2023, leaving unanswered fundamental questions regarding UK doctrine, capability and capacity in this intervening period. Can the Minister therefore outline what the UK's position is for these gap years?

In addition, and within the military space, the UK and NATO cyber doctrine does not include a sufficiently common approach, including the underpinning doctrine that informs and directs supporting and enabling activities. It is perceived that the UK, extending to NATO, demonstrates an interoperable capability gap. It is felt that in adversarial activity we are outmatched due to being outnumbered but, more importantly, being doctrinally outmanoeuvred.

On the international front, Russia's capabilities and techniques are well-documented. Considerable emphasis is placed on internet and related higher education. The Skolkovo Foundation in Moscow and the emerging Innopolis facility outside Kazan have active programmes further to develop internet technologies and offer a programme of start-up partnerships, which extends globally. Interestingly, the two driving forces behind the Innopolis city both attended Manchester University. In addition, the opening of a cyber school, as a centre for advanced cybersecurity education, was announced last night. The school will offer a variety of hands-on education programmes tailored for a wide range of people with different levels of cybersecurity qualifications and skills, from school and university students to cybersecurity experts. It is a useful idea that we should replicate in the UK.

As much attention has been focused on Russia in recent years, I will turn more specifically to a country that is fast assuming the mantle of world leader in cyber development: China. Its President has outlined plans to turn China into a cyber superpower. Through domestic regulations, technological innovation and foreign policy, China aims to build an impregnable cyber defence system and, increasingly, a separate government-controlled internet. State-led efforts in that country are central, with a focus on innovation in artificial intelligence, quantum computing and robotics, among other technologies. The Cyberspace Administration of China has responsibility for controlling online content, bolstering cybersecurity and developing its digital economy. Its investment in research and development now stands at 17% of global R&D spend.

However, Chinese policymakers are increasingly wary of the risk of cyberattacks on governmental and private networks, which could disrupt the control of critical



services and impact economic growth. China has created an interlocking framework of laws, regulations and standards to increase cybersecurity and safeguard data in governmental and private systems, with surveillance a key feature, aided by facial and voice recognition software and artificial intelligence. It has required companies—this has become a trend—to store data within China, where the Government will have few obstacles to accessing it. Others adopt similar arrangements. It should be noted that that access compounds the potential for abuse and corruption by state interests.

Those who will lead in fundamental and applied research into quantum physics, quantum cryptography and quantum blockchain development will develop an edge. The night before last, I attended an artificial intelligence session promoted by the China APPG, together with the Chinese embassy, centred on the theme of potential partnership between our countries. The importance of the development of secure communications infrastructure by looking to the developments of quantum is the route forward and presents opportunities for the Government and the private sector to benefit from secure conferencing and secure data transfer.

That said—and this illustrates the overall environment—although quantum computers are still in their infancy, organisations such as the NIST estimate that mature quantum computers will be able to crack our public key encryption infrastructure within 15 years. So the race is now on to develop hybrid solutions to protect current and future data from the power of those quantum computers. Failure will rest with the international community if it does not come together with a collective approach to pass regulation and standards in the form of an international treaty or agreement.

So what should be done, and by whom, to rein in cyber threats? UN Secretary-General Guterres recently commented:

“I think it’s high time to have a serious discussion about the international legal framework in which cyberwars take place”.

Yet the last UN discussions by a group of experts took place in 2017, with no consensus being reached. However, the UN is the best forum to deal with this. I encourage the Secretary-General to grab the bull by the horns.

With all that as background, where should we go from here? I venture 15 specific initiatives, in no order of importance. These are: to support a call for a global move to outcomes-based regulation and legislation, as opposed to the mandating of standards, to form a regulatory framework that forces dialogue between friends and foes alike; to implement initiatives to limit inappropriate meddling that sows discord, either domestically or from abroad; to enable enhanced co-operation within the public sector and continuous dialogue with the private sector; to recognise that the private sector will play a central role in future international cyber governance; to establish a mechanism whereby financial services institutions are enabled to share information and intelligence, and work together more quickly and effectively; to encourage further development of the cyber-insurance industry to bridge the gap between the identification of liability and the lack of data consistency; to define a universal understanding of “cybercrime”, “cyberattack” and “cyber threat”; to

promote Governments coming together through the United Nations to take an approach that treats cybersecurity in a sphere of its own; to strengthen the incident response functions of the NCSC and, in doing so, provide clearer guidance on what a reportable incident actually is; to promote advances in the practical application of quantum physics to achieve secure communications channels; to establish a cyber school for advanced cybersecurity education; to place maximum endeavour in technical co-ordination and information sharing; to encourage financial services to take a peer-to-peer approach to tackling cybercrime, starting with greater dialogue between major banks; to encourage international cybersecurity information-sharing partnerships and further support sector-specific information-sharing centres; and finally, but possibly most importantly, to promote global discourse.

I conclude with five questions to the Government that I shall place as Written Questions today to allow the Minister appropriate space to respond fully. For the record, they are: what is the Government’s definition of a cyberattack and who will decide on the response? What are government departments doing to achieve agreed outcomes in cyberspace? Have those departments developed robust mechanisms so that there are parallel agreed outcomes across all ministerial silos? What role should the private sector play in assisting the Government with cybersecurity? Finally, but importantly, will HMG outline their achievements to date on the recommendations of the Joint Committee on the National Security Strategy’s report *Cyber Security Skills and the UK’s Critical National Infrastructure*?

I end where I began: if this debate achieves little more than assisting in underpinning the essential need for acute awareness of these critical issues, I believe we will have done our duty. I beg to move.

11.55 am

**Lord Lucas (Con):** My Lords, we face a huge challenge and, as the noble Viscount, Lord Waverley, said, collaboration and innovation are key. This is not something that can be tackled by the security services alone, although they are doing a very great deal. We need to find a way of involving all the resources that the private sector is putting into combating the cyber challenge and binding them into a national effort. That might perhaps be done by working with the insurance industry so that there is a real advantage to companies working with the Government.

This has been a theme of EURIM—the Digital Policy Alliance—for the past 15 years. It would be very nice if the Government were to choose to wake up to it now. I do not think that we have made the progress we should have made on the law as it applies to joint teams or on the governance of mixed private and government teams to enable such teams to have a real effect in the discussions that take place internationally. This is not going to go away. This is going to be very widespread. We really need to look at ways in which we can collaborate effectively on this.

We also need to look at improving citizens’ rights so that they can have some effective bite-back on what is happening to them. The DCMS Select Committee produced a report on this which I thoroughly support.

[LORD LUCAS]

It included such suggestions as improving the redress under civil law for citizens who suffer as a result of cybersecurity breaches. We may even need to look at bringing back Sir Francis Drake—running down to Plymouth and hitting Drake’s drum—because there is now scope for his privateering activities. Indeed, there are some people out there doing it: stealing goods back from the people who have stolen them in cyberspace. It is a source of great enjoyment and profit to a limited number of people. This activity ought to be regulated in the way that it was under the previous Queen Elizabeth, with prize courts and other things so that rather than the money going only to the privateers, some of it gets back to the people from whom it was stolen.

In this area we have gone back to lawless days. The NSPCC refers to the “Wild West Web”. I think of it more as Dickensian London stuffed with pickpockets and other dangers. We do not venture on to the web on any day without several attempts being made to relieve us of money by gulling us in one way or another. That is not the way that things are in life outside the web. We dealt with that, starting with Robert Peel, some long while ago. We really need to recognise that the Government have a role in making this new cyberworld that we live in a civilised place. At the moment they fail on even the most basic things, such as recording crime. I have made two attempts to report attempted fraud on the internet. The Government refuse to record it. It is only if you are an actual victim—if you have actually lost money—that you are allowed to record a criminal attempt. This is not good enough. The Government need to get a grip on what is going on and on our responsibilities to shield our citizens from this.

Most of my involvement in cybersecurity has been on the training side of things. I am glad to see that the Government are taking effective action in this area; the Cyber Skills Immediate Impact Fund is something that I welcome. There is a lot going on too in terms of private initiatives such as Cyber Girls First, and a real interest by industry in retraining. After all, the talent is out there in older people. The opportunity was never there for 30 and 40 year-olds to work in cybersecurity, but the talent must be out there, lost in hairdressers and baristas. Industry is making a real attempt to go out there and find it, and I am very encouraged by what is going on.

I have a few suggestions in that area to make to the Government. Where training is involved, they really need to place emphasis on pastoral care. A lot of the people who have talent in cybersecurity have a lack of talent when it comes to navigating the world. They tend therefore to immerse themselves in the digital world, and in terms of being part of the world at large need help and comfort—care leavers particularly. There are also problems when children come at this from totally out-of-work families; as soon as you get an apprenticeship, your family loses benefits and therefore you are pulled off the apprenticeship. We have to solve those sorts of problems and look after the children whom we are bringing into cybersecurity work. I have been involved with a project in Plymouth run by BluescreenIT but really involving the whole of the city of Plymouth in response to this problem. It has been

immensely effective and I very much hope it is something that the Government will find an opportunity to pick up and spread more widely.

We need to take a grip on the way in which we look at qualifications. Cybersecurity is an international problem. The qualifications for people working in it tend to be international—the US and ICE set, for instance—so it is no good Ofqual wandering off and saying, “Well, we’d like something a bit different for ourselves”. That results merely in delay and training not being done, and we have to recognise that. In this, as in other areas of IT, there is an international set of qualifications and we should work with them.

We need to recognise too in our training that cybersecurity professionals need a great breadth of skill. It is not just about that particular bit of the internet; they have to understand the surrounding bits of IT such as the internet of things and 5G. They even need to understand people. I was told a story the other day of a successful penetration testing exercise that had located the source of the problem in the smart kettle in the boardroom, because the way it was being used meant that it could be turned on to record what was going on and transmit it to people outside. You need to understand the way that people use IT, not just the internals of the IT.

At the moment we are drawing up our training structures in a way that makes that breadth of training very difficult. The levy and the IFA apprenticeship structures are not proving adaptable. This and other problems result from the way in which we approached apprenticeships. We were going to sweep away all pre-existing structures and build anew. Well, building anew is hard and one finds that it creates a lot of problems. I think we need to go back a bit and say, “Actually, there are some things that work and we should be relying on them because we have an immediate need”, rather than hoping that we can build something new that may be perfect in five years’ time. In this area we are meant to be working with industry; we are meant to be industry-led. The more that we can go in that direction and make that effective, the better.

12.04 pm

**Lord West of Spithead (Lab):** My Lords, I congratulate the noble Viscount, Lord Waverley, on instigating a debate on this important topic. We have had a mention of Drake’s drum, so it would be remiss of me not to mention the Battle of Trafalgar, which took place this week, 213 years ago—no cyber there, I have to say.

I had the privilege of being the UK’s first ever Minister for Cyber Security and produced UK’s first cyber security strategy in 2009. Then, very few people acknowledged the risk. There is no such problem today, because the word cyber is on everyone’s lips. It is a huge topic, as we heard from the opening speech of the noble Viscount, and I shall raise only two points.

Cyber security has become shrouded in mystique and fear. Threat awareness is too often tilted dangerously close to scaremongering. We ignore the basic reality that cyber security is about risk management, and it is well within our capabilities to manage that risk. But it must be owned by all of us. We need to understand the risks and take simple actions to manage them.

One thing that the most sophisticated and the low-sophistication but more prolific attack have in common is that they tend to exploit basic weaknesses in defence, so the most pressing need and strategically important question is to find ways to raise the basic defences of organisations throughout our country and across the world. That is why I am delighted that the NCSC has started to implement its active cyber defence programme. The NCSC is an amazing set-up and has done incredible work. This gives a framework for UK cybersecurity that takes away most of the harm from most of the people most of the time. It is identifying ingenious solutions to spoofing—it has done that on a huge scale already. It involves partnerships such as threat sharing with CSPs, which already block tens of millions of attacks automatically every month.

It recognises the importance of the individual in all this, which is my first point. We have not made it easy for our people. We must be serious about understanding the human being and stop blaming humans for being the weakest link in cybersecurity: they are the most important. They often are weak but we should not blame them for that. Human factors techniques can maximise human performance while ensuring safety and security. We must design technology that fits a person's physical and mental abilities: in other words, fitting the task to the human, not the other way around. There must be much wider recognition of the importance of the user.

In the active cyber defence programme, one of the drivers is that users had guidance fatigue. I am not surprised: there was always something they were doing wrong, had not done or should not have been doing. My children tell me that all the time when I am on the computer. Basically, we want to make it easy for people to do these things. That is why there was a change to the unworkable password guidance. Now, we encourage people to protect heavily what they cannot afford to lose and do what they can with everything else. My goodness me, look at these passwords! If you want to get a train ticket, go to the opera or do anything, you have to have a bloody password—sorry, you have to have a password. It is a complete nightmare.

We need to make sure that everyone using a network understands easily how to use it safely. This is just as important as investing in network security technology. Networks have users, and if users cannot do their work effectively while understanding how to do it safely, security is compromised.

My second point relates to our nation's move towards 5G and the inherent risks in how we are moving forward. The Huawei equipment fitted in our communications systems is a perfect conduit for the exfiltration of data and, as newer systems have come into operation, updated remotely by software from China, so our experts have found it increasingly difficult to be sure that they are constantly safe for use. In view of the ease of supply, cost and quality, the decision was that Huawei equipment should be used in UK systems, and I think that that decision was correct when it was made. It is clear that Huawei is very conscious of security concerns and has tried to alleviate them by more openness and by employing UK experts, many from GCHQ, to monitor its equipment on our behalf.

However, that does not remove all my concerns, and events have moved on. Huawei is set to lead the global charge into 5G, originally in conjunction with another Chinese company, ZTE. Huawei, of course, is not owned directly by China, but ZTE is, and Huawei has signed a deal to provide the next generation of mobile broadband kit to British Telecom. Yet the Huawei Cyber Security Evaluation Centre, overseen by GCHQ, has identified issues with Huawei's engineering processes that lead to new risks in the UK telecommunications networks. Indeed, GCHQ says it cannot guarantee their security. In addition, GCHQ has effectively banned the use of ZTE by UK firms. A letter was produced saying that we should not use it.

Bearing in mind the huge impact of banning ZTE and Chinese companies in foreign policy, BEIS and trade terms, I ask the Minister: was this a Cabinet decision, or was it made by an official in GCHQ? Fifth-generation mobile services will eventually underpin the new digital landscape, as has already been mentioned. It will transform lives and economies as data analysis, artificial intelligence, the internet of things and quantum computing permeate all areas of human endeavour. We are hoping to start the move towards 5G next year—indeed, we need to. We have to get ahead of all this, particularly with Brexit. We are good at these things, and we need to get ahead.

These changes will bring huge benefits to us all. They will transform healthcare, create smart, energy-efficient cities, make work lives more productive and revolutionise the relationship between business and the consumer. But they bring risks that, if unchecked, could make us more vulnerable to terrorists, hostile states and serious criminals.

I have no doubt that China's dominance of the technology that will power the next generation of superfast mobile broadband threatens to leave the UK vulnerable to Chinese espionage. However, we probably need to use it so we must identify means of ameliorating the risks. As an aside, I am also very concerned about the spread of Chinese Hikvision equipment, thousands of pieces of which are already installed across the country and connected to our networks. They will all be enabled by 5G. There will be not only cameras, but sound as well. They will sit in every office, see everything on every desk and record everything that is going on, once 5G is linked.

Is the Minister happy that a part of the parliamentary estate is scheduled to have Hikvision installed in January next year? I believe that there is an urgent need to have a small cell set up in the Cabinet Office reporting through the National Security Adviser directly to the Prime Minister to establish what level of risk the UK is willing to accept and to advise what amelioration is required. Banning Huawei and other Chinese firms totally is not a realistic option. Resilience, not IP theft, is our major concern.

Finally, I ask the Minister: is work going on to consider early, robust and fair solutions to what is a global challenge of balancing investment, trade and security, as we will have to protect some parts of our infrastructure by exclusion?



12.13 pm

**Lord Ricketts (CB):** My Lords, I too congratulate my noble friend on this very timely debate. As so often, I shall be sailing largely in the wake of the noble Lord, Lord West.

The term cyber is shorthand. As this debate has already shown, it covers an enormous spectrum of issues, which is not always helpful to clarity—all the way from crime, through manipulation of opinion, right up to active disruption of critical infrastructure, and even disabling military capabilities. Part of that spectrum is a crime and part of it is a genuine national security risk. As the first National Security Adviser in 2010, we certainly found that cyber was rising up the priority list, but since then it has become even more clear that cyber is a potential threat to national security on a scale that, for example, terrorism never was, although terrorism has dominated our national security priorities for more than a decade.

Cyber is a national security threat like no other in the sense that the Government alone, as other noble Lords have said, cannot protect the public. Defending against cyber is a whole of society response, which makes it unique in the national security domain. Britain is very fortunate to have a world-leading centre of excellence in the National Cyber Security Centre. I had the privilege of being at its second birthday party this week. It is a unique organisation, certainly among the major intelligence countries. There is nothing like it in the US. It is quite striking that the Prime Minister invited the Prime Ministers of Australia, Canada and New Zealand to visit the centre during the recent Commonwealth summit to be briefed on its work. It is very well led by one of our most impressive younger civil servants, Mr Ciaran Martin, to whom I pay a warm tribute.

Why is it unique? It is a combination of three things. First, it is a highly capable 24/7 operational centre that is there all the time detecting and responding to cyber threats wherever they arise, whatever time of day or night, drawing on the world-class capacity that this country has in GCHQ. Secondly, as others have said, it is a centre of technical excellence, seeking to understand what is happening on the internet and where the attacks are coming from. Also, importantly, it gives guidance to the technical community on what to look for in their own systems to check whether a malicious code has got into them. Thirdly, and very importantly, it is a very professional public-facing function. It is the interface between the secret world and the world of helping the public with guidance that is understandable, relevant and rapid. I will say a word about each of those.

The need for permanent vigilance has been very clearly illustrated in the last few weeks. Of course, there are constant attacks from criminals, as other speakers have said. More worryingly, there is also a growing number of threats from hostile states. These present the real national security risk that I was talking about. Ciaran Martin said in his annual report this week that the centre had dealt with more than 1,000 of these hostile-state attacks in its two years of existence. He added that at some point in the future, Britain was very likely to face what is known as a category 1

incident, and I refer my noble friend to the annual report for a categorisation definition of national security aspects of cyberattack. A category 1 incident is,

“a national emergency causing sustained disruption to essential services, leading to severe economic or social consequences or to loss of life”.

For the chief executive of our National Cyber Security Centre to say that that is likely to occur at some point is quite sobering.

The series of announcements co-ordinated by a number of Governments on 4 October demonstrated the scale and the recklessness of recent Russian cyberattacks, as well as the coherence of the western response to them. Noble Lords will recall that Britain attributed an unprecedented number of recent attacks to the Russian GRU military intelligence agency. It also published evidence of what these attacks looked like so that the cyber professionals could check out their own systems. That was a very unusual thing for an intelligence-linked body to do, but it really added to the credibility of our attribution. On the same day, the Dutch revealed the antics of the GRU in the car park of the Organisation for the Prohibition of Chemical Weapons. That felt more like “Carry on Hacking” than a James Bond operation. It was ham-fisted in the extreme, but none the less it was a very graphic example of what was going on in the car parks of our countries. On the same day, the US FBI indicted seven individuals for cyberattacks.

This transparency, therefore, is certainly one of our strongest weapons in responding to attacks—and I think that the GRU had a bad day on 4 October, hopefully—but it needs to be accompanied by advice on how to prevent future attacks. Here, the National Cyber Security Centre is leading the world in developing the tools. The noble Lord, Lord West, referred to the active cyber defence programme that is helping private sector companies, charities, government departments and individuals to take the simple steps that can produce resilience against what is called the commodity attack: the high-volume attacks trying to steal our data or our money that go on all the time. The National Cyber Security Centre has removed over 138,000 phishing sites, which trick the unwary into revealing data or giving access to their systems. It has also blocked many thousands of internet domains that masquerade as government websites. All this is making us safer.

The third area of its activity is raising awareness among all users of the internet. Clear guidance that people can understand and which small companies and charities can implement is crucial. The National Cyber Security Centre is now doing more of that and undertaking initiatives to encourage more young people, especially girls, to choose cyber as a career.

In closing, I want to touch on two broader issues. The first is the issue of how we can respond. One problem of these high-level, state-based cyberattacks is that they are very difficult to attribute with certainty. It needs the skills of an organisation such as GCHQ, but it can be done. Once it is done, it raises the issue of what we do about it. Here, I want to underline the point that it is often said that the cyber domain is a wild west or a jungle. Actually, it is not. The former



Attorney-General Jeremy Wright gave a very interesting speech in May on international law and cyber. He made clear that existing international law, including the UN charter, applies to the cyber activities of states. That was not just the British opinion; it was the conclusion of a UN group of experts in 2015, including Russia and China. It is important, because it means that states have the right, in international law, of self-defence under Article 51 of the UN charter in the case of a cyberattack that is equivalent to an armed attack. No country should feel that it has impunity in cyberspace and that it can inflict any level of damage without any risk or response. I hope that, when he responds, the Minister can underline that aspect of our response to cyber, because it is not often understood.

My last point links to what the noble Lord, Lord West, said about 5G. We can see developing now a really important competition between two models of the internet for the future. There is the model that has governed the internet so far: the western, liberal, open approach, sometimes exploited and abused, but with the necessary regulation, giving the economy and citizens a great deal of freedom online. There is also the Chinese model of the internet, which is about control and surveillance, amassing ever greater amounts of data on individual citizens in order to control their activities. Chinese dominance of 5G technology will be very important in the future. What kind of internet will we all be linking up to in the years to come? It is right that Governments should focus on this, as the noble Lord, Lord West, said. We need the closest co-operation among all the western, leading countries with the technology and expertise in play. If we neglect it, we may find that the internet of the future no longer supports the open economy and society that we all stand for.

As this Motion makes clear, the scale and complexity of cyber is growing, but it is not the case that this makes it impossible to defend against, or that it is someone else's responsibility to do that. Debates such as this have an important role in raising awareness of these issues.

12.23 pm

**Lord Borwick (Con):** My Lords, it seems to me that cyber threats fall into two categories, which are separated by complexity: first, the highly sophisticated attacks, often those sponsored by foreign states; and, secondly, the simpler, basic attacks, often by individuals or small groups of hackers. No doubt we will hear that the large-scale, often global attacks are well fought off by our people at GCHQ, but it is clear that they have a vastly complex task to defend against this sort of problem. A large part of such defence must be deterrence, and I hope that my noble friend the Minister will be able to tell me that we have a sufficient number of people with the requisite skill sets working on this. I also believe that offensive capacity is of the utmost importance; much like nuclear capability, having it makes it unnecessary to use it.

A large number of attacks are pretty basic, such as the WannaCry attack on the NHS last year. I hope that the embarrassed senior managers who supervised the use of obsolete software that could easily be broken, but should have been updated, have been held

to account—and that they have subsequently raised their game. Press reports state that some of the machines that were attacked were still using Windows 95. Of course, when faced with intense lobbying from unions and staff, it is always a challenge for the NHS to choose to spend budgets on software over wage increases. But the WannaCry attack reportedly cost the NHS £92 million, which leaves a lot less money for services and indeed future wage increases. Such consequences ought to help managers to get their priorities right.

There is a problem developing that we ought to discuss: the proliferation of passwords, a point made by the noble Lord, Lord West. On a normal day, we may be asked for about 20 passwords and PIN numbers. It is unrealistic for us to keep to the system of a different unique password for each website, service and machine. Certainly, the Californian legislature recently legislated to ban default passwords on any internet-connected device. Anything produced or sold in California that can connect to the internet will come with a unique password, or it will default to require users to make a unique password when they switch it on for the first time. I understand from last weekend's Sunday papers that the Government are asking the same of our systems. The idea that default passwords such as "admin", "123" or even "password" are so widespread is obviously worrying, and I have passed on to the Minister a cringingly embarrassing example of this on the parliamentary estate. However, I feel that the solution may be at hand with new password generator programs. They generate complex, unique passwords for the user, and there are even free ones, which can easily be installed.

Regularly updating software is a basic security rule. That was why it was so disappointing to receive an email from the Parliamentary Digital Service customer relations team, as we all did on 21 September 2018, telling us not to update to the new Apple operating system. All that told me was that our people did not have enough time to test our parliamentary programs against the new standard, using the widely available beta programs provided for all other uses. Did we not try them out before the release of iOS 12, as everybody else did? Our digital team did a great job when the whole Palace of Westminster was attacked a few months ago, but such an email just says, "We've failed you". In the future, I understand that the vast majority of updates will be done automatically overnight. Soon, advice not to update will be as silly as the advice to a car driver, "Don't forget to count the number of tyres on your car before driving away". Certainly, updates should be under the control of the user, not the manufacturer of the software. For a user, the very best defence against cyberattacks is to update the software when that is possible.

12.28 pm

**The Earl of Erroll (CB):** My Lords, I will make a few remarks. When I read the excellent briefing note from the Library, I was trying to think about what one could add to it and how one could think about it in some other way. I declare two interests. First, for some years I have chaired the Digital Policy Alliance—EURIM—which was referred to by the noble Lord, Lord Lucas. It looks at whether the effect of legislation

[THE EARL OF ERROLL]

and regulation on the public and companies is what we expected when we passed it in Parliament, and it also tries to think ahead about things that are coming in the future, which the noble Lord referred to. A lot of these things that we are worrying about now have been known about for a long time: the reports on security by design, the threats, et cetera. Secondly, I am an adviser to PRIVUS Global, which produces ultra-high secure communications for companies and people who can afford it. I declare an interest in that area as I will refer to such things later.

The report is very good on technical approaches although I was surprised that it did not mention the Five Eyes collaboration, which is probably one of the best collaborations since it works globally. A lot of our intelligence has to be global, not just with Europe and our neighbours—the internet is completely global after all.

There are two sorts of things we need to worry about. One is state action, where people try to bring down critical national infrastructure or spy. Those actions are different from the other lot, which involve fraud against companies or individuals. They can cross over a bit as one might affect the other. WannaCry was a good example of that; I always wondered whether it was a Bitcoin marketing ploy, because I seem to remember that the ransom was demanded in Bitcoin, which gave it some value at last. That is just another of my cynical looks at how these things work, and I am sure it is not quite right.

This is the trouble. I remember that very early on in my computer days—a long time ago, when we were talking about passwords and things—someone asked me: “How would you break into Fort Knox, how would you attack it?” I replied, “I don’t know”. He said, “Steal the key”. That is always the secret. It comes down to people, because to steal the key you just need to know the person with the key to the back door or whatever it might be. Some of this is about education, which is well referred to in the report. I was interested in a couple of phrases. It said, for example that we should,

“focus on aptitude, rather than high-level academic qualifications”. This is interesting, because people who write good software are often slightly—or very—dyslexic. All my children are dyslexic. I did not think I was, but I realise now that I have the abilities of a dyslexic to visualise multi-dimensional arrays and see maps; I do not remember sequences of command but draw a map in my mind. I visualise the data I am handling. The visualisation of patterns—looking for patterns—is something that dyslexic people can supply.

When you are trying to break in and attack or something, you are looking for the pattern. When I was taking over programmes in places where programmers had left—I did quite a bit of that—I would try to work out how they thought, and then understand how to solve the problems they had left in the programmes or develop them further. That is not a thing that a procedural thinker usually has. They are trying to think in terms of process and procedure, and it is difficult to understand how someone else thinks if one does that.

Another area is teaching the teachers. This is very difficult as teachers are, by definition, not the latest generation. On the other hand they have a huge amount

of knowledge and information which the student lacks, through lack of life experience. Melding the two things is very difficult, as is finding the time to keep up to date. I am no longer able to keep up to date with everything, although I understand the principles well enough to grasp the areas I want to grasp moderately quickly.

You cannot keep up with everything, so how do you decide who does what? I remember being interested in agile computing for more rapid development. I went to a lecture and the chap giving the lecture, who was a teacher, reduced the whole thing to procedural programming within about 10 minutes, by saying you had to have fixed steps and fixed everything else. I thought, “You don’t get it; you don’t think the same way”. This brings us back to the problem of how we teach the teachers.

The most important thing is to educate the general public—who include employees and everybody else—in how to spot something that looks odd. When I get an email from “Lord So-and-So” or “James Younger” or whoever, I look at it and notice the email address. The first bit with the name might be right but after the “@” it suddenly looks weird. You know immediately that it is not genuine. They have simply spoofed the name; they have not even hijacked or hacked him. If you hover over a link you can see at the bottom where it is really going. You start to spot the first slash and work backwards to see whether it is genuine, or whether someone is spoofing Barclays or whoever.

These are simple things, but I do not know how we can get it across to people to spot simple things. At home they are now very good at it as we have educated the people there. We are talking about the simplest of levels; we can stop a lot of the phishing attacks this way. You have to ask yourself whether something looks a bit odd or is too good to be true—or you should ask “Why me?”. Do noble Lords remember “ILOVEYOU”, which went round the place? When I first saw it, I thought, “I wonder who that is? It sounds nice”. But then I thought, “Hang on, five of them inside Parliament—that’s a bit unlikely”. I checked and, sure enough, there were a number of fairly senior people who thought they were God’s gift. It is very interesting because it preys on human vulnerabilities.

I want to talk about single points of failure, which takes us on to the need for surveillance of all the bad guys and questions about government back doors into stuff. That worries me. I remember someone saying, “You don’t have allies; you have interests”. People who are your allies today will not necessarily be your allies tomorrow. Things shift globally the whole time. Another challenge is that your political allies might be your trade competitors, chasing the same multibillion pound contracts elsewhere in the world. So your shared intelligence may be a vulnerability for other parts of government. If the bad guys can get into the centre of it all, you have a real single point of failure, and no one should say that it cannot happen. We have only to look at the Cambridge spy ring, or Gordievsky, or Edward Snowden and the Pentagon papers. They were all great disasters because someone centrally got access to it all. Effectively they had stolen the key—or, in the case of Gordievsky, re-stolen the key.

Secure communications are essential, particularly for trade. If you are doing multibillion-pound negotiations, you do not want that leaking anywhere. Legal firms need secure video, secure text and well-encrypted documents and so on in relation for their contracts. I was horrified by how little attention is paid—unless a large company insists on it—to the problem of hacking the contracts of some legal firms. What goes across a lawyer’s desk is highly sensitive. If someone discusses with their lawyer something that might have involved them personally and that leaks, it could have secondary effects, such as blackmail. That is how you steal the key: you can blackmail people very easily.

With regard to treaty negotiations, I am amazed at how little has leaked from Brexit. The *Evening Standard* says one thing one day because it is very anti-Brexit, and then the next day we hear from somewhere else that a breakthrough has been announced. It is very interesting, anyway, and I am quite impressed.

People point out that a Government lacking a back door into communications can help terrorists and criminals. That is true to a certain extent, but it is not a good idea to have a back door that you can trawl through, and we do not allow it anyway. That might give people a bit of succour, but if you have targeted surveillance you might well find that there are other ways of doing it if you do not have other clues. The ultra-secure systems could be limited to only very secure companies and individuals whom you know. Effectively, it is a case of “Know your client at a high level”. There are ways of dealing with this, but personally I feel that, for the amount of good it will do in catching criminals, having a back door into these things is much more dangerous.

My last point is that money is very often the motivator. Sometimes when lecturing on cybersecurity, I say to the security guys, “For goodness’ sake, don’t allow yourself to be bribed for too little. If you give these keys away for too little money, you will probably never work again—that’s the end of it—so you have to make enough money out of this bribe to be able to retire for the rest of your life. You will also have to buy new friends, because a lot of your old friends won’t talk to you”. So you are going to need about £200,000 a year net of tax and expenses. I am putting the figure fairly low because most people do not have high expectations. It will probably be about two to four times what they are earning at the time. I reckon that in the long term—I know this from running financial systems—you get 2% net, so you need about £10 million invested in the bank.

The next thing I know, from the way my trusts were mishandled in the 1970s, is that you can lose half their value overnight when your advisers call it wrong. So you need £20 million to start with if it is to see you through your life. I reckon you then need another £5 million to buy your new house, your new car, your yacht and all the other bits and pieces. That is £25 million. If I can persuade people of that, I will have made the world a much safer place, because most people are not going to pay that to bribe someone.

12.39 pm

**Lord Browne of Ladyton (Lab):** My Lords, I draw your Lordships’ attention to my entry in the register of interests, particularly my association with and employment by the Nuclear Threat Initiative, a US-based think tank. I congratulate the noble Viscount, Lord Waverley, on securing this debate and commend him for corralling this massive topic into a 15-minute speech. I congratulate him also on the breadth of the Motion before your Lordships’ House. I am particularly pleased because it allows me to return specifically to a topic that is a minor obsession of mine: the scale and complexity of the cyber threat to major weapons systems, including our nuclear deterrent.

The first step in solving any problem is admitting there is one. That, of course, picks up the theme that a number of noble Lords have referred to. The value of this debate is in raising awareness, and I hope to raise awareness of some threats. It will be difficult for us to engage with them, but I have some ideas about that as well.

Although I have been aware of this threat for some time, I first tentatively raised the issue publicly in January 2013 following the report of the Defense Science Board of the US Department of Defense, *Resilient Military Systems and the Advanced Cyber Threat*. The top line of that report is, in short:

“The United States cannot be confident that our critical Information Technology (IT) systems will work under attack from ... a ‘full spectrum’ adversary”.

Critical IT systems in this context include nuclear weapons systems, and the board knew that cyber was a threat to this, because it had red-teamed it in the United States. The task force went on to say that its lack of confidence applied also to the weapons systems of allies and rivals. The UK is, of course, an ally of the United States, and so that sparked my attention.

In addressing this issue, I have always been measured in my comments, mindful of my noble friend Lord West’s concern that people can get into scaremongering in this environment. But these are existential threats, and there is nothing scarier in my view. Drawing on the specific recommendations of the report, I reminded the then Ministers that they had an obligation to assure us that all parts of the nuclear deterrent had been assessed against the risk of cyberattack and that protections were in place. I explained that, if they were unable to do that, there was no guarantee that we would, in the future, have a reliable deterrent. Quite simply, a deterrent works on the basis that it is a live threat; if a rival knows that they can defeat the deterrent or prevent it being deployed, it does not work.

In 2015, in the run-up to the Trident debate, I repeated this request in the hope that cybersecurity would emerge as part of the debate on our commitment for the next 50 years, apparently, to a deterrent-based approach to nuclear weapons. The response to my reference to a 146-page report of recommendations and appendices was depressingly familiar and platitudinous. I was told publicly that Trident was safe because it was “air-gapped”. The argument appears to be that, because these weapons are deployed in submarines under the water, they cannot be threatened by cyber. This is a complete misunderstanding of the cyber



[LORD BROWNE OF LADYTON]

threat and a misrepresentation of the facts. Most of these boats are not at sea all the time: they are hooked up to other systems for a significant period and spend three months or slightly more at sea. But that is what I was told.

In the reporting of my comments by the BBC, a Ministry of Defence spokesperson, while understandably refusing to comment on the details of security for the nuclear deterrent, assured the country that,

“we can and will safeguard it from any cyber threat”.

I know of no expert who would ever give such a comprehensive assurance about anything, but that is what was publicly stated. The spokesperson went on to say:

“We are investing more than ever before on the UK’s defensive and offensive cyber capabilities. Last week the Chancellor outlined a plan for £1.9bn in cyber investment”.

So, essentially, “Move on, there is nothing to see here”.

Thankfully, that is not the US attitude to this. The United States is a much more open society than we are in relation to these issues. I know that is to do with its constitution and the accountability of the Administration to Congress, but the irony of my interest in this is that I can find out much more about these issues in publications in the United States than I can here. That is not proper accountability, but that is an argument for another day.

The Defense Science Board task force on cyber continued its work and produced a final report in December 2017. I do not have time today, even with the 12 minutes that I have, to go into it in any detail but, four years on, the report continues to challenge UK complacency, concluding that Russia and China had significant and increasing ability to hold US critical infrastructure at risk and growing capability through cyber-attack to thwart military response—in other words, to defeat deterrence.

In July 2015, the other place debated the renewal of Trident, but cybersecurity was virtually absent from the debate. Since then, in updates to Parliament by the Government on the renewal programme, no mention has ever been made of cybersecurity and it has never been fully debated in Parliament or even engaged the Defence Select Committee’s attention. I cannot find any statement by a member of the Cabinet on this issue and, shamefully, Parliament has also been broadly silent on this issue.

External reports continue to be published identifying this and they are always met with the same bland assurances and comments. For example, in 2018 Chatham House published a report, *Cybersecurity of Nuclear Weapons Systems: Threats Vulnerabilities and Consequences*. Again, the Ministry of Defence response came in the form of a statement from an anonymous spokesperson. Apparently, the MoD has,

“absolute confidence in our robust measures to keep the nuclear deterrent safe and secure”,

invests significant resources into regularly assuring its protection against cyberattacks and other threats, and again we were reminded that the UK,

“takes cyber security very seriously across the board, doubling its investment in the area to £1.9bn”.

In every case where this £1.9 billion is quoted, it is never said by any of the anonymous spokespersons that this money was committed in 2015 for five years of cybersecurity for every aspect of government. I am assured by experts with whom I worked closely during my time in the United States that is an inadequate amount of investment given the scale of the challenge to our weapons systems.

Until April last year, for three years I lived and worked for the NTI in the US. There I found in government, Congress and the expert community more awareness of the threat to our military systems than here in the UK. In the US, NTI brought together high-level former senior military and government officials, policy experts and cybersecurity experts to form a cyber nuclear weapons study group. I co-chaired this group with former Senator Sam Nunn and former Secretary Ernest Moniz. The group examined the implications of cyber threats to nuclear weapons and related systems and developed a set of options for policies, postures and doctrines that will reduce this risk.

The NTI study group report was published last month. The ink was not long dry on it when, on 9 October, the Government Accountability Office of the US published the report, *Weapon System Cybersecurity: DOD Just Beginning to Grapple with Scale of Vulnerabilities*. Believe it or not, this report was prepared in response to a request from the Senate Armed Services Committee ahead of plans to spend \$1.66 trillion to develop its current weapons systems.

The report concludes that the department,

“likely has an entire generation of systems that were designed and built without adequately considering cybersecurity”.

Specifically, the report states that,

“from 2012 to 2017, DOD testers routinely found mission-critical cyber vulnerabilities in nearly all weapon systems that were under development. Using relatively simple tools and techniques, testers were able to take control of these systems and largely operate undetected”.

They were able to guess a password on a weapons system in nine seconds, access weapon systems where open source or commercial software had been installed and the installer failed to change the default passwords, partially shut down a weapons system simply by scanning it—a technique so basic that it apparently “requires little knowledge or expertise”—and take control of some weapons. In one case, a two-person team took just one hour to gain initial access to a weapon system and one day to gain full control of the system. They could also access and stay in a weapons system for weeks, during which time the DoD never found them despite the testers being intentionally “noisy”. In other cases, automated systems detected the testers, but the humans responsible for monitoring those systems did not understand what the system was trying to tell them.

The GAO estimates that the vulnerabilities the DoD knows about likely comprise a small proportion of the risks in their systems. The tests leave out whole categories of potential problem areas such as industrial control systems, devices that do not connect to the internet and counterfeit parts. This unclassified report is about



a classified matter and consequently refers to various systems without identifying them. I will come back to that important point in a moment.

Further, the report underscores a troubling disconnect between how vulnerable DoD weapons systems are and how secure DoD officials believe they are. This echoes what I am told in the United Kingdom. The officials who oversee the systems appear dismissive of the results, not understanding that when they dismiss these results, they are dismissing testing from their own department. The GAO did not conduct any tests; it audited the assessments of DoD testing teams. In some cases, officials indicated that their systems were secure, including systems that had not had a cybersecurity assessment.

In its findings, the GAO describes the DoD as only “beginning to grapple” with the importance of cybersecurity and the scale of vulnerabilities in its weapons systems. Public reporting of this report describes this as a “wake-up call” for the DoD. It should be a wake-up call for us too. We have almost certainly bought and deployed some of these weapons systems. We have certainly bought and installed in our weapons systems software programmes, the testing of which has informed this report.

Essentially, I have two questions for the Government. When are we going to have a proper debate, in government time, on the cyber threat to and cybersecurity of our weapons systems, including the deterrent? Now that this GAO report has been published, what steps are the Government taking to follow up on the implications of this report for our military capabilities with the US Government and the DoD in particular?

12.52 pm

**Lord St John of Bletso (CB):** My Lords, I too thank my noble friend Lord Waverley for introducing this topical and important subject. I declare my interests in cybersecurity as listed in the register. Unlike other noble Lords, I wish to devote almost all my remarks to the impact of cyber threats on the economy, in particular on small and medium-sized enterprises.

I first became aware of the growing threat of cybercrime back in 2001 when I managed a few data centres for a large data provider, an ISP, here in London. Our clients, most of which were SMEs, required reliable, 24/7, secure web hosting with high-speed broadband. Many of them were being targeted by what were then referred to as “botnet cyber threats”. For noble Lords who are unaware of what a botnet threat is, it is otherwise known as a distributed denial of service attack. I built a team of tech experts to engineer DDoS mitigation tools, which countered the threat at the time. Since then, however, cybercrime against businesses and individuals has become significantly more intrusive and dangerous over the years.

SMEs make up 60% of all employment in the United Kingdom. Last year, it was reliably reported that 45% of all SMEs identified cyber breaches, costing many hundreds of millions in financial and reputation costs. Sadly, far too few SMEs have effective security measures in place, nor do they carry out regular effective cybersecurity training—a point mentioned

by the noble Lord, Lord Lucas, and a few others. Therefore, they are particularly vulnerable to even the most basic cyberattacks.

As we know, cybercriminals are increasingly targeting individuals for their credit cards and in other frauds. According to a report by Thales, the United Kingdom is the most breached country in the EU, but most UK businesses are blissfully naive and complacent about the increasing threat. The noble Lord, Lord Browne, drew attention to the Government’s five-year *National Cyber Security Strategy*, which they published in November 2016 when committing to invest £1.9 billion in cybersecurity. While I respect that the National Cyber Security Centre has provided excellent guidelines and advice to SMEs, many would argue that the laudable commitments are targeted more at big businesses and critical national infrastructure, with insufficient focus on SMEs.

We are living through a digital revolution. We have artificial intelligence, autonomous vehicles, drones, biotech, blockchain, the cloud and the internet of things, which has resulted in an ever more interconnected world. It is forecast that, by 2020, 50 billion devices will be interconnected around the world as a result of the internet of things. Technology is ever more critical to the UK and our digital economy has grown 2.5 times faster than the rest of the economy over the last 10 years. The digital tech sector is worth nearly £184 billion to the UK economy. But I stress that our dependence on technology has come at a cost. It was recently reported by CNBC, from a reliable global survey, that the cost of cybercrime to the world today has reached as much as \$600 billion a year, which is 0.8% of global GDP. In this country we have seen attacks on our critical national infrastructure and we need to be increasingly vigilant of this increased threat. We should be cognisant of what my noble friend Lord Ricketts mentioned: the risk of a category 1 incident.

I mentioned that individuals are increasingly being targeted by cybercriminals. I understand that 91% of cyberattacks are delivered by email, putting anyone with an email account in the firing line of cybercriminals. I entirely agree with the comments by the noble Lord, Lord West: cybersecurity is about risk management. In this regard, it is increasingly important that individuals are better informed about simple IT housekeeping, such as regularly changing their email account passwords—a point made by the noble Lord, Lord Borwick—downloading basic security software and regularly backing up their data. This alone would substantially reduce the risk from most cybersecurity breaches.

Online data has pushed identity theft to a record high in the UK. The anti-fraud agency CIFAS has said that ID theft cases rose by 1% last year to almost 175,000, with eight out of 10 cases using information found online. This represents a 125% rise over the last 10 years. Phishing remains the number one threat action. Almost half of UK manufacturers have fallen victim to cyberattacks and many more attacks go unreported or unrecorded, according to the manufacturing trade association, EEF.

Under GDPR, introduced in May this year, the fines businesses can face for data security breaches are crippling. Two years ago, following the TalkTalk hack,

[LORD ST JOHN OF BLETSO]

the company was fined £400,000; under the new GDPR fines schedule, this would be nearer to £60 million. Last year, Lloyd's of London estimated that a major global cyberattack on a cloud provider could lead to losses of around £40 billion. The majority of these losses are not currently insured. The police and the security services are implementing the Prevent strategy to increase awareness across businesses.

Despite the massive need to sustain our digital economy there is a huge skills gap, which seems to be widening. In a recent poll, nearly half of all organisations admitted they had a chronic shortage of IT security professionals, and 70% thought this had a significant impact on their business. Uncertainty over Brexit is also exacerbating the lack of digital skills in the domestic economy, with a lot of IT talent looking to move elsewhere. We need a far more innovative approach to bridge the cyber skills gap, and I wholeheartedly agree with the noble Lord, Lord Lucas, on the need for more training. Wide-ranging training is key for businesses of any size attempting to counteract cyber threats. It is the responsibility of everyone within a company to protect not only the company but its data. All staff, not just IT or security staff, need to be aware of what to do—and what not to do—to make sure that breaches do not happen either accidentally or on purpose.

In my opinion, within the business community there should be company-wide strategies, from the chief executive down, for dealing with and in readiness for the outcomes of a cyberattack, should the worst happen. Equally, despite the national cybersecurity initiative, a lot more should be done in both the private and public sectors to promote cyber awareness, enhance the cyber skills gap and invest more in measures to protect the critical national infrastructure. Initiatives such as TechVets, which helps military veterans into technology and cybersecurity roles, are a great way to harness unrealised pools of human resource potential.

I noticed in the very useful briefing from the House of Lords Library that the UK has committed to working in close collaboration with its international allies, including—as a member of the EU—its partners in NATO, to improve cybersecurity. Can the Minister give a reassurance that after our exit from the EU, our Government will continue their cyber co-operation with our counterparts across Europe? In conclusion, I am not trying to be a doomsayer; I am simply advocating being proactive rather than reactive.

1.04 pm

**Lord Fox (LD):** My Lords, I join other noble Lords in congratulating the noble Viscount, Lord Waverley, on securing this debate, which has been wide-ranging. It has moved from kettles to China, from spying to crime and to botnet threats. I look forward to the Minister encapsulating the debate in his response. For what it is worth, I would characterise its mood as a slightly uneasy sense that we have been doing the right things but may have to do a lot more. The degree of uneasiness has varied from noble Lord to noble Lord but I fear that I sit at the pessimistic end of that spectrum.

As the noble Viscount set out, we sit in a very complex landscape. That complexity has been deepened by the speed of change and the degree of connectivity

across our lives. But we should not forget that there is also a huge political dimension to all this. The world is changing, probably faster than many of us have experienced for a long time. The move towards more autocratic leadership in some very important places fosters these kind of threats and that is why a multilateral approach is absolutely central. Many Peers have highlighted that—not least the mover of this Motion—and I will come back to it.

The other game-changer—I do not think this has been alluded to much—is the asymmetry in the possibility for one individual a long way away to take on a Government or a large national corporation, or at least think they can. I do not think we have seen that situation before, and it emboldens individuals or groups of individuals to do things hitherto not considered possible. The Government have clearly demonstrated that they are seeking to commit on this issue. It is hard to tell how successful this has been, because as the noble Lords, Lord West and Lord Ricketts, and others, have highlighted, the NCSC has been active and—we believe—successful, but we do not see its best work. That is the conundrum with those kinds of agencies; it is defending a negative. But looking forward, I would like to hear from the Minister how the Government support the NCSC and how its role will grow.

Of course, as a number of speakers have said, it is not just about government. Businesses and individuals are all involved and we all have to run very fast to keep up with changes. I had two emails today seeking to compromise my bank account—I am sure most speakers did. At a business level, the noble Lord, Lord St John, is right: it comes to the fore from time to time but very rarely flows from the IT team to the C-suite. One suggestion I would have is that if businesses were required to report—at least partially—the amount of cybercrime they were resisting, the C-suite would be confronted with it on a more systematic basis, and would perhaps do something about it by seeing the benefit of investment in that kind of technology.

This takes us to the critical national infrastructure. Again, I would be pleased to hear from the Minister how the Government believe the CNI community is reacting to the threat. Is it stepping up to the plate and actually moving fast enough? Again, it is hard to tell. Organisations such as the NHS—a part of our infrastructure in a different way—clearly were not investing in IT, and, as the noble Lord, Lord Borwick, set out, it suffered the consequences. We have rail, road, the electricity distribution networks and the other utilities. Where do the Government think we are on the road to resilience? Stepping beyond that, the Government have resolved to work with the communications service providers and industry to make the internet more secure, so what is the progress? What are the landmarks on that journey? The physical architecture of our internet providers is clearly very vulnerable; it sits in green boxes on the most of our street corners. Delivery is poorly controlled, as we know. If that is an example of resilience, I am not filled with confidence.

Of course, we have also seen how the private sector has suffered from what I would call self-inflicted problems. That serves as another interesting series of cases. One

is the complex and jumbled nature of the technology that many of our largest corporations have. They have layer upon layer, with legacy technology that dates back not just years but decades. Across Britain, some of our most important institutions are built on computer technology that goes back to when I was an undergraduate at university—I have to tell you, that was some time ago.

A further point has arisen around the internet of things and the idea that the boss's kettle will listen in on important discussions. We can challenge the culture of “Everything always on; everything always in the cloud”. That was not always the case and I do not see why it should always be what we do in the future. As the noble Lord, Lord West, said, the Government have a role in advising individuals where they should put their data and how accessible that data is—24/7 or not at all. We would not stick our entire wealth in a shed at the bottom of our garden, put a bolt on it and expect no one to steal it. So why do we put all our data into the cloud with a flimsy password and expect people not to extract value from it?

However, it is not just about Governments. As I have just alluded to, criminals innovate. International crime is a global free enterprise and an extraordinarily successful innovator. Government is not usually as good an innovator as individuals working in those ways. That innovation then spreads to state actors. We have seen how state actors can take on some of the technology that sits in the dark web and put it to their use. Regulators and government are very slow to react. We have only to look at how Russia sought to disfigure the EU referendum debate to see how slow the authorities have been to respond. We want some sense of how government is seeking to speed up the response to innovation in crime and in state ventures.

The noble Lord, Lord Lucas, highlighted the role of the private sector. The relationship between government and private sector and how technology is adopted are important elements. What do the Government think is the right balance between technology developed in the private sector and technology which government seeks to develop? Who decides what and where the focus should be in what we develop as a government or authority? How do the Government develop meaningful relationships with the private sector? In some cases, companies which have such technology are not those which want to be associated with government. How do we create those relationships?

Once we have the technology, how do we hold on to it? We have seen highly innovative players in our own sphere develop technology which has then been hoovered up by large parts of the internet oligopoly and, frankly, taken out of use for other players. If we need an example, we should look at the three main private sector global companies, which are buying up the patents in blockchain technology. They are taking it out of use for other people for their own uses. I am sure that it is the same for quantum computing as well. How do we hold on to what we have?

Of course innovation is difficult, as many noble Lords have said, but it is about having the right people. The noble Lord, Lord St John, and the noble Earl,

Lord Erroll, were right about the need to bring in a broader community of individuals, not least because the sort of people coming out of university and being recruited to the cyber technology sphere are also recruited by a bunch of other people. They are being recruited to be engineers or to be the quants in big banks. They are a sought-after community of people, so we need to broaden our footprint. The noble Lord, Lord St John, talked about drawing in people from the armed services. Something worth looking at is how people are recruited to come in and take engineering degrees. The new university that is starting up in Hereford is changing the approach to recruitment for engineering, which has always been maths dominated—if you do not have a maths A-level, you cannot do it but people develop at different paces and as different sorts. Some of those initiatives are very important, because we have to deploy the full intellectual capability on our side in this country.

On accountability, I do not intend to throw stones at the Department for Digital, Culture, Media and Sport, but is it the right place to co-ordinate the skills, when other ministries hold the education and further education budgets and when we have UK Research and Innovation? Where should the skills portfolio sit? Is the Minister happy that this is the right place for that technology?

The noble Viscount was right to highlight the need for international co-operation post Brexit. The Government are right to try to maintain co-operation, assuming Brexit happens, with the EU 27, but how will it work? Will the EU network and information systems directive be replaced like for like? Will we shadow it? I am sure that the Minister has heard the same questions in respect of lots of other rules and regulations. The question is: how and when? Given that the European Union Agency for Network and Information Security is a legal organisation, how do we subscribe to it when we are not a member of the European Union? It is all very well to say that we have an aspiration for such things; I am more interested in the how and when.

On internationalism, the UK needs to continue to be a key driver in the multilateral approach to these matters. We have mentioned Five Eyes, NATO and the Commonwealth and beyond. We must not let the signals that can be interpreted from the Brexit process be seen as a withdrawing from multilateralism. I believe that the Government are committed to those institutions and working to make them more effective, but an endorsement from the Minister would be helpful.

Today, almost every warp and weft of our national fabric comprises digital communications and digital data. The implications of widespread denial of service have been seen at the very least through what WannaCry achieved in attacking the NHS and what individual businesses have managed to achieve through acts of self-harm. Those are just relatively unsophisticated examples of what can happen; we have heard predictions or worries about much more profound attacks. That is why I welcome this debate and why the contributions that we have heard today are very important. I look forward to the Minister's response.



1.18 pm

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, as other noble Lords have done, I congratulate the noble Viscount, Lord Waverley, on securing this debate. I thank him for giving the House the opportunity to debate issues of immense importance to the country.

I am sure everyone agrees that the threats posed and the risks involved mean that solutions have to be global to tackle the scale, the risk and the complexity of the challenge. There are no borders in cyberspace, no visas and no checkpoints. To meet the challenge, we have to work with partners locally, nationally and internationally, and government has to ensure that by working together we protect the United Kingdom and, with partners, protect the world from the real dangers that it faces.

We have heard in this debate about some of the threats to every part of our life: everything from the stealing of our own personal data to attacks on businesses through ransomware and other forms of cybercrime, terrorism, state-sponsored attacks on other countries' interests and the threat of military capabilities being taken over, with devastating consequences.

It is good that the Government have developed the National Cyber Security Strategy, made a commitment to invest nearly £2 billion in cybersecurity and created the National Cyber Security Centre, which has done so much to protect everyone already. However, I wonder whether this large sum of money—and it is large—will be enough to deliver all the protections we will need.

To meet the challenge, we have to work with our partners at the United Nations, NATO, Interpol, the Commonwealth, other organisations we are not members of, such as the African Union, and those we are members of, including the European Union. This further highlights the madness of Brexit when the world is getting smaller and more interdependent, with greater risks, and we risk huge damage in areas of security, as we do in every other part of our life as a progressive, free, liberal, fair-minded trading nation. The Government have identified, quite rightly, that cyber is a tier 1 threat to national security, based on both the high likelihood and the high impact of such an attack. The scope of cyber risks is part of the problem as our world relies on digital technologies in every sense to deliver almost everything we need.

The noble Lord, Lord Ricketts, has huge knowledge of these issues, as the first National Security Adviser. As he said, cyber threats need a whole-society response, across the whole range of threats to the United Kingdom. The noble Lord, Lord Borwick, made important points about passwords and the basic protections we all need to be aware of in order to take proper action to protect ourselves. The noble Earl, Lord Erroll, made valuable points about having the aptitude to see complex patterns and about educating the general public to spot when things go wrong. Often these are things that the general public are not aware of. Too quickly they are drawn into giving up their data, passwords and access—and have their money and data stolen, doing much harm. The noble Lord, Lord St John of Bletso, referred to the dangers posed by weaknesses in the systems and the importance of protecting SMEs from these threats.

I also agree with the points he made about simple passwords and other basic security checks, which echoed those made by the noble Lord, Lord Borwick.

My first point is about the scale and complexity of the challenge faced by the world, which I fear is not understood by many. I agree with the noble Viscount, Lord Waverley, about the need for an international, outcomes-based approach to governance. I also agree with the points he made about the need for partnership between the public and private sectors, in addition to partnerships between states, agencies and international organisations. One of the most disappointing things we have witnessed as the internet has developed and changed our lives so completely is the attitude of so many technology platforms, which have so often failed individuals, communities and nations in not protecting people's data through either poor security or reckless practice. People's data is entrusted to them but so often making money from the data has been much more important than security or data protection.

The noble Lord, Lord Lucas, made the point that there needs to be proper redress for citizens who have suffered as a result of data breaches. I agree with him. Of course, individuals have a responsibility to protect their own data and to be their own first line of defence—their own first guardians when they go online—just as people have to do when they go about their lives generally, taking simple precautions to protect themselves. But that does not excuse poor practice by technology platforms, or companies involved in information or communications not working together and not working with Governments and agencies, nationally and internationally. They need to play their full role without excuses, helping to deliver the security we all need.

With regard to allegations concerning foreign powers, it is suggested that Russia is one of the main proponents of these cyberattacks that seek to interfere with and undermine elections and referendums here and in the United States and other countries. That is totally unacceptable. The reluctance to look at the referendum on leaving the EU is staggering when you consider the enormity of the decision, and if that decision has been stolen that surely is a matter of grave concern to every democrat. We have to ensure that our elections and referendums are safe, secure and free from unwarranted interference.

There are huge risks to business and our prosperity from cyberattacks. An organisation that I am involved in recently had its whole website cloned as thieves tried to steal information. The thieves were outside the European Union. We have taken measures and boosted our protections to stop this happening again. We are a small organisation and have been able to recover from this, but for a business this can be devastating, not only in the loss of money and income but in reputational damage and potentially the complete destruction of the business as customers lose confidence in its ability to deliver products or services safely. Who will buy products and services from a company that has developed a reputation for serious lapses in security and the protection of other people's data? The mandatory data-breach reporting under the GDPR is a very good thing and the data generated by this will help the Information Commissioner and the Government to have greater understanding of the scale of the problem.



The large hacks and breaches in companies such as TalkTalk are the ones that get the media attention but, as I said, in much smaller organisations the disruption to operations can be just as damaging. Figures I have seen suggest that cyberattacks cost UK business £34 billion in 2016. But we have to ask: how much is business putting into resilience and preparedness? Is all the effort going into building cyber defences? If you have not prepared well and built a robust structure for the day you get a breach, you have seriously weakened your operation. This leads me back to the point I made earlier about the money the Government are putting into cybersecurity. Is the Minister satisfied that the funds being made available are adequate?

The noble Viscount, Lord Waverley, told us that NATO has formally recognised cyberspace as a new frontier in defence and I hope the British Government have done that as well. My noble friends Lord Browne of Ladyton and Lord West of Spithead have considerable experience in these matters from their previous roles. My noble friend Lord West made the important point about risk management: our weaknesses in basic protections are a huge risk and need to be improved. He also referred to the move to 5G and the decision about ZTE. I hope the Minister will respond to that point when he replies shortly. My noble friend Lord Browne spoke about the threat to our weapons systems and nuclear capabilities. He referred to the report from the United States. He is right to question whether we have the protections in place to ensure that our nuclear deterrent is actually a deterrent. Are we taking the military cyber threat seriously enough? My noble friend's comments about the risk of hostile forces being able to hack into and take control of our systems deserve a specific response today but also outside the Chamber.

Will the Minister also say something about the ministerial and Cabinet-level response to these threats? Does he think that the National Security Council is nimble enough and able to provide the consideration of these important matters in a proper strategic way? Is he satisfied that we have got this right at the present time and what is the process of review to ensure that we keep up with new developments and potential new attacks? That leads me on to the issue of critical national infrastructure—not only the police and military capabilities but our NHS functions, our transport services and the delivery of food, medicines and power. Can the Minister say something about the ability to repel a cyber threat to critical infrastructure and, as with business, the resilience plans in place to deal with a successful cyberattack?

Finally, this has been an excellent debate. I thank the noble Viscount for tabling this Motion, which has enabled the House to debate an important issue, which I am sure we will return to again and again.

1.29 pm

**Lord Young of Cookham (Con):** My Lords, this has been an excellent debate and I thank all the speakers who have brought a wide range and depth of experience and expertise to it, not least the mover, the noble Viscount, Lord Waverley, who made a thoughtful introduction and crammed 15 helpful suggestions into three minutes at the end of his speech. A number of

themes ran through the debate, in particular the need for partnership. I hope I have not misunderstood the tone of the debate when I say there has been no fundamental disagreement about the thrust of government policy, but some severe warnings and some very helpful suggestions about how we might do better. Some of them were on a highly technical front, and some were based on broad common sense.

I say to the noble Viscount that this is a very timely debate, following the second anniversary of the National Cyber Security Centre and the publication of its 2018 annual review this week, which was launched by the Chancellor of the Duchy of Lancaster, the director of GCHQ and the CEO of the NCSC. It is one of the best annual reports I have seen as a Minister, although I have not risen to the challenge on the last page,

“Can you find the secret codeword?”

As this debate has made clear, protecting the British people, the systems that we rely upon and our very democracy itself is a central responsibility of government. As our digitally connected world has rapidly expanded, so too has the scale of vulnerabilities and the frequency of attacks that we face—a point well made by my noble friend Lord Lucas. It is for this reason that cybersecurity remains a top priority for the Government, because it impacts on our national security and our economic prosperity. I was impressed by what the noble Lord, Lord St John of Bletso, said when he outlined the cost to the economy of lax cybersecurity.

We recognised the need for a comprehensive and active response when we launched the National Cyber Security Strategy in 2016, where we defined a cyberattack—this is in response to the request from the noble Viscount, Lord Waverley, for a definition—as a,

“deliberate exploitation of computer systems, digitally-dependent enterprises and networks to cause harm”.

We set out ambitious proposals to defend our people, deter our adversaries and develop the capabilities we need to ensure that the UK remains the safest place to live and do business online. Those proposals will be supported by £1.9 billion of investment over five years, which was mentioned by many noble Lords, to drive transformation. The noble Lord, Lord Kennedy, asked whether I thought that that was enough. He will know that there is a spending review for 2020 onwards, and I am sure that the concerns expressed in this debate will be taken on board as colleagues move to a decision on future spending patterns.

One of the most visible elements of the strategy was the formation of the National Cyber Security Centre to bring together our very best intelligence and technical expertise in a world-leading authority—the noble Lord, Lord Ricketts, described it very aptly—that will be our single centre of excellence to innovate and create, to work in partnership with industry to block attacks on a scale of tens of millions per month, which was mentioned by several noble Lords, and to blend behavioural science with technical expertise to provide the best advice and guidance for people and organisations to protect themselves.

On our response when attacks get through, the NCSC brings everyone together to reduce the harm from significant incidents, whether that is an attack on

[LORD YOUNG OF COOKHAM]

Parliament, which was referred to by my noble friend Lord Borwick, or disruption to health services. On the attack on Parliament, I understand that it is unlikely to recur. I have had a note from the chief technology and security officer in Parliament that says that the correct people now get the required detail from Parliament's Apple account manager to make sure that such a delay does not happen again. Our response is calibrated by the severity of the attack, and the National Security Council will consider the full range of security, diplomatic and economic tools at our disposal.

How we set up the National Cyber Security Centre reflects the single, clear message that underpins our strategy, which has been echoed throughout this debate, that we need not a whole of government approach but a whole of society approach, as the noble Lord, Lord Ricketts, described it. The noble Viscount, Lord Waverley, asked how we are delivering it. The national strategy binds all of government into delivering a set of cross-cutting objectives which require a collective response that reaches out to the private sector and beyond—and, indeed, to other countries, because while we can lead the way, we know that we cannot solve these problems alone. This point was made by nearly every noble Lord who took part in this debate.

On the key subject of skills, which was raised by the noble Viscount, Lord Waverley, and the noble Lords, Lord Ricketts and Lord St John of Bletso, we are already developing a pipeline of talent and inspiring and developing cybersecurity experts and entrepreneurs, whether through our programmes in schools and universities, our work with industry to figure out the best way to retrain career changers with aptitude and ambition and by promoting cyberapprentices. On the specific recommendations of the Joint Committee on the National Security Strategy—a question raised by the noble Viscount—the Government have recently submitted their response and we look forward to its publication.

We also are building on our world-class universities and ground-breaking research to establish a pipeline of cutting-edge cybersecurity companies with a range of interventions to incubate and accelerate and to support our innovative companies to export overseas, turning many great ideas into global businesses. This in turn will help other countries to become more secure and will boost the UK cybersecurity industry, which is now generating more than £5 billion for the economy.

**Lord Fox:** Before the Minister moves on from skills, I asked whether the right ministry was carrying accountability for skills at a national level. All the examples he gave referred to ministries other than the department that has it.

**Lord Young of Cookham:** I was referring to the responsibilities of the Department for Education. The relevant Minister is sitting at my side and will have heard that. We will write to the noble Lord, giving a more detailed reply on the role of that department, if that is what he wants.

The Government actively manage potential risks to UK infrastructure—a point on CNI raised by the noble Lord, Lord Fox. This includes risks related to foreign equipment used in our telecoms industry. This important issue was raised by the noble Lord, Lord West, who expressed concerns about our telecoms structures. I want to make it clear that the Government have not banned ZTE. The NCSC has raised its concerns about the ability to manage the risk of having more Chinese-supplied equipment on UK infrastructure undermining existing mitigations, including those around Huawei. The noble Lord is right that we cannot ban our way out of this, but I can confirm that the Department for Digital, Culture, Media and Sport, with the NCSC, is leading the review into the security and resilience of our telecoms supply chain.

**Lord West of Spithead:** Has this been debated at Cabinet level? Bearing in mind that it has an impact on so many departments, it really needs to be looked at in the round, so I would be grateful for an answer.

**Lord Young of Cookham:** I am sure the noble Lord would be grateful for an answer, but I do not have one. I do not know whether it has been debated in Cabinet or in a Cabinet sub-committee. However, within the constraints of what happens within the machinery of government, which the noble Lord will be familiar with, I will see whether I can shed some light on the important issue he has raised.

The noble Lord also raised the issue of Chinese investment that meets stringent legal and regulatory standards. At the heart of this is the recognition that we need confidence in our ability to get the right balance between security in our critical infrastructure and the growth, productivity and inward investment opportunities. The findings of the review will report to the Prime Minister and the National Security Adviser. It is right that in the face of these shared threats the UK works alongside its international partners and allies to expose, confront and disrupt hostile or malicious activity.

**Lord West of Spithead:** Is the Minister concerned about H1K and the fact that CCTV will now have sound and that when it is 5G enabled every one of those things will be able to take down data and pass it on? Where do we stand on this?

**Lord Young of Cookham:** When we discussed this yesterday, the noble Lord was concerned about the installation within the Palace of Westminster of this capacity, which could indeed read stuff that was on my desk. I think this is primarily a matter for the authorities within the parliamentary estate. I will share with them the noble Lord's concerns and get a considered reply, possibly from the noble Lord, Lord McFall.

It is right that in the face of these shared threats the UK works alongside its international partners and allies to confront, expose and disrupt hostile or malicious activity. Noble Lords will have seen recently our attribution of a range of indiscriminate and reckless cyberattacks to the work of Russian military intelligence, and 21 other countries stood with us to call this out. That builds

upon a host of cyberattacks that we and our international partners have attributed to North Korean actors, including the WannaCry incident, one of the most substantial to hit the UK in terms of scale and disruption.

We are absolutely clear that we must work together to show that states attempting to undermine the international rules-based system cannot act with impunity. The Foreign Secretary pressed this point with his counterparts at the Foreign Affairs Council earlier this week, and the Prime Minister is today encouraging the European Council to accelerate work to strengthen the EU response to malicious cyber activities, including a new regime of restrictive measures.

When necessary, we will defend ourselves. We are continuing to develop our offensive cyber capabilities as part of the toolkit that we use to deter our adversaries and deny them opportunities to attack us both in cyberspace and in the physical sphere. My noble friend Lord Borwick referred to this. If he looks at page 51 of the *National Cyber Security Strategy 2016 to 2021*, I hope he will be reassured by what we say about enhancing sovereign capabilities and offensive cyber, ensuring that we have at our disposal,

“appropriate offensive cyber capabilities that can be deployed at a time and place of our choosing, for both deterrence and operational purposes, in accordance with national and international law.”.

It is also vital that we continue to reaffirm our shared vision for an open, peaceful and secure digital world based on the rule of law and norms of behaviour. The noble Lord, Lord Ricketts, was right to refer to the speech by the previous Attorney-General saying that international law applied to cyberspace. It seems to me that if a foreign state were to drop a bomb on our airports we would have a right to reply, and likewise if our airports are immobilised through cyber we should equally have such a right, though of course that should be proportionate and legal. We do not concede ground to those who believe that existing international law does not apply, or who seek to impose controls through international fora as a means of restricting basic human rights.

Our work with international partners goes beyond joint operations and influencing. For example, the noble Viscount, Lord Waverley, asked about the work that we are doing with the Commonwealth. We have been scoping and piloting projects to date, but we are now accelerating delivery and expect to have spent £2.3 million by the end of this financial year. Much of this is in partnership with the private sector—for example, we are working with Citibank, an American bank, to build resilience in the Commonwealth finance sector.

I did not think we would get through the debate without Brexit being raised by the noble Lords, Lord Fox and Lord St John of Bletso. The cyber threat that the UK and its European allies face from state actors and cybercriminals remains significant and, as the noble Lord, Lord Kennedy, says, it knows no international boundaries. That is why the UK is seeking to maintain the broadest possible co-operation with our EU partners so that we can continue to share information with EU security institutions, deepen industrial collaboration and work together to develop cyber resilience in support of our collective security, values and democratic processes.

Continued co-operation with the EU is not only in our interest; it is firmly in the interest of the EU as we look to respond to hostile state and non-state actors in cyberspace.

At this halfway point in the delivery of our national cyber security strategy, we have put in place many of the building blocks to transform the UK's cybersecurity and resilience, already demonstrating results. However, we can never become complacent. Just as the threat from cyber criminals and nation states continues to evolve, so too must we continue to innovate and respond at scale and pace. We are therefore stepping up our protection of government systems, from the NCSC's excellent active cyber defence measures to models adapted from those used by the finance sector to test the security of public services.

On the subject of defence, the noble Lord, Lord Browne, a previous Secretary of State, raised some important issues about the security of our defence systems. We have well-established processes in place to address cybersecurity and the protection of our weapons systems. We are continuing to invest—for example, through our £265 million programme of cyber vulnerability investigations for military equipment. On the specifics of responding to the report published in the US, I will happily write to the noble Lord. To allay his concerns on the UK's use of equipment supplied by the United States, I refer him to the details of the NCSC's support of the MoD's Modernising Defence programme in its recent annual review, where examples include stringent testing of the new F35B fighter planes.

**Lord West of Spithead:** My Lords, I am sorry to ask the Minister to give way again. I do not always share the views of my noble friend Lord Browne on some of these issues, but on the Dreadnought programme, which is crucial, could the Minister maybe go back to the Secretary of State for Defence and say, “There really is a need for red-teaming regarding the threat of cyber to the Dreadnought programme, as it is in-build”?

**Lord Young of Cookham:** I take very seriously such a warning coming from the noble Lord. I will share of course his concerns with my right honourable friend the Secretary of State for Defence and get him to write to him.

While it is difficult to avoid headlines about attacks and breaches, doing something about it is still often seen as too technical, too difficult or someone else's problem. However, one of the themes that has emerged from our debate is that cybersecurity is everyone's responsibility. We consider it vital that all organisations embrace and embed cybersecurity, from the boardroom down. That is why we have targeted efforts at driving long-term change, starting with helping boards to better understand the risks they face and to invest appropriately. This year's cybersecurity breaches survey revealed that only 30% of businesses have a board member with responsibility for cybersecurity, and that is not good enough. We must ensure that boardrooms provide active leadership to ensure that cybersecurity is ingrained into organisational cultures and mindsets—a point well made by the noble Lord, Lord St John of



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Bletso, who also drew attention to the substantial fines that companies are now exposed to under GDPR if they do not comply with the new legislation. As the noble Lord, Lord Fox, highlighted, understanding exactly how secure data and systems are in complex organisations has never been more important.

I am conscious that I am not going to be able to get through all the points that have been raised within the allocated 20 minutes, so I will write to noble Lords to deal with the issues that I have not been able to address today. In conclusion, I hope I have been able to demonstrate not just that we understand the scale of the challenge that we face but that we are seeking to create the environment for everyone to be at their most collaborative and agile to respond, a point well made by the noble Earl, Lord Erroll. As we face new challenges in the year ahead, we need to ensure that we remain focused on reaching across organisational, political and geographical boundaries. As we face those challenges, I will ensure that we take on board the valuable suggestions that noble Lords have made in today's debate so that we can continue to protect the economic and individual freedoms that make us stronger together.

1.49 pm

**Viscount Waverley:** My Lords, I hope that noble Lords will agree that this debate has achieved a practical purpose. I thank them for the scope of points that have been covered. Among the many observations that have come to light, the sharing of concerns regarding 5G has relevance, and we must pay attention to it as it develops.

It has been highlighted that we must encourage companies to invest fully in their infrastructure and cybersecurity. It is through education and clarification that we ask citizens to take the necessary steps to make our country and them more resilient. I underline again that cybercrime requires a global response, and no Government can act alone. With that said, I commend the Motion.

*Motion agreed.*

## Schools: Music Education

*Motion to Take Note*

1.50 pm

*Moved by Lord Black of Brentwood*

To move that this House takes note of the state of music education in schools.

**Lord Black of Brentwood (Con):** My Lords, it is a privilege to lead a debate on what I believe is such a profoundly important subject. I am very grateful to all noble Lords who are taking part, many of whom have huge expertise in this area. I declare an interest as chairman of the Royal College of Music and a governor of Brentwood School. Indeed, for me, Brentwood School is a good place to start, because it was there that I fell in love with music. With the encouragement of my parents, I learned instruments, I played in

orchestras, I sang in the choir and took O and A-level music. I did all the things that every young person should have an opportunity to do. I took that music education for granted as, back then, it was the birthright of every child.

The reason for this debate today is that increasingly few children have anything like such opportunities as I did. Instead of music being a fundamental right of all children, it is rapidly becoming the preserve of the privileged few at independent schools as it dies out in the state sector. As I hope that this debate will show, music in this country is now facing an existential crisis, which only urgent, radical action from the Government will be able to reverse.

Music matters first and foremost because it is the only universal language which connects all human beings, whether they live and work in a bustling city or dwell on the plains of a desert. Even in the world's poorest slums, the refugee camps and the disaster areas, people make music and it is central to their lives. It is the most basic but important link to all our past and, if we so believe, paints the most powerful picture of the world beyond. Through its incredible blend of self-expression, energy and creativity, it moves, energises, soothes and uplifts in a way that nothing else can. It is what makes us distinctively human, enriching every life on the planet.

Music is also a formidable vehicle for economic growth. It is fundamental to the success of the creative economy, which is so important to UK plc. The UK creative industries, which generate £92 billion each year and make up 5% of our economy, are growing at twice the rate of the economy as a whole, while employment in the sector grows at four times the rate of the UK workforce, according to the Cultural Learning Alliance. One in 11 jobs depends on them, and they are long-term, sustainable jobs at no risk of automation. It is the UK music industry which powers all this.

Music is also part of our national identity and a formidable instrument of soft power. Ironically, I believe that while Brexit will have a catastrophic impact on our creative economy, our worldwide reputation for musical excellence must be one of the engines of prosperity in post-Brexit Britain. Our musical history is extraordinary, creating some of the greatest composers and performers in the world. From Tallis and Byrd via Elgar and Vaughan Williams to the Beatles, the Rolling Stones and Adele, the UK has a towering musical heritage. Nearly one in four albums sold in Europe during 2015 was by a British artist, making us one of the few net exporters of music worldwide. That means that music is not just an international calling card—of the sort we will desperately need after Brexit—but brings people flooding to these shores. An estimated 12.5 million people journeyed here last year for musical events, between them supporting 50,000 jobs.

My final point about why music matters is the vital role that it plays in the upbringing of children. Every survey shows the incredibly positive benefit that music has on the young mind. It improves cognitive ability by up to 17%, raising attainment in maths and English. It boosts mental health. By the time children leave primary school, one in five of them will have experienced mental health problems, and music is proven to help



them find ways to cope with that. It benefits children from poorer backgrounds in particular. Students from low-income families who take part in musical and creative activities at school are three times more likely to get a degree and get a job. Music moulds young minds.

For all those reasons, music is vital to the proper, successful functioning of our society, our economy and our education system. It is not an add-on, pastime or “nice to have”; it is a fundamental building block of the country we want to be, as important as engineering, medicine and mathematics.

What supports all this—what is essential to the edifice that is UK music—is a steady supply of professionally trained musicians, who are the lifeblood of musical life throughout the UK. Whether it be “Salome” at the Coliseum this evening, the Tina Turner musical, one of 20 gigs taking place in Glasgow, Ed Sheeran in Leeds, Sondheim in Manchester or amateur choirs, orchestras and church organ recitals the length and breadth of the land, they all have one thing in common: they are made up of musicians who first learned their trade and their passion for music at school. To be clear, this is no elitist argument about classical music. The world of pop and light music, where Britain has led the way from the Beatles to Coldplay, will suffer just as grievously from the decline of music for that reason.

Probably more so than any other part of our economy, music-making by 50,000 performing musicians in the UK needs a pipeline of talent to be able to survive. It cannot survive without a steady supply of new, well-trained entrants to the profession who can both perform and teach. Many of them will come through universities or our great conservatoires. An institution such as the Royal College of Music specialises in preparing 300 graduates a year for the performing arts economy, ensuring that they are flexible and skilled enough to compete in national and international markets. In turn, UK students at college or university overwhelmingly were pupils who learned music academically and learned an instrument at school. That is where it all starts: the crucial entry point to the pipeline of talent.

Let us be clear: our great tradition in the creative industries is not because our nation is somehow innately creative; it is because we have created a strong arts education system with music at its core in which children progress through primary and secondary schools to further and higher education. Progression is the key. If music teaching in schools is undermined and eroded, that pipeline will dry up over time, with incalculable consequences for our musical life as a nation and for the creative economy. I fear that that is exactly what is happening now. Music is literally disappearing from our schools, and that is, I hate to say, a direct result of government policy.

This year, only 35,000 pupils completed a GCSE in music, the first staging post on the path to a professional career. That was down from 46,000 in 2010, a decline of a quarter in just eight years. Imagine the mayhem there would be in Whitehall if the number of pupils taking physics had declined by half as much. Now, one-fifth of schools do not even offer GCSE music and, of those that do, 11% have to teach it outside curriculum time.

Those shameful figures are part of a wider picture of music in ferocious decline in our schools. Consider these facts. The DfE’s own figures from last year show that the number of hours for which the arts, including music, were taught in secondary schools in England fell by 21% between 2010 and 2017. A survey of 500 schools from the University of Sussex published just last week shows that compulsory music for 13 to 14 year-olds is down from 84% of responding schools in 2012 to just 47% now—a terrifyingly steep decline. Over the same period, staffing levels in music departments are down by 36%, with 70% of surviving music specialists having to teach outside their subject to fill gaps. Many teaching staff are now part-time and some are unqualified.

Music outside the classroom is under equal pressure. UK Music estimates that, for children aged 11 to 15, participation in extracurricular music is down from about 75% in 2012 to 60% last year, partly reflecting the sharp decline in peripatetic teaching.

If one needed evidence of how this erodes the pipeline, one has only to look at the even more shocking figures for A-level music, where there has been an inevitable decline of just under 40% in entries in England since 2010. Only 5,485 pupils took A-level music in 2018—down from 8,790 only eight years ago. That should not be a surprise: you are unlikely to take an A-level unless you have done a GCSE, so the inexorable unravelling of the ecology of our national musical architecture begins in a way which makes the long-term future of music in the UK ultimately unsustainable. This is a warning not just about the future; we are beginning to suffer the consequences even now. Last week, it was revealed that the National Youth Orchestra of Wales—a part of the UK with music in its bone marrow—has been unable for the first time ever to recruit enough violinists. That is how it begins.

While other factors may be involved, much of the blame for this situation must lie with the introduction of the English baccalaureate, which does not measure achievement in artistic, creative, and technical subjects, and therefore means that secondary schools have no incentive to offer those subjects at GCSE. It downgrades and punishes arts subjects at the expense of sciences. I know that my noble friend will say, as he did yesterday, that there is no empirical evidence linking the introduction of the EBacc in 2010 with the decline in GCSE and A-level music, which also dates from that time. However, it is what schools and teachers are themselves saying. In a recent survey of 1,200 primary and secondary schools by the BBC, 90% of teachers said that they had cut back on creative arts subjects, and most blamed the combination of EBacc criteria alongside funding cuts. In a similar survey by the University of Sussex earlier this year, 60% of independent schools specifically highlighted the EBacc as having a negative impact on the provision and uptake of music in their schools. Many confirmed that they now steer lower-ability pupils away from music so that they can concentrate on EBacc subjects.

One of the terrible consequences of all this is that a huge divide is being opened up between provision of music in the state schools and in the independent sector which is, thankfully, not constrained by the

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stultifying straitjacket of the EBacc. As a result, music is increasingly becoming the preserve of the wealthy, whose children go to schools where GCSE music is still encouraged and who can afford to pay for music tuition. Half of children at independent schools have sustained access to music tuition, compared to just 15% in state schools. That divide is shameful in a civilised society.

I have no doubt that my noble friend, who I know is a doughty champion of music education, will say that the Government are tackling the problem in other ways, including through music education hubs. But this provision is a patchy postcode lottery at best and can never be a substitute for the proper teaching of music in schools, particularly when cuts to council budgets are putting severe stress on local authority music services. All such initiatives, important though they are, are at best a sticking plaster, and our musical life deserves better. I am sure that my noble friend will also point out that music is a part of the national curriculum, which means that schools are required to teach music up to the end of key stage 3. But that too is being eroded, not least because of the growing number of academies, which are not bound by the national curriculum. Their growth and the constraints of the EBacc mean that increasingly music is not offered even at key stage 3, irrespective of the demands of the national curriculum.

As the Incorporated Society of Musicians has made clear, the answer has to lie in wholesale change to the EBacc system—either by cutting it right back and retaining just the core subjects of English and maths but with six open spaces to give schools and pupils greater flexibility, or by reforming it in the imaginative way that my noble friend Lord Baker has proposed, ensuring that pupils study a creative GCSE from a list that would include music, art and design, dance and drama. Either way, the priority must be to give music and creative subjects equal billing in our schools in a way that they always had until this act of cultural vandalism.

We need to take immediate action because the situation is grave and urgent, as the figures I gave earlier underline. If we do not, history will damn us with those chilling words: “too late.” Once our world-renowned musical architecture crumbles—and without change it could well do so—it will be well-nigh impossible to rebuild it. The decline of GCSE music will continue apace. Fewer and fewer pupils will go on to do A-level music. Music departments in schools will shrink even further, meaning a decline in the quality of education for those lucky enough to still be able to take those exams. The gulf between the rich who can pay for music education and those who cannot will get wider and starker. The pipeline to our conservatoires and universities will rapidly dry up as music education disappears from schools—at just the time when our international competitors are seeking to emulate what we have achieved here in previous generations.

The supply of professional musicians into our creative industries in every region of the UK will inexorably diminish, damaging a vital and expanding part of our economy, with so much potential for soft power in a post-Brexit world. There will be fewer teachers to go

into the schools where music still has a place, and so it will continue. Above all, many thousands of children—perhaps among them some with potential to be world-class musicians—will be deprived of something which should be their birthright: an understanding and appreciation of the beauty of music, which should be the right of all, not the privilege of the few. That is the greatest tragedy. There is a clear and present danger to the musical life of our nation, and the time to act is now.

2.06 pm

**Lord Lipsey (Non-Affl):** My Lords, it is a particular pleasure to follow the noble Lord, Lord Black, this afternoon because this is something on which I agree with him. Usually we are clashing about press regulation, but there are two things that we have in common: a love of music and a love of dogs. I am delighted that he has raised the former of those this afternoon.

I speak as joint chair of the All-Party Parliamentary Group on Classical Music; as, until recently, the chair of Trinity Laban Conservatoire of Music and Dance; and a trustee of the Mid Wales Music Trust, whose distinguished chairman is the noble Lord, Lord Burns.

Let me start in Wales, which makes a change. This debate, I am sure, will highlight the poor state of music education in English schools. The hub system, which is supposed to provide it, was well described by the noble Lord, Lord Black, as patchy. But at least there is a hub system; in Wales there is not. Indeed, in my own county of Powys there is no music service at all. Powys’s grant to South Powys Youth Music has just been cut to £5,000, and next year there will be no grant.

Mid Wales Music Trust, of which, as I say, I am a trustee, is only small, but it works hard to fill gaps. It leads on the “Joined Up Music” project, which aims to address the lack of a music service by bringing a range of music and arts organisations together to deliver high-quality performances, workshops and instrumental tuition taster sessions for primary schools across Powys. I have read some of the responses from teachers and children to those taster sessions, and they would bring tears to the eyes of anyone in your Lordships’ House with a feeling for it. If, however, I go on to say that much of its funding comes from the EU Rural Development Programme, your Lordships will realise that it cannot be guaranteed to thrive.

I do not, incidentally, altogether blame Powys for the collapse in the music service, because its budget problems are truly horrendous. However, some activity is now under way, and I pay tribute to the report of the Assembly’s culture committee under its fantastic chair, Bethan Sayed. She herself benefited from free instrumental lessons in school, and went on to a youth orchestra afterwards, so she knows what she is talking about. Her report is scheduled to be debated in the Assembly on 24 October, and I hope the Welsh Education Minister, Kirsty Williams, will give it a warm welcome.

I turn to England, and I start with one general point. Trinity Laban, where I was chair, has a terrific record for the employability of its students—even those who do not go on to do music. It comes in the top three higher education institutes in the country for those in jobs or in further education six months after graduating.

Music graduates are very hard sought by capitalist firms outside the world of music. Music education uniquely equips students for life outside in companies, because it requires two things: a tremendous concentration of individual skills and effort—the amount of practice our students put in is extraordinary—and an ability to come together in teams. They participate in orchestras and chamber groups, working with others to produce the best results, and that is the essence of what makes a successful, modern company. How extraordinary, then, how unbelievable it is that we are down-grading its role in schools, concentrating solely on the STEM subjects. It cannot be said too often that music education brings to our country not only cultural enrichment but economic enrichment as well.

Again, wearing my past Trinity Laban hat, I would like to say a word or two about elite, or classical, music. Year after year, I attended with huge pleasure TL's gold medal competition for the finest musicians and, year after year, I was struck by how many of the finalists were from abroad. In 2018, the winner was Iyad Sughayer, a Jordanian Palestinian whom I have been lucky enough to sponsor. Any noble Lord who wants to hear future greatness in action can hear him play at Conway Hall at 7.30 next Thursday, 8 November. The noble Lord, Lord Cope—and I thank him for it—has given him a platform in aid of the charity Palmusic. I am delighted to have this foreign talent, of course: it enriches us and it enriches our music, but we do not want only foreign talent; we want the best British talent as well.

In order to be an elite musician and thrive at a conservatoire, you need to be passing grade 8 music exams with distinction by the age of 15. That, as noble Lords who have ever touched an instrument will know, is a pretty high standard. At Trinity Laban, we rely heavily for our intake on state-educated children. Something like 80% of those who come to Trinity Laban are state educated, compared with something nearer to 50% at the royal colleges. I perhaps disagree about the meaning of that with the noble Lord, Lord Black, but the obstacles to success are huge for state-school pupils without rich parents. Some hubs have fine stocks of musical instruments; some have a few recorders. To thrive, elite musicians need proper instruments. It is no good having the £80 Chinese violin I bought for my daughter. A grade 8 quality violin will cost between £1,000 and £4,000. A bassoon for that level will cost £15,000. That is just one of the huge obstacles in the way of a child from a state school without a rich family making it. Much talent falls by the wayside in consequence. In particular, diversity in the representation among elite musicians, which is something that we all want to see, suffers.

If we neglect music in schools, especially music for those with real talent, the nation will pay both a cultural and an economic price not worth paying.

2.13 pm

**Lord Clement-Jones (LD):** My Lords, it is a pleasure to follow the noble Lord, Lord Lipsey. I congratulate the noble Lord, Lord Black, for initiating this debate and setting the scene so comprehensively and well. I suspect that many of us in this debate will all be singing the same song.

I am an avid supporter of music, musicians and the music industry. I will start my speech by quoting Darren Henley, the chief executive of Arts Council England who, incidentally, wrote an extremely valuable report a few years ago on music education. He wrote in a recent article:

“It should go without saying that art and design, dance, drama, music and other creative subjects should be an important part of every child's school curriculum. We must never underestimate the value of the knowledge, skills and experiences that these subjects introduce into children's lives. They also bring an added bonus with them in the way in which studying these subjects enable the next generation to enrich our society as a whole”.

It seems to me that that set of phrases really sums up why we are taking part in this debate today.

Nevertheless, as both of our previous speakers have already shown, we hear that music teaching, alongside other arts subjects, is in decline. I am not going to repeat the statistics mentioned by the noble Lord, Lord Black, about the decline in the number of music teachers in secondary schools, the decline in the number of teaching hours for music or the decline in the GCSEs taken in music between 2010 and 2017. All of that is on the record, and they are the official figures. The noble Lord, Lord Black, also mentioned the drop in A-levels, which no doubt is a consequence of the GCSE drop.

In 2010, the EBacc, which has already been mentioned, was introduced and it excluded creative subjects such as music. A total of 59.7% of state schools say that it had a negative impact on music provision and uptake, according to a study conducted by the University of Sussex. Provision of music GCSE in a school creates the culture for a school to embrace music and provides talent and equipment in-house to allow many forms of music-making to emerge and be supported.

To his credit, the Prince of Wales attended a conference last month, run by Children & the Arts at the Royal Albert Hall. Its message was that we must not let the arts become the preserve of children at private schools, which have better facilities and more teachers to run activities such as orchestras and drama productions. I suspect that that is going to be a theme throughout this debate as well. Children in the state school sector should have the chance to learn an instrument just as their better-off peers do. Reduced access to music in state education is leading to an inequality of opportunity and a lack of diversity. Music has a key role to play in enabling social mobility. There is evidence to suggest that children who are engaged in education through music—as is the case with other subjects such as drama and sport—do better at their maths and English.

Moreover, an artificial distinction is being made between science and creative subjects. Talents and skills in the arts are fundamental to the UK's future success. It is true for our creative industries: much of the continuing boom in UK television and film production is attributed to the skills and talent base for which we are internationally admired. We simply cannot afford to lose this, and we need to ensure that our education system supports the sector and that a good range of relevant creative subjects are taught in schools.

However, this is also true for the tech industries. In our Select Committee report *AI in the UK: Ready, Willing and Able?* published last April, the House of



[LORD CLEMENT-JONES]

Lords Select Committee on AI concluded, after receiving convincing evidence from AI developers and others, that creative skills were as important to our future as maths and science. As the Creative Industries Federation said in its paper three years ago on the creative education agenda,

“Science and arts are not an either/or”.

For its own sake, too, music, which is so important to us all culturally, must not become a neglected sideline within the 21st century education system. The music industry is a £1 billion industry that is vital to the UK. As the noble Lord, Lord Black, said, unless this decline is reversed, the talent pipeline that we hope will produce the next generation of stars to follow Adele, Ed Sheeran and Stormzy will suffer a major blow.

Here are a few suggestions for action by the Government. First, we have seen the target of 90% for EBacc subjects pushed back, but let us drop it altogether. The EBacc should not be the headline assessment measure for schools, but used as part of progress and Attainment 8. With the 90% EBacc target in prospect, secondary schools will choose to focus on EBacc subjects as the safest way to ensure that they meet multiple accountability targets.

Secondly, we should limit “Outstanding” to schools that warrant it. Schools should not be outstanding without decent music provision. I very much welcome what the Chief Inspector of Schools, Amanda Spielman, said last week: in assessing quality, Ofsted would focus on the curriculum taught within a school, rewarding those that offer pupils a broad range of subjects.

Thirdly, we need a proper assessment of the skills that we need for the future. The Department for Education should conduct a proper audit of the skills and education needed as part of the industrial strategy.

Fourthly, we need to adopt proper careers advice. I look forward to the work that the Creative Industries Federation will be doing as part of the creative industries sector deal, which has pledged to,

“increase the supply and diversity of skills and talent in the creative industries”,

in at least 2,000 schools and among 600,000 pupils in two years. Needless to say, the Government should be thinking about reaching all schools after that.

Fifthly, the Government committed £75 million annually and directly to music education hubs to deliver on the national plan for music education to provide music services for children and young people. There is, however, no clear plan in place for them after 2020.

Clearly, there are many other aspects that need to be dealt with. Music technology, for instance, is a very important part of what should be in the national plan and introduced by the hubs. We have the examination boards that rely on the talent available from GCSEs and A-levels and those who wish to take those grades. I remember taking my grade 3 trumpet—that seemed like a great triumph at the time for someone with my musical talent. I hope that we shall hear a great deal more from Members of this House about the importance of music, and I also very much hope that the Minister will respond positively to what he hears today.

2.21 pm

**Lord Lingfield (Con):** My Lords, I congratulate my noble friend Lord Black on his impassioned introduction to his debate and remind your Lordships of my declared interest: I am the chairman of the English Schools’ Orchestra, the ESO, which I founded together with Mr Robert Pepper MBE, its Musical Director, some 24 years ago—thus we are coming up next year to our silver jubilee. It is about classical music and classical orchestras in schools that I want to speak today.

Young people join the English Schools’ Orchestra when they are about 12 years old and play with us until the end of their first term at university. They are required to be of grade 8 standard of the Associated Boards and have exceptional ability. They come from schools across the country and from every kind of background. We give them the opportunity to make music in a first-class orchestra with other equally highly talented individuals and to perform in important national venues such as the South Bank, Barbican Centre and Cadogan Hall. Above all, they have superb teachers and tutors—some of whom are also former members of the ESO—who introduce them to a wide variety of classical music. As our late patron Sir Malcolm Arnold said, “You have to pinch yourself to realise that they are not a professional orchestra”.

We developed some time ago an alumni chamber *sinfonia* which, under the leadership of the director, engages in much outreach work to encourage young pupils from disadvantaged and low-income backgrounds in south London—it has started in south London—to learn to play an instrument and to appreciate classical music. We are indebted to my noble friend Lord Lloyd-Webber whose foundation generously supports us in this work. We have relied entirely, from the very beginning, on financial support from many kind companies, charities and individuals and have never used a penny of public funds—we are all volunteers. When I once tried to make an application for government sponsorship I was asked: “English Schools’ Orchestra—do you play music from other lands?” I replied, “Well, there is Mozart, Chopin and Tchaikovsky”. What she of course wanted, she explained, was that we should play rap, blues and other music that was “more relevant”. I explained that, although our members certainly played these in their own bands and groups, we were there to introduce young people to the finest music in the western classical tradition.

In the last few years, however, we have witnessed some extremely worrying trends: there are fewer children able to receive school or music hub tuition in the rarer instruments, such as the bassoon, the French horn and the double bass—and the violin in Wales, it seems. Fewer young people seem to have experience of playing in small ensembles, which demand the need to concentrate for extended periods, to co-operate with others and to develop resilience, all skills necessary for playing in a large orchestra, especially one performing ambitious works, as the ESO does. Why should this be? Experienced music teachers tell me that young graduates entering the profession need far more training in coaching and directing ensembles of pupils at all levels, both inside and outside the classroom. They also need to have the skills to conduct and to prepare arrangements of

music to suit the groups that they have, including an understanding of the capabilities of different instruments at a range of standards. Our music colleges, academies and teacher training institutions really must repair this deficit.

There are, as several speakers have said, fewer music teachers available. It is worth repeating what my noble friend Lord Black told us about the University of Sussex survey: music staffing has fallen by 36% in the last few years. He mentioned the deficit in the number of candidates for GCSE and A-level music. These problems have led to another problem: the number of school orchestras that provide the essential experience that I have mentioned has fallen also. Music hubs, whose funding is provided by the Government on the clear condition that they teach music,

“of a wide range of styles”—

which is fine—tend, however, not to emphasise classical music as they did. This is a mistake and should be rectified as, inevitably, children from poorer backgrounds have less chance of learning to play the music of the great classical composers. There are pockets of excellent practice, such as the London Symphony Orchestra’s small academy and the English Schools’ Orchestra’s own outreach initiatives. Some 800 senior schools still have some kind of orchestras; these are to be praised but, as I said, their numbers are falling and the trend in state schools seems to be slowly moving away from them. It would be a huge dereliction of our duty to the next generations, as noble Lords have said, if they become largely the province of independent schools. That has been mentioned by most of us today, and I hope the Minister will give us some comfort.

To improve the situation and allow students to realise their full potential, we need to fulfil the aspiration of the 2011 national plan for music education, which was to ensure that all pupils receive at least a year of high-quality ensemble or small group teaching. Currently, an average of only 15% of pupils receive at least one term, and fewer still the whole year. These are the Arts Council’s own statistics. This aspiration should lead, for those demonstrating real aptitude and enthusiasm, to the opportunity to have lessons in smaller groups and then individually, as well as gaining experience in small ensembles and beginner orchestras. They should also be given a good choice across the orchestra instrument families, including the rarer ones that I mentioned earlier.

I have only praise for those in schools and youth orchestras across the country who are still dedicated to introducing young people to the joys and skills of playing great classical music. We must give them every possible encouragement and ensure that their future is safe.

2.30 pm

**The Earl of Clancarty (CB):** My Lords, the noble Lord, Lord Black of Brentwood, has given us a speech telling it how it is. Music education in schools is under threat in this country. The noble Lord gave us the statistics: a 23% drop in GCSE entries in music since 2010, and 7% in the last year alone. To compare with two EBacc subjects, geography and history, geography GCSE entries have risen 38% and history by 22% since

2010. The Government have made claims that they are doing some kind of counterbalancing measure, yet geography, an important subject, nevertheless has almost seven times the number of GCSE entries as music. This is an extreme imbalance. Of course, because arts subjects are excluded from the EBacc, this is happening not just to music but to all the arts and design subjects, and surely one of the more shocking facts is the drop of over a quarter in arts subjects overall taken at GCSE level in the last three years alone.

More shocking still are the department’s figures on the number of teachers and hours taught: a 13% drop in the number of music teachers and a 13% drop in hours taught for music since 2010. The facts are shocking because they more immediately reflect the increasing lack of provision of and commitment to the teaching of music—and again it is the same story in all the arts, with 20% of teachers being lost overall since 2010. All this is backed up by the evidence from the schools themselves: for example, the University of Sussex research, which the noble Lords, Lord Black and Lord Clement-Jones, referred to, and which the noble Lord, Lord Lloyd-Webber, called “an urgent wake-up call”. One of its telling conclusions is a continuing decline in the number of schools offering GCSE music, with no option in 18% of schools and a further fall of almost 6% predicted up to 2020.

It is getting a little frustrating having to quote back to the department year after year its own figures, alongside all the other evidence. It is frustrating to be faced with a department which seems to want to continue to bury its head in the sand. It seems extraordinarily unconstructive that the Government merely ignore the views of expert bodies and schools organisations such as the Association of School and College Leaders. The best that the Minister could do yesterday in response to the Oral Question from the noble Lord, Lord Black, was to cite the old New Schools Network conclusion about the broad stability of the proportion of young people taking at least one arts GCSE—and it is not true, in part because it leaves out design and technology, which is a significant exclusion. Also, what an unambitious standard to want to celebrate, since it ignores all the students who might want to do more than one arts subject since they are often complementary: dance and music, or music and drama, for example. Students should have the clear option to do so if they wish. I recently visited a school in the Midlands which was set up as a specialised visual arts secondary school, and it now does not offer more than one arts subject per pupil at GCSE level. The head of its arts department also has to teach geography, which is a nonsense at that level of teaching—or in fact at any level. Indeed, the Sussex University research confirms that 70% of secondary school music teachers have had to teach outside their subject area since 2016.

The pressure of course is that the EBacc as an accountability measure now effectively forces schools into a particular straitjacket they do not want necessarily to be in. But this is changing the culture of school education to the extent that arts subject are valued less, as is confirmed by both teachers and, significantly, by students, in the extensive new study *Time to Listen* by Nottingham University, published jointly by the Royal Shakespeare Company and Tate, and which the

[THE EARL OF CLANCARTY]

noble Baroness, Lady McIntosh of Hudnall, referred to yesterday. Subjects are valued less so they are not offered—it becomes a vicious circle. Moreover, the Sussex research finds that even where music is offered, in some schools students can be discouraged from taking up that option in order to concentrate on EBacc subjects. But also, at a time when schools are strapped for cash, the teachers will not be taken on either, which is why I am extremely sceptical about the Minister's statement yesterday in answer to the Oral Question of the noble Lord, Lord Black, that there is no crisis because of a low vacancy rate for music teachers. That says nothing at all about whether music teachers should not be taken on, but may speak volumes about the priorities that schools are forced to have to meet the EBacc goal.

It is becoming clear too that the effect of the EBacc culture is not confined to GCSEs. The knock-on effect, as the noble Lord Black pointed out, affects the pipeline of talent. He spoke about A-level music entries dropping by 3% in the last year and a frightening 38% since 2010. At the other end, music is fast disappearing from primary schools, and the Incorporated Society of Musicians has also commissioned a study on this from Kevin Rogers, who was the last county inspector of music in the country—which already says something in itself. He shows that accountability measures are responsible for this decline.

The hope in all of this lies in what I think is a discernible change in the public mood, which is one of increasing concern. The Nottingham University study calls for parity between the arts and other subjects at key stage 3, a proper recognition of the arts in the Ofsted inspection process, and a minimum proportion of time dedicated to creative subjects. It also calls for an arts premium for all schoolchildren and a review of the importance of the arts—this is significant—among Russell Group universities.

I hope that the department will finally listen. Much is at stake, not least the future of music as well as the other arts, many of which interact with and depend on each other, and I ask that the department talks to the DCMS, which should be very worried, as we all should be, about what a continuing and deepening marginalisation of the arts and creative subjects in schools will mean in the long run for the health of the creative industries. Add to that the cuts and the serious problems of Brexit, particularly for musicians, and we have a potentially huge problem.

My noble friend Lord Berkeley of Knighton would have been here today except that, somewhat ironically perhaps, he is working with music students at Wells Cathedral. He asked me to say this:

“Given the success of our creative industries and particularly in music, it does seem disastrous for our future success that this and the next generation of students are being deprived of the touchpaper that can light a creative career”.

Above all, schools should be offering an education which gives students as many opportunities as possible to find themselves—that is an important aim—including subjects which are participatory and sharing, and music as a practice is this. In a letter to the *Times* in August Sir Simon Rattle and others said that,

“we urge the government to reverse its EBacc policy and take action now to keep music in our schools”—

and, one might add, thereby to provide music for every child in the country. Music should not become a preserve of the rich. It is time that the Government looked at other models of education which will properly deliver a rounded, balanced education—one fit for the 21st century.

2.37 pm

**Baroness Redfern (Con):** I thank the noble Lord, Lord Black, for bringing this debate to the House today and for giving us the opportunity to take part and question what the future is for music in our schools today. I welcome the 3.5% pay rise for lower-paid teachers, which includes some music teachers, but my concern is regarding the challenging financial landscape for local authorities, which is resulting in many areas seeing creative subjects such as music being squeezed; one-fifth of schools no longer offer the subject as an option. We note that the national plan runs until 2020, and we are informed that a review or an extension will be announced this year, so I would be grateful if the Minister could respond to that later.

We can look back to 2012-13, when music was compulsory in 84% of schools, but we are now seeing a quiet decline in our British schools, with barely one in 20 pupils taking music GCSE. There is no doubt that exposing pupils to practical music is an important part of getting them involved in musical culture. Many UK musicians have benefited hugely from state school music. All pupils deserve the opportunity to experience a life enriched through active musical participation, which includes creating, performing and listening to music. Music can of course be relaxing: students can fight stress by learning to play an instrument, and it is especially helpful for them to relax and fight that stress.

Gaining a real sense of achievement and learning to play pieces of music on a new instrument can be challenging, but it is an achievable goal and they are rightly able to feel proud of their achievements. Research has also shown the huge benefits music brings to children's learning and, importantly, to their happiness. All this can be achieved through the arts. For those who are shy and afraid to stand in front of people, music provides a safe and fun way to conquer their fear, and gives them confidence to escape from their comfort zone.

It is also important to give as many children as possible, including those who suffer from handicaps, the chance of playing in an orchestra, singing, or whatever it may be in their musical education. It is a really good way to remove barriers. I want to pay particular attention to young people with a mental disability, for whom music can help improve their social interaction and verbal and emotional understanding, enhancing the quality of their relationships.

The resurgence in the popularity of choirs over the past few years has demonstrated how joining a choir helps with isolation by helping people forge lasting friendships. We must not let children who come from lower-income backgrounds be locked out; practical music tuition is in some cases very expensive and out



of reach. As we have heard, evidence shows that the third-largest contribution in this current year comes from parents—almost 17%. Again, music cannot be just for those who can afford to pay.

I doubt that a single day goes by without music in some form or other coming into our lives; music is for life. Many in this House have had the opportunity to play football—although I have not—or hockey from a relatively young age. They may not still be playing at 70 or 80 plus, but you can still sing or play the piano or some other instrument, because music is lasting. Some noble Lords may be switching on the television on Saturday night to watch “Strictly Come Dancing”, where we see musicians, dancers and choreographers performing with their creative talents—and sometimes producing drama as well.

Music is a gift that will last children their entire lives. There must be a future for music, otherwise we will all be the lesser for it—and it should not be based exclusively on the ability to pay. Music matters, and it enriches us all.

2.42 pm

**The Lord Bishop of Chichester:** My Lords, I am grateful to the noble Lord, Lord Black, for his magnificent introduction to this debate, and for the opportunity for us to remind ourselves of the vital importance of music and the arts generally to the creative industries and the life of our nation.

The decline in funding for music in schools, and in its take-up at GCSE and A-level, has already been identified and the crisis we now face has been rehearsed. I add my voice to those who have called for a thorough review, and possibly the abolition of the EBacc as a means of addressing the situation.

The benefits of music are considerable in the delivery of an integrated education that develops the whole person and meets the diverse needs of any school and the community it serves. Many of these achievements have been rehearsed already in the debate. Learning a musical instrument can develop personal discipline, as performing in a band, orchestra or choir develops a sense of mutual responsibility and respect. Similarly, performance can enhance self-esteem, leadership skills and the determination to achieve. The importance of these skills for future employment has also been noted by the noble Lord, Lord Lipsey.

So much of this is recognised in the 2011 DCMS national plan for music, which makes the failure to deliver and secure the future of music all the more alarming. The decline of the music sector in state-funded education is, as we have also already heard, not replicated in the independent sector, where emphasis on music and the arts remains one of the major selling points of an education that will develop the whole person, build confidence for life, and lead to fulfilling employment.

Music is in danger of being eliminated from areas of deprivation, and of becoming something increasingly London-centric. The Music in Secondary Schools Trust—which, as the noble Lord, Lord Lingfield, mentioned, is supported by the noble Lord, Lord Lloyd Webber—makes an incredible and important contribution, but it is London-centric.

It is noteworthy that the Church has been a patron of music across many centuries; many of our cathedrals still play a part in opening a door to a child with musical ability from a family that may not be wealthy but will be willing to support their development. We in Chichester have recently seen a child from a low-income family win a choral scholarship and board and get an outstanding fully funded education, which resulted in winning a similar package of scholarships at Lancing College—although this is all in the independent sector. We in Chichester are also linked with the Lutheran Church in Germany. I recently visited the Diocese of Bayreuth and there, through the state funding of the Church—through church tax—they have an independent music academy that specifically trains young musicians for church music. This extraordinary, wonderful facility, as a conservatoire, boasts a building with seven organs, 12 harpsichords, a piano in every room, recital spaces, and training in music teaching for young and old alike. We are nowhere near this; our pride in the English and Anglican choral tradition is likely to be eclipsed if we are not careful.

The importance of music as an element of education that nurtures ability in the humanities and the sciences alike is too valuable a resource to be left to the small sector of society that benefits from independent education through being able to afford it, or through having parents with the determination and social confidence to secure it through scholarship—and that is never without personal, social and emotional cost.

The loss of music resources from state-funded schools means we will inevitably fail to release the talents of some of the most able and imaginative children in our nation, because only some have access to its benefits. Moreover, we shall fail to provide an education that gives those with particular needs—in terms of learning, social adjustment, personal development and many forms of impairment—an opportunity to benefit from a mode of communication that can release them to attain a more socially fulfilled life.

One of the complications in sustaining a vibrant musical life in our schools is the availability of appropriately qualified teachers, as we have already heard. Music gave space for creativity in the curriculum; the lack of that space has increasingly created a feeling that teaching is simply a tick-box exercise. It was recently reported nationally that, in Devon, a primary school teacher of 17 years’ service—who represents the “wastage rate” of 10.5% in the profession—resigned to go freelance as a poet. On resignation, he sponsored a billboard poster that read:

“Children! You are not data: learn, inspire, dream, create”.

The loss of music from our schools is of detriment to the teaching profession. I hope the Minister will encourage a review of teacher retention, addressing the causes of its low levels and how to redress this.

Another challenge in promoting music in schools is that it often lacks a supportive culture to make it as attractive in a peer group as sport. How good it is that the crisis in music has prompted celebrity role models to speak out: Ed Sheeran, JB Gill and Laura Mvula have all spoken about the importance to them of

[THE LORD BISHOP OF CHICHESTER]  
music, representing the diversity of cultures from which they come, and which is important in our schools in making music.

The funding of local choirs and youth orchestras, and places where people can rehearse and perform, has been widely diminished by the loss of public funding in local government. The Guildhall School of Music & Drama notes that 76 music teachers were made redundant in the closure of Wiltshire County Council's music service in 2016. In some counties the service continues but with a charge, although the Guildhall School also notes that in some cases that charge is as much as £4 an hour more than in the independent sector of music teaching. I hope that this can be reviewed and that we address the need for funding at a local level those community organisations that will sustain and enable to flourish what we seek to pay for in supporting music in our schools. The long-term damage that we shall sustain as a result of what we are doing to music in schools and local communities will ultimately cost us far more in many different ways than the short-term financial savings that seem to be causing this damage.

2.50 pm

**Lord Lexden (Con):** My Lords, I find myself following the right reverend Prelate the Bishop of Chichester. For me, his diocese is for ever synonymous with one of the greatest of all bishops, George Bell. Three years after this revered man's reputation was traduced by the Church of England authorities on the uncorroborated word of a single complainant, the outcome of yet another private inquiry by the Church is awaited. I hope that it will be published soon and that the most reverend Primate the Archbishop of Canterbury will at last do what is required of him in restoring to a great man a reputation that has been so gravely defamed.

I declare my interests for the purposes of this debate as president of the Independent Schools Association, one of the organisations that comprises the Independent Schools Council, of which I am a former general secretary, and as president of the Council for Independent Education, which works on behalf of 20 independent sixth-form colleges.

Unsurprisingly, it is about independent schools that I would like to speak in this debate, for which we are indebted to my noble friend Lord Black of Brentwood, himself an accomplished organist and pianist who can often be found playing impromptu piano duets with musical guests at his home in Italy. I recall with pain that at my bleak boarding school in Suffolk long ago, I insisted on banging the piano keys so furiously that my music teacher swiftly sacked me. I am thus ineligible to play duets with my noble friend.

As this debate has already frequently noted, music is one of the great strengths of the independent sector of education. Some 1,300 of the total 2,500 independent schools in our country come within the ambit of the Independent Schools Council. In the overwhelming majority of ISC member schools, where the average school roll is only 165, life without music would be inconceivable.

A few days ago I received the latest journal of the Independent Schools Association, featuring news of recent arts awards won by our member schools. Top of a considerable list came Hulme Hall Grammar School in Stockport, winners of the Incorporated Society of Musicians trust gold award.

My colleague Mr Neil Roskilly, a man with long experience of teaching in both state and independent schools and now chief executive officer of the Independent Schools Association, studies all aspects of our education system with close attention. As this debate loomed, he wrote to me as follows:

“The majority of independent schools recognise music education as part of their core, certainly up to the age of fourteen and often well beyond. The range of formal and informal opportunities to access music is phenomenal. My son's own school, the Perse in Cambridge, boasts 50 music scholars, several pupils who are members of the National Youth Choir, with more than 20 peripatetic staff with instrumental specialisms delivering around 550 individual lessons each week. That is not untypical”.

I draw attention to this state of affairs not in any spirit of self-congratulation or self-satisfaction but to underline the fact that many of the 7% of our nation's schools in the independent sector have important resources and musical accomplishments that can assist their colleagues in the state sector. Mr Roskilly notes:

“What is so pleasing is that many independent schools are working with state schools in partnership to promote music. Our own Association is doing a great deal. For example, Queen Ethelburga's in York works closely with a range of local primaries. Our Chairman's Old Vicarage School in Derby has a wonderful joint choir in which children from a local primary play a major part. At a recent concert in Derby they sang to an audience of some 30,000 people”.

To a greater extent than ever before, independent schools are being actively encouraged to come together in mutually beneficial partnerships with their counterparts in state schools. The Schools Together website records what is being done. Some 16 pages of it are devoted to the music partnership schemes that have now been established. In a recent formal statement of joint understanding with the Independent Schools Council, the Government pledged to promote the case for partnership among state schools. That is vital to ensuring the continuing expansion of partnership schemes. Success will be achieved only when state and independent schools come together of their own free will. Coercion could not lead to success.

There are now 624 projects uniting state and independent schools in the teaching and performance of music. There can, and should be, more. I well remember the noble Lord, Lord Wallace of Saltaire, expressing the view in a debate a few years ago that partnership schemes needed to be expanded fast. I do not disagree with him. Between them, the ISC's 1,300 member schools have 725 concert halls and theatres, along with 425 dance studios. All should be used as fully as is possible and practicable by staff and students in both sectors of education. Mr Tom Arbuthnott of Eton College, a leading figure in the promotion of music partnerships, writes that they are,

“particularly easy to get off the ground, largely due to musicians' instinct to perform, and the likelihood that Directors of Music are going to care very much about spreading the benefits of music over as wide an area as possible”.

Those telling words—“spreading the benefits of music”—must be kept ringing in the ears of independent and state schools. They must ring in the ears of government Ministers too—at high volume. Music partnerships between independent and state schools will not of course solve the profound problems which this debate has identified but they can make a useful contribution.

2.57 pm

**Lord Wallace of Saltaire (LD):** My Lords, I can confirm what the noble Lord, Lord Lexden, has been saying about the value of partnerships between independent and state schools. At the age of nine I was lucky enough to go to a choir school and thus to drop out of the state sector. The independent school to which my father’s employer then gave me a scholarship had, in those days, pretty basic music facilities. It has since invested in the most superb music and drama facilities, which thankfully it has made available to the state schools around it. Part of the increased gap that we see between the independent and state sectors is due to the fact that independent schools have now developed these superb facilities, and it is important that they share them. That is part of the public benefit that justifies charitable status.

As I said yesterday, I am the trustee of a music charity, the Gresham Centre, which runs VOCES8 and Apollo5. We have actively pursued those partnerships, and the best independent schools now actively take part in them. One has to praise what they achieve. I wish that the best quality would spread further through the independent sector than it has done so far.

My children went to a state school with a very good music department. I recall attending an early school concert there, at which a young woman of Nigerian parentage sang a Fulani folk song. I thought that was just what diversity in school music should be about. My son then went to the Saturday school at the Centre for Young Musicians in London, which was previously funded by the state sector and is since funded by the City of London Corporation. From there, he managed to go to the London Schools Symphony Orchestra and he spent a year at Trinity College, of which the noble Lord, Lord Lipsey, has spoken. He kept up with the musicians from the independent sector whom he met at university. My daughter was, frankly, intimidated when she arrived at university by the greater self-confidence and achievement of the children arriving there from independent schools. It is sadly that case that music scholarships at Oxford and Cambridge are dominated by children who have been educated in the independent sector, because children in state schools do not get the training and experience to qualify. That is part of the gap that we are talking about.

Where are we? Yesterday, the Minister produced what I felt were rather odd statistics, and evidence that I did not entirely recognise. The extensive briefings we have all received for this debate tell a very different story from the one he tried to tell us. There are two sides to what we are talking about: one is the basic provision of the opportunity to sing and to learn an instrument for all children who go through British schools; the other is the chance for the talented and the interested to progress and learn an instrument to a

high quality of performance or to sing with a highly developed choir, and perhaps, in time, to become a professional in either the popular or classical sector.

We have the wider context of the impact of austerity across the board. We know that local authority support for music hubs has been squeezed. We see county orchestras—a valuable opportunity for young children to learn to play to a certain level while still in state education—being cut back. For example, Bradford Council has not only cut much of its support for music but has just closed its final trio of public toilets. Saltaire is a tourist destination as a world heritage site, and I can tell noble Lords that, when you receive busloads of school children and the recently retired who want to look around the village, the first question they ask when they get off the bus is about toilets. The closure of public toilets is an example of austerity at its most acute.

The squeeze on school budgets means that teachers in marginal subjects are not replaced and, with the EBacc, music now looks like a marginal subject. The Minister said yesterday that there are few vacancies for music teachers. But that is because there are fewer posts to appoint them to, and that is not something about which we should be proud.

Last Saturday, in the *Yorkshire Post*, there was a story on the decline in musical education across Yorkshire. It focused particularly on Foxhill Primary School in Queensbury, in Bradford. As I am sure noble Lords will all know, that is home to the Black Dyke Mills Band. The primary school, therefore, does its best to maintain its own introductory brass band, as well as a school choir. How is it funded? The band play outside Tesco for the four weeks before Christmas, and the school depends on that collection and other donations to support what it wishes to include in its curriculum but cannot otherwise afford. That is the sort of thing schools are having to do to maintain the music.

The evidence of the value of music in schools is overwhelming, and not just from the University of South Carolina, as the Minister cited yesterday. The Institute of Education at the University of London has done research on this in collaboration with my charity, and I am happy to supply that to the Minister if he has not seen it. Collective singing and playing develops discipline and concentration, and is demonstrated to improve numeracy, self-confidence and performance. People often say to me how good the Parliament Choir is. That is not terribly surprising. What basic qualifications do you need to go into politics? You need self-confidence and the ability to stand up on a platform and project your voice. And what do you get from music, particularly from singing? It gives you some of the basic qualifications that you need.

In the context of the charity I am involved in, I watch, for example, the acapella groups we have created in the Grey Coat Foundation schools performing songs written by their members. That is wonderful. It shows self-confidence among teenagers. The other week, I watched the Shoreditch academy choir perform in St Anne’s on Gresham Street, which is our centre. Seeing these mostly young girls singing their hearts out, I know that we are doing something for them. To neglect this dimension of education in order to cut



[LORD WALLACE OF SALTAIRE]

taxes and public spending would be as irrational as cutting spending on the police while claiming to support the principles of private property and secure communities. I am sure that the Government would not think of doing that.

The charitable sector is having to take over more of what the Government previously funded. We are doing that, but the demand is enormous and more than we can cope with. My charity is now involved in training for schools where no teachers have any basis in music, providing them with the core skills to be able to manage a school singing together. The quality of this country's cultural life matters. The quality of our education matters in the broadest sense.

Yesterday, the director of education for Voces Cantabiles Music at the Gresham Centre sent me a cutting from Singapore. It said that the Singapore authorities are more and more clear that exams and maths are not the full story. When educating children, you need also to inculcate imagination, independent thinking, self-confidence and the ability to work with others. Music does that, and that is why it is a core part of education.

3.06 pm

**Baroness Bloomfield of Hinton Waldrist (Con):** My Lords, I congratulate my noble friend Lord Black of Brentwood both on initiating this well-timed debate and on his thoughtful, wide-ranging and rightly hard-hitting opening speech. I too was fortunate at school to be able to experiment with five different instruments, including the French horn, continuing with two into my adult life. I am currently struggling with grade 4 on the harp.

It is now six years since the Department for Education conducted a review of music education, which led to the creation of music education hubs under the coalition's national plan for education, and seven years since the introduction of the EBacc in 2011. Therefore, we can now analyse the effects of the change in focus and delivery of education and its impact, both on the musical life in our schools and on our musical heritage.

As many noble Lords have mentioned, research by the University of Sussex supports the claim that the introduction of the EBacc has led to a decline in pupils studying arts subjects in general and music in particular. There has been a 15.1% fall since 2016, and a fall of 7.4% in the past year alone. What a waste of potential. Although it is notoriously difficult to prove causality in the arts, numerous studies show a strong correlation between high-quality, sustained music education and increased cognitive development, academic attainment and spatial awareness in children, and the development of their fine and gross motor skills. There is compelling evidence that musical training sharpens the brain's early encoding of sound, leading to enhanced performance on a whole range of listening and aural processing skills. Furthermore, children from low-income families who take part in arts activities at school are three times more likely to get a degree, twice as likely to volunteer and 20% more likely to vote as young adults. In an age in which the digital world offers instant gratification, the ability to appreciate the huge

rewards delivered by incremental progress through consistent music practice has to be a more worthwhile endeavour than collecting skins and weaponry in the obsessional computer game "Fortnite".

Sadly, it is not just the provision of music education that is in decline; it is also the quality of that provision. There have been poor levels of investment in teacher training for musicians for years—talented musicians do not automatically make inspirational teachers. Teachers delivering whole-class ensemble tuition programmes—a government strategy for first access to music tuition at primary school, originally termed "wider opportunities"—rarely have high-quality teacher training. This may explain the very low continuation rates from first access to sustained tuition, although costs will also be a factor.

It is not all doom and gloom, however, and I am encouraged to hear, both from my noble friend Lord Lexden and the noble Lord, Lord Wallace, about music partnerships growing between independent and state schools. At the most local level, the charity London Music Masters, with which I have long been associated, is a community development programme operating across the three London boroughs of Lambeth, Westminster and Islington, providing free musicianship, violin and cello lessons for 1,500 children each week. The charity targets socioeconomically disadvantaged areas with the objective of increasing the ethnic, cultural and socioeconomic diversity within the classical musical industry.

There are other pockets of excellence. Newham's Every Child a Musician initiative delivers free weekly music lessons in small classes to 12,000 children in the year groups 3, 4, 5 and 6, and each child has a free musical instrument to keep and free entry to all music exams. Newham has fully funded this project since 2011 at a cost this year of almost £2 million.

From central government, the Arts Council and Department of Education co-invest £925,000 a year on a project called In Harmony, which runs programmes in Liverpool and Lambeth, delivering musical education to 6,700 pupils across 42 schools.

Musical outcomes from charities such as London Music Masters suggest that with the right support and training, musicians can teach whole classes of students and achieve excellent outcomes. Eighteen per cent of LMM students achieve grade 5 by the end of primary school, compared with a national average of only 2%. It is therefore particularly exciting to learn that this small but inspirational charity is also developing a national teacher training programme based on a decade of practical experience. This could bring a sea change in the quality of teacher training across the sector.

I join the many other voices in this debate in urging the Government to reconsider the strictures of the EBacc. I ask my noble friend the Minister what steps the Government and the Arts Council can take to reverse the catastrophic decline in music education, and how they will encourage investment in the training of musicians to provide more efficient whole-class teaching of the highest quality. We owe it to the next generation to ensure that they enjoy a holistic education that not only equips them well for the next stage of

their academic learning but provides them with the knowledge, skills and problem-solving abilities that can play such a vital role in their development.

3.12 pm

**Lord Aberdare (CB):** My Lords, I too congratulate the noble Lord, Lord Black of Brentwood, on this timely and important debate and on his powerful opening speech. I am delighted to follow the noble Baroness, Lady Bloomfield, whose desire to master the harp fills me with admiration. I declare an interest as chairman of a charity set up to mark the 150th anniversary next year of Hector Berlioz's death, which has education as one of its aims.

As we have heard—I am afraid we have heard a lot of what I am going to say—music is a great UK success story. It contributes £4.4 billion to the economy through exports, touring and the earnings of countless UK performers, composers, ensembles, conservatoires and promoters. Employers are crying out for the creative and other skills which music is particularly good at developing—teamwork, discipline, commitment, resilience, communication and leadership among others. Music also contributes to communities, fostering a sense of identity and social engagement, from the BBC Proms to local brass bands, choirs and festivals. It also contributes enormously to personal satisfaction and well-being. My life would be immeasurably poorer if I had not been lucky enough to go to schools where I had to sing, to struggle with the piano and to learn about music—even if the results were less impressive than for many of your Lordships and probably not even on a par with the noble Lord, Lord Lexden.

I therefore find it alarming that the availability of high-quality music education seems to be getting narrower rather than wider, with a growing opportunity gap between children at independent schools or receiving private music tuition and those at state schools, particularly in less prosperous areas. There is a real danger that we are reaching a tipping point where we lose the enviable position we have built up in music over the years because we are failing to nurture the potential talent and skills needed for a new generation to maintain it. Already, leading UK conservatoires are finding that a growing proportion of their applicants come from the independent sector and many university music departments are having to resort to the clearing process to fill their courses.

The national plan for music education was launched by the coalition Government in 2011. It set out the laudable aspiration that children from all backgrounds and every part of England should have the opportunity to learn a musical instrument, to make music with others, to learn to sing and to have the opportunity to progress to the next level of excellence. To help schools deliver this admirable aim, the network of music education hubs was set up across England and, to the Government's credit, they have continued to fund the hubs, albeit at a lower level than before. That is the good news—a considerable improvement, as we have heard, on the situation in Wales, the so-called land of song.

However, the national plan is falling far short of its goals. Music is supposedly an entitlement for all pupils up to age 14 in schools that follow the national curriculum,

but we have heard the evidence that an increasing number of schools have reduced or completely removed music in the curriculum. The number of music curriculum staff is declining: the average in state schools is now 1.67 full-time equivalents. Tellingly, it is 2.57 full-time equivalents in independent schools. I suggest that the reason for the low current vacancy rate for music teachers in schools cited by the Minister yesterday may be that schools are not recruiting music teachers or are even reducing their numbers.

Fifty-nine per cent of respondents to the Sussex survey highlighted the EBacc as having a negative impact on the provision and uptake of music and more than 200 leading organisations have signed up to the “Bacc for the Future” campaign, seeking reforms to the EBacc. I cannot understand how, in the teeth of ever-growing evidence, the Government persist in asserting that the EBacc as currently constituted is not seriously harming music education. Ministers yet insist that all schools, including academies and free schools, should provide high-quality music education as part of a broad and balanced curriculum. I have no doubt that that is their intention. However, the fact is that it is not happening, and it is often schools serving the most disadvantaged children and least well-off areas that are doing worst.

As the Minister said yesterday, the best schools combine high-quality cultural education with excellence in core academic subjects. Those best schools recognise the importance of music education: it is all the other schools I worry about, for which the current balance of incentives against which they are held to account is giving them the wrong signals and leading heads to focus their limited resources on the EBacc, at the expense of music and creative subjects. I wholly endorse the demand for the EBacc to be rethought to include arts and creative subjects.

Another welcome step would be to ensure that Ofsted inspections take full and proper account of schools' music education programmes, in line with the comment of a hub leader in Yorkshire that:

“Music and the arts are so crucial to a child's learning that I cannot conceive the circumstances in which a school can be outstanding without music and the arts being at least good”.

I was encouraged by the recent speech of Amanda Spielman, the Chief Inspector of Schools, proposing to introduce a new quality of education judgment while reducing the focus on outcomes. I also welcome the appointment of Susan Aykin as lead inspector for the performing arts at Ofsted.

Let me end with some other suggestions. First, there should be a statement soon about the future of the national plan for music education beyond 2020. I hope the Minister will be able to commit not only to a continuation of the plan, including ongoing financial support for the hubs, but to its extension: through covering wider age groups—below age 5, for example; through investing more in the music education workforce, which is underpaid, under-resourced, underappreciated and overstretched; through a greater focus on children and schools facing barriers to progress; and through reinforcing the importance of music in the school curriculum. Hubs are funded to augment and support schools' basic music provision. There is wide divergence

[LORD ABERDARE]

in the quality of services they provide. I have had some involvement with the outstanding Bristol hub—Bristol Plays Music—but many others are struggling.

My second suggestion is that the Minister should look at ways for the Government to put their mouth where their money is, so to speak, by encouraging more sharing of best practice across hubs and working with Music Mark, the association of which 95% of hubs are members. Such encouragement could include promoting take-up of the many excellent resources available from charities and others to support music education in schools and hubs—Ten Pieces from the BBC, the ABRSM's Classical 100 resources and the LSO Discovery programme, to mention three in the classical music field. The current Music Commission inquiry, led by Sir Nicholas Kenyon, will perhaps provide ideas on how to pursue this goal in its recommendations.

My final suggestion is for the Government to be more proactive in exploiting the potential of music and creative education to help achieve wider policy goals, such as addressing future skills needs, delivering the industrial strategy or reforming technical education. There is plenty of research data to inform this, which will no doubt soon be supplemented by the findings of the Durham commission, set up by Arts Council England and Durham University to identify how creativity and creative thinking can play a larger part in the lives of young people, and the “Music in Society” inquiry recently launched by the noble Lord, Lord Clement-Jones. It is high time we recognised that music education should be seen not as a drain on government resources but as an essential investment in the future of our economy, our communities and our citizens—all of them, not just those lucky enough to afford proper access to it.

3.21 pm

**Lord Borwick (Con):** My Lords, we are all different; what a great thing that is. Some children have an aptitude for music and some are very enthusiastic, but others are not. Beyond the very basics we require in the education system, it is important that we offer students the choice to learn music. However, the more a curriculum or subject is forced on some students, the more they may grow to resent it, meaning bad grades and disruption. The great student musicians should get great music teaching, just as the budding historians should get great history teaching. It is important that we find the things that pupils excel in and nurture them.

Of course, we want our children to have good careers. I was once asked by my son when he was a child whether he should learn the piano or the recorder. I asked a friend of mine, an eminent QC in the planning Bar who is also an accomplished brass instrumentalist, “Tell me, what is the most economically sensible instrument to learn?” He said that there was a shortage of bassoonists, which would lead a good player to principal status in the time that a fiddler would make it to 32nd violin. He said that the only better-paid musician at the time was the man who played the taxi horn.

As some noble Lords know, I had an interest in taxis then and do so now as the chairman of the manufacturer for Mercedes of the Vito London taxi. Apparently, there was only one owner of a Parisian taxi horn in London, vital for the “American in Paris” suite, the wonderful work by Gershwin. He demanded that he would only rent it to the orchestra if he were employed to play it. He solemnly pressed the button, perfectly in time, dressed in white tie and tails, and was paid the minimum rate for a full orchestral performance. On a per-note basis, he is definitely the winner.

I have done many of the Peers in Schools visits. I should pay tribute to the great work of Gina Page from the Lord Speaker's Office. She has the complex job of making sure that we Peers are in the place where we are supposed to be at the correct time. From my experience as a Conservative Party Whip, I know just how difficult that job can be. That said, I am told that the purpose of these visits is to teach 16 year-old pupils about the House of Lords. I am convinced that the real objective is not to educate the pupils but to educate the Peers on quite how difficult teaching is. I am certainly grateful for the education.

Music teaching, to the extent that it is about an instrument and not singing, is about personal tuition. More accurately, it is about the ability of the teacher to inspire the pupil to practise. The old story has the traveller ask, “How do I get to the Albert Hall?” The reply is: “Practice, practice, practice!” Unfortunately, most kids are not very dedicated at practising anything and I am sure that many teachers would prefer that a child spent their time on academic revision for exams rather than musical practice. So if a child is learning an instrument at a basic level, a large part of the short lesson must be inquiring about last week's practice and inspiring next week's practice, rather than teaching new techniques.

This is where new software can help. I had a look at an investment in a software company some time ago. I never proceeded with it but I learnt how the quality of the listening skills of an iPhone or iPad, Alexa and OK Google are improving rapidly. Listening is complex, as anybody with hearing difficulties can tell you, but the ability of a small computer to distinguish a note perfectly is progressing well, even if the piano is not perfectly tuned. A good piece of software, of which there are several, can now listen to a student and thus inform their teacher for how long the student practised and indeed how many notes were right and how many were wrong. Rather than a peripatetic teacher driving for hours to teach the bassoon to a pupil, much of the teaching will eventually be done remotely. That will inevitably lead to a massive future reduction in the cost of music teaching in schools. What an inspiring future is coming our way; I am much more optimistic than my noble friend Lord Black.

But new software has to be developed. As we face the latest wave of technological change, it is crucial that we are educating our children with the skills of the future in mind. As I just mentioned, the role of music teacher can now to some extent be enhanced by clever software. Many children do not enjoy music and many have no aptitude for it. I enjoy it greatly but, unlike my noble friend Lady Bloomfield, I have absolutely



no talent. We should remember that we must be educating those children like me to be developing music software, not using it.

When I went to school, all pupils were asked to sing a note, then a second note. I was asked a third question: “Can you sing any note at all?” The same problem must face schools in respect of uncommon languages, with an intake of pupils whose first language is not English. How does a school with a tight budget allocate small resources between teaching the glass harmonica or the harp and mastering a little-used language? There is no right answer, except to try to teach the pupils to love to learn. Perhaps the only practical answer is large classes learning to sing together, with the pupils with no interest in music—or my ability to sing—hiding in the middle and hoping that the teacher will be too busy to discover who is inept.

As with other subjects, the conundrum with music is how to afford specialist subject teaching, usually for individuals, while doing the general teaching of the core curriculum to an audience of widespread abilities and an even wider range of enthusiasm levels. One can make a good case for most subjects to be compulsory and taught to all. I fear that is unrealistic, but music is like most other subjects: it should be encouraged among those who show a talent and an interest. That will allow schools to prioritise their budgets accordingly.

3.28 pm

**Baroness McIntosh of Hudnall (Lab):** My Lords, I start by thanking the noble Lord, Lord Lexden, for relieving me of my Woosack duties to allow me to speak in the gap, which I will do briefly.

I declare my interest as a trustee of an orchestra—Southbank Sinfonia—known to some of your Lordships because it plays for the parliamentary choir, among other things. I should also say that my daughter is a professional, conservatoire-trained musician. When she is not performing, she teaches one-to-one in an independent school with facilities that are so far beyond the imaginings of the schools to which her two children go and at which her husband, who is a deputy head teacher, teaches that it would be difficult to overestimate how wide that gap is. The issues that have come up about the gap between the maintained sector and the independent sector—notwithstanding the germane points made by the noble Lord, Lord Lexden, about partnership possibilities—are extremely important to bear in mind.

I was feeling a bit sorry for the Minister because I had not heard anybody offer ringing support for the Government’s current policy on music education until we got to the noble Lord, Lord Borwick. I was not entirely sure what his view was, but there may have been some comfort for the Minister there.

I will make only two points. The issues that have been covered so extensively by everybody who has spoken—it is rare for me to be able to say that I agree with everybody, but I do—are, on the whole, the unintended consequences of policies that no doubt were established in good faith. I do not say that it was not necessary to make the point that a good standard of academic education is absolutely necessary; I do say that it was wrong to be as restrictive with that as has been the case. We have to accept that warm words

will always come from Ministers at this Dispatch Box and in the other place, because the personal commitment of individual Ministers and their sympathy for the importance of music and other arts are not in doubt. But warm words do not translate into policy, as we have heard.

I would like the Minister, if he would, to consider just two points that have been raised, to listen carefully to what has been said to see whether anything can be done. First, Ofsted is already moving to recognise that the accountability measures that the EBacc represents are too narrow. I hope that he will support it in that and that gradually—or possibly even quite quickly—music and other arts subjects will be included in those accountability measures.

The other thing that I would like the Minister to look at is the attitude of the Russell group universities, which, again for good reasons but provoking unintended consequences, have given the impression to schools that only a limited range of subjects, which do not include any of the arts subjects that we have talked about, are facilitating subjects for getting into them. This is profoundly unhelpful and gives a difficult message to schools and students about what it is possible for them to study and still expect to get into a good university. Music is difficult to study, particularly when you get to A-level. It is just as difficult as maths and it needs quite a lot of the same skills. It is not a soft option or a “nice to have” and it would be a good thing if the universities and the education department recognised that a student who comes out of schools with A-levels in, say, music, chemistry and maths is well-equipped for the life that they are likely to lead.

3.32 pm

**Lord Storey (LD):** My Lords, I start by thanking the noble Lord, Lord Black, for initiating the debate and for his tour de force of a speech. He said everything. I agree with the noble Baroness, Lady McIntosh, in that I have agreed with everything that everybody has said so far.

My own roots in Liverpool mean that I have a particular fondness for both the sound of the Mersey and the Mersey sound. As all noble Lords will know, Liverpool is the capital of pop music, having had more number one songs in the popular charts than any other city. I think I have asked the quiz question before that if anyone knows which the first one was they would win a prize. Nobody came forward last time so I will give your Lordships the answer: it was “(How Much is) That Doggie in the Window?” by Lita Roza. Music in Liverpool is, of course, not just pop music and the Beatles, but our world-famous symphony orchestra, the Royal Liverpool Philharmonic Orchestra, which does incredible outreach work in many deprived communities in the city.

I have a great deal of respect for our Minister—I think that he is a very genuine and decent person—but he has an impossible task today. No doubt he will trot out numerous examples, quite rightly, of good practice throughout the country, with particular music hubs doing this and particular projects doing that. But the fact is, no matter how much he or his civil servants dress it up, I am afraid that the statistics from the

[LORD STOREY]

Incorporated Society of Musicians make quite terrifying reading. Music teaching in our schools is currently in terminal decline. Of course, it is not just music but the creative subjects as well.

I just do not understand this. As the noble Earl, Lord Clancarty, said, why would we bury our heads in the sand? Why would we allow this to happen? The UK music industry is worth £3.5 billion to our economy, including £1.4 billion-worth of exports. The wider creative industries are worth £85 billion, growing at twice the rate of the British economy. Why would we put that in jeopardy? Any other country would be nurturing and developing this opportunity, yet survey after survey, whether from the BBC, the Institute of Education, the National Education Union or UK Music, shows that music and the creative industries are in decline.

Of course, as we have all heard, there is one beacon of hope—the independent sector. Perhaps it is no wonder that a disproportionate number of our actors, for example, come from the independent school sector. It would be interesting to know, just as we had the question about the amount we spend on education in this country, when the figures come through about teachers and creative subjects, whether we have stripped out the independent sector. Do we know what the figure actually is? I pay tribute to the independent sector for the support it gives to the maintained sector and academies up and down the land. One wonders today whether some of Liverpool's icons, such as Simon Rattle at Liverpool College, Paul McCartney at the Liverpool Institute, or John Lennon at Calderstones comprehensive, would have been able to aspire to the positions they are in today, or were in, if music had been developed as it currently is.

What do we need to do? It is not difficult. It is one of those few occasions where we are not asking for lots of money. A couple of simple things can be done. First, we talk about the national curriculum. It is not a national curriculum. It is not national because it does not happen in Wales or Scotland, and because free schools and academies do not have to do it. That is why we are seeing increasing numbers of schools deciding to ditch the creative subjects, particularly music.

The second thing we need to do is reform the EBacc. Actually, I would prefer to get rid of it completely, but we could reform it. The good old noble Lord, Lord Baker, who was a fantastic Secretary of State and brought us the national curriculum, which gave an entitlement that every school followed and brought about creative subjects, has an idea of how we could reform the EBacc that would really work.

I have the opportunity in my role to visit quite a lot of schools up and down the country. Sadly, more and more schools do not have a music teacher. You see the teacher trying to do a singing lesson or a school concert where the CD button is pressed and the children sing along—a sort of kids' karaoke. I was pleasantly surprised at a school I visited recently that there was a pianist—how unusual—playing a piano, not a keyboard, and a teacher conducting the choir. In many areas, what used to be the norm is now the exception. Pianos

and pianists in primary schools are an endangered species. In this case, the school was lucky to have found a volunteer who could play the piano.

For many children, key stage 2 tuition on an instrument depends on whether the school can afford it, or, more likely, whether the parents can pay for small group lessons and instrument hire. A colleague I was speaking to earlier this week was paying £90 a term for his granddaughter to learn to play the clarinet. She was fortunate enough to have grandparents able to do so. Of course, they hired the clarinet as well. The same grandparents had already set up a standing order to the school fund to pay for the field trip at the end of year 5. I am not sure whether universal credit will pay these costs.

A secondary school was so short of music teachers that anyone wishing to train as a music teacher, even those with a 2.2—I do not diminish that—would be given a bursary of £9,000, assuming that, first, the secondary school can find the money to employ a music teacher; secondly, that the school can recruit a music teacher; and, thirdly, that the school has the instruments for the students to play

Only a handful of children have the opportunity to learn an instrument. Often tuition is supported by parental or grandparental contributions, and as in the primary school, these are in addition to regular requests for this, that and the other.

I would like to make it clear I am not criticising head teachers, who have to make ends meet with increasing demands on a decreasing school budget. Nor am I criticising primary and secondary teachers, who struggle to convey a passion for music to their students. Nor can I criticise local authorities, whose contributions to music hubs have been cut by over a third in one year. Without the resources to provide a minimum of adult social care or a guarantee that vulnerable children can be kept safe, reducing the grant to the nearest music hub is the tough choice local councillors are having to make.

A combination of austerity, a narrowing of curricula and a focus on quantitative exam results rather than a qualitative education experience has created a perfect storm for music in schools. Teachers are knee-deep in triple marking and whole music departments have been swept away by the tide of budget pressures. Meanwhile, the music hubs are making valiant efforts to rescue schools and children, efforts which in many areas are reduced to damage limitation.

In "Twelfth Night", Duke Orsino proclaims,  
"If music be the food of love, play on;  
Give me excess of it..."

There is scant danger of there being an excess of the food of love in any of our schools. But we must focus what resources we have on ensuring every child has a rich musical education.

I was a head teacher at a school in a very deprived part of Liverpool. We had a full-time music teacher who taught from reception to year 6, and we had a 50-strong school orchestra. We were lucky to be awarded an Arts Council gold award. Those opportunities in the creative subjects were absolutely life changing for the pupils in that deprived community, and they should be available for all children.

3.42 pm

**Lord Watson of Invergowrie (Lab):** My Lords, I too congratulate the noble Lord, Lord Black, on securing this debate and on the clarity and passion with which he opened it. He certainly pulled no punches and I dare say he left the ears of his noble friend the Minister burning. I was particularly struck by his focus on music enriching our lives and crossing language boundaries, which I had not hitherto considered. I declare an interest of sorts as a self-taught guitarist many years ago. I had no musical tuition at school or otherwise, but I did join some school friends to form a short-lived band that played Tamla Motown cover versions. That venture did not last long, and I never learned to read music, something I very much regret now. That is why I am pleased to be able to declare a current interest as the father of a year 3 pupil in a maintained primary school who has just begun piano and recorder lessons, provided through our local music education hub.

The hubs may have contributed to the interesting fact, revealed in the iconic music publication the *NME* this week, that young women now make up half of people starting to learn the guitar. The vast majority will have taken their first steps at school, and music education in one form or another will have played an essential part in that. The national plan for music is ongoing, with £75 million allocated each year, but that has not resulted in a uniform level of provision because the Government have also become obsessed with academisation and removing schools from local authorities. As the noble Lord, Lord Storey, said, many schools that became academies abandoned the national curriculum, resulting in school music provision becoming increasingly inconsistent.

As many noble Lords have highlighted, a further complication is the introduction of the English baccalaureate, which—whatever the Minister may say—discourages schools from offering arts subjects, in favour of those core subjects demanded by Russell group universities. Surely other things should form an important part of any student's education. It can surely be argued that the arts and technology are just as important as history, geography and modern languages—not least because the creative industries are now such an important feature of our economy. We should not send a message to schools and young people that creative and technical subjects are not valued. Ministers have said a great deal about the need to close the divide between academic and vocational education, but with the EBacc the Government are unashamedly promoting the superiority of the academic pathway. I share concerns as to how the Government intend to proceed when the national plan for music education comes to an end in 2020. There has been an indication that proposals for a review or extension of the plan will be announced this year. I hope the Minister will clarify the Government's position on the plan today.

There is a postcode lottery for young people in their access to music. Music education hubs are by no means universally successful, but we want them to continue. Is that the Government's intention? Will £75 million a year continue to be provided for Arts

Council England to invest in the 120 hubs, and will the funding continue to be ring-fenced? Through the hubs, Arts Council England works with 89% of all state-funded schools, and engages more than a million pupils in learning an instrument through hub partnership or external providers. The hubs provide a framework of provision on which schools can draw, but national government cuts to local government have seen local authority funding to hubs decrease by more than 60% between 2012 and 2017.

Another aspect of local government funding will impact on the provision of music tuition in schools. The Government have recently established a teachers' pay grant for schools, to enable them to partially cover the cost of impending pay rises, but no such grant is available to local authorities who centrally employ music teachers. The Local Government Association estimates that the extra cost of a 2.5% pay rise for centrally employed teachers will be around £5.5 million—a cost for which councils have not budgeted. It is inevitable that young people will miss out on music lessons if councils have to cut back further, exacerbating the effect of the EBacc on pupils studying music. Does the Minister acknowledge that unintended consequence of the pay award, and will he undertake to provide an indication of what the Government intend to do to address it? I will be happy for him to do it in writing if he cannot do so today.

Since 2010, too many children have been pushed on to subject pathways to which they are not always best suited, and denied the opportunity to thrive in other valuable and challenging subjects. The EBacc policy is narrowing the curriculum and squeezing subjects such as art, music, design and technology, and drama out of existence in some cases, as confirmed by the falling numbers of children entered into those subjects. As the National Education Union states, these are not "soft options" but rigorous academic subjects vital to the prosperity of our economy and the enrichment of our society.

As the Minister demonstrated at Oral Questions in your Lordships' House yesterday, the Government are in denial about the decline in the take-up of music at GCSE and A-level. As a great number of noble Lords have said, figures published just two months ago by the Joint Council for Qualifications showed a 7.4% decline in the uptake of music GCSE year on year. That is against the backdrop of a 17% fall over the past five years. The Government's repeated claim that the EBacc is not detrimental to the take-up of arts GCSEs simply does not stack up. In addition, there has been a 26% drop in the number of entries at A-level music over five years. These are developments that the Government should regard as deeply worrying.

Funding for schools is of course a major issue, although shortfalls hit across the board and not just in music and the arts. Bizarrely, one aspect of arts education that the Government appear to have no difficulty funding is their music and dance scheme. This is a £172 million annual fund, more than twice the figure allocated to music education hubs, established to help to,

"ensure that talented children and young people from disadvantaged backgrounds and families with limited financial means",



[LORD WATSON OF INVERGOWRIE]

have the opportunity to attend one of eight independent music or dance schools. However, the scheme has left itself wide open to accusations of the very opposite—contributing to arts elitism—after it was revealed that, despite that stated aim, families earning up to £190,000 a year are receiving awards. At Chetham’s School of Music in Manchester, figures reveal that four students with family incomes of between £120,000 and £130,000 and nine between £100,000 and £120,000 benefited last year. I look to the Minister to confirm that that was not what the Government intended when they introduced the scheme. Although the DfE funds the scheme, the school selects students and carries out mean-testing for the awards. Apparently a substantial number of MDS award-holders come from independent prep schools. Surely the scheme should support music in state schools or at least state-school pupils. I acknowledge the benefit of music partnerships as outlined by the noble Lord, Lord Lexden, but, as my noble friend Lord Lipsey said, too often it is the cost of instruments that is the barrier to young people learning music. Alun Jones is the principal of Chetham’s School of Music. He says that he promotes inclusivity, but he knows where the problems lie. He told the *Guardian* recently:

“The EBacc and dramatic cuts in school budgets have reduced the status and funding of music in mainstream education. In too many schools, the few remaining music staff lack the time or resources to access our outreach projects, take up concert tickets, meet us at trade shows or respond to our communications. Many more no longer have a dedicated music teacher to encourage children to join us”.

Those are telling comments that the Government should consider carefully and then act on.

The next Labour Government will establish a national education service, providing education free of charge at the point of delivery from cradle to grave. Within that, we will introduce an arts pupil premium to allow every primary school child in England the chance to learn an instrument, take part in drama and dance, and have regular access to a theatre, gallery or museum. That would boost creative education and ensure that arts facilities in state schools matched standards found in most private schools. Will the Minister say why his party is denying the funding to allow that to happen now? Are the Government content for music to remain dominated by the wealthy? As the figures for GCSE take-up demonstrate, that is what is happening.

Like the noble Lords, Lord Clement-Jones and Lord Aberdare, I was encouraged to read last week of proposals by Ofsted’s Amanda Spielman for what was described as,

“a radical shake-up of its inspections”.

The plan is apparently for inspectors no longer to give schools a stand-alone rating for test results, in an attempt to end the culture of exam factories in schools and encourage a broader curriculum. I wish Ms Spielman luck with that bold project, although I fear she will encounter opposition from within the DfE and from its Ministers. I hope that Ofsted will also note the recommendation of the Performers’ Alliance All-Party Group that a school should not be rated outstanding unless it offers a high standard of music provision.

Until schoolchildren are offered a properly broad and balanced curriculum, we will not witness a reverse in the downward trend of young people sitting GCSEs in music and other non-core subjects. That will require a change of direction which in itself will require a change of Government. Fortunately, we have one in waiting.

3.52 pm

**The Parliamentary Under-Secretary of State, Department for Education (Lord Agnew of Oulton) (Con):** My Lords, I am grateful to the noble Lord, Lord Black, for securing this important debate. I also thank colleagues for their contributions. There was much in my noble friend Lord Black’s comments on the benefits of education that I strongly agreed with.

Music is statutory in the national curriculum, so every child in a maintained school must study the subject from the ages of five to 14. Between 2016 and 2020, we are providing £300 million of funding for music education hubs to ensure that all pupils have the opportunity to learn an instrument, sing and perform regularly, and have access to clear routes of progression.

Many noble Lords, including the noble Lords, Lord Clement-Jones and Lord Watson, and my noble friend Lady Redfern, mentioned the national plan. I can confirm that we will announce our plans for the next phase of this within the next couple of months. I say to those noble Lords who may be unaware of it that the Government’s priorities for music education are set out in *The Importance of Music: A National Plan for Music Education*. It sets out our belief that children from all backgrounds and every part of England should have the opportunity to learn a musical instrument, to make music with others, to learn to sing, and to progress to the next level of achievement.

We have set up a network of 120 music education hubs to support schools in providing these opportunities. The noble Lord, Lord Lipsey, spoke about music in Wales, but that is a devolved matter. He was also concerned that children in England should have the opportunity to learn to work together in groups. That is exactly what the music hubs are trying to do, working with local authorities, schools, arts organisations and community and voluntary organisations. Between 2016 and 2020 music hubs will receive £300 million to work with all state-funded schools in England, including academies and free schools.

In primary schools, the national curriculum aims to ensure that all pupils perform, listen to, review and evaluate music across a range of historical periods, genres, styles and traditions, including the works of the great composers and musicians. At key stage 1 pupils are taught to use their voices expressively and creatively by singing songs and speaking chants and rhymes, as well as to experiment with, create, select and combine sounds using interrelated dimensions of music. At key stage 2 pupils are taught to sing and play musically with increasing confidence and control. They should develop an understanding of musical composition, organising and manipulating ideas within musical structures and reproducing sounds from aural memory. At this stage pupils will also begin to develop an understanding of the history of music.

To address the concern expressed by the noble Earl, Lord Clancarty, that music is being sidelined in primary schools, with less time being spent on the subject, in the 2016 Omnibus survey, primary school classroom teachers were asked about the time they spent teaching different subjects. The survey showed the time spent on humanities to be broadly similar to that spent on music and the arts. I would also like to put to bed the myth that says academies can opt out of teaching music. This is simply not correct. All schools, including academies and free schools, must provide a broad and balanced curriculum.

Prompted by the noble Lord, Lord Storey, I will offer a couple of examples. Yesterday I corresponded with the chief executive of the Outwood Grange Academies Trust in the north. He said:

“I have specialist teachers working in 10 primaries delivering music, and we use the peripatetic service. I have a specialist supernumerary director who supports music across the whole trust. We annually have students who perform in the Royal Albert Hall. We also book regional theatres for our students to perform in. We are promoting music heavily and have, for example, a youth brass band in our Barnsley school, Outwood Shafton. It is next to Grimethorpe, which has a famous colliery band. We have 206 entries to do music this year”.

I corresponded with the chief executive of the Burnt Mill Academy Trust near Cambridge. She said:

“We get all children to start an instrument in year 7; all pupil premium children in primary. At the end of year 9, they can choose to continue or not. This has a massive impact on self-esteem, resilience and music outcomes”.

I reassure the noble Baroness, Lady McIntosh, the noble Earl, Lord Clancarty, and the noble Lords, Lord Aberdare and Lord Clement-Jones, that Ofsted does consider music education as part of a school's broad and balanced curriculum—one that promotes the spiritual, moral, cultural, mental and physical development of all pupils. The noble Baroness, Lady McIntosh, is correct that Ofsted is consulting on its new framework, and we will have to leave it to Ofsted to develop it. The noble Earl, Lord Clancarty, asked about the relationship between the DfE and DCMS. I am able to say that we are in touch with each other. That department carried out a survey in 2016-17 which showed that 97% of children aged five to 15 participated in the arts in general.

When talking about music education in primary schools, I would like to share a splendid example that came to me via the music education hub in Gloucestershire. One of the hub's partner organisations, the Music Works, delivers whole-class ensemble teaching on iPads. According to one teacher:

“The year 6 children from Chesterton Primary School, Cirencester, had a wonderful time combining music and technology. Even our most reluctant musicians are finding out about time signatures, chords and composition as they enjoyed exploring GarageBand”—that is not a genre I am familiar with—  
“on the iPad”.

I appreciate the kind words of the noble Lord, Lord Storey, although he made me feel like a young subaltern at Balaclava with Lord Raglan telling me to charge—but I will now address the EBacc issue. I reassure noble Lords that the EBacc is not responsible for forcing music out of the curriculum. These concerns were raised by nearly every speaker: the noble Lords,

Lord Wallace, Lord Aberdare and Lord Clement-Jones, and my noble friends Lady Bloomfield and Lord Black. First, the data shows that the percentage of time spent by secondary school teachers teaching music remained broadly stable between 2010 and 2017. This data is drawn from the school workforce survey, which is a statutory survey, not a limited poll.

Secondly, there is no evidence that arts subjects, including music, have declined as a result of the introduction of the EBacc. In response to an Oral Question yesterday, I said that there were 31,000 entries for GCSE music in England in 2017. That was fewer entries than seven years ago because the cohort was smaller. The percentage is the key figure, and it has remained broadly stable at around 7%.

The noble Earl, Lord Clancarty, spoke about the rise in the number of pupils studying geography and history. He is right: it went up from 48% in 2009-10 to 76% in 2016-17. I believe this is a matter for great celebration, and it very much plays into the point made by the noble Baroness, Lady McIntosh, about facilitating subjects. One of the main reasons why we pushed for this was to help those from disadvantaged backgrounds get a decent chance of going to a good university. I take on board the noble Baroness's challenge—that should be taken to the universities. I accept that music is a very challenging subject and it should get recognition, but that fight should be taken to that sector. In 2018, 23% of children in the independent sector participated in art and design GCSE, compared with 27% in the state sector. The best schools are combining a high-quality cultural education with excellence in core academic subjects, and we are committed to ensuring that all pupils have access to both.

Some noble Lords raised careers and secondary schools, and GCSE study leads me on to the subject of careers. The Government want to encourage young people to consider careers in music and have published a comprehensive careers strategy, building on the improvements we have already made to the careers system. We are investing more than £70 million this year to support young people and adults to get high-quality careers provision. Of the 330 new apprenticeship standards approved so far, 28 have been made available for the creative and digital industries, with a further 33 in development.

The noble Lord, Lord Watson, asked about the recent pay rises. We have committed to provide £500 million for an increase in pay for classroom teachers on the main pay scale of up to 3.5%. It is being paid directly to schools on a per-pupil basis, that being the quickest and simplest way to get the money into the system. The number of teachers centrally employed by councils represents only around 1% of the teaching workforce. We are in discussions with local authorities about how this issue is dealt with.

The noble Lord, Lord Watson, challenged me on what I think he described as an arts pupil premium. It is important to put on the record that we have created a pupil premium which has delivered more than £12 billion into the schools sector over the past five or six years and is aimed at those in areas of disadvantage. We are providing £300 million for a network of music education hubs. To break that down, we have given £400,000 to

[LORD AGNEW OF OULTON]

Music for Youth to provide opportunities for young people and families who might otherwise not have access to perform at or attend regional and national festivals. More than 10,000 pupils attended Music for Youth Proms primary concerts in London and Norwich last week. The festival series reaches its climax next month when around 3,000 young people will perform at the Music for Youth Proms concerts at the Royal Albert Hall. Department for Education funding helps to support the festival series, including supporting those participating or attending for the first time.

To address my noble friend Lord Lingfield's concern about orchestras, we have a £2 million fund for national youth music organisations such as the National Youth Orchestra, the National Youth Choirs of Great Britain and the National Youth Jazz Collective. This helps them to continue their excellent work and ensures that they remain able to provide bursaries to those from disadvantaged families who would otherwise be unable to take up the opportunities.

The noble Lord, Lord Watson, raised the issue of funding for the music and dance scheme. The actual figure is £118 million for exceptionally talented young musicians and dancers, which is not quite the sum that was mentioned.

**Lord Watson of Invergowrie:** The issue I raised concerning the music and dance scheme was not the total funding but the fact that it was set up to assist students from disadvantaged families, yet many of its students are from families that could certainly not be described in that way. Can the Minister clarify why that is happening?

**Lord Agnew of Oulton:** My Lords, I am not familiar with the exact mechanics of the scheme but I will write to the noble Lord to clarify that.

My noble friend Lady Bloomfield spoke about In Harmony, a scheme that is running some excellent programmes in Nottingham and is working with 26 primary schools. Last month, it ran a music camp for children in need of extra support to move into the after-school band. In March next year the programme is organising an immersive play-along concert with the Robin Hood Youth Orchestra. Impressive work is happening too in Liverpool. Next year the Liverpool In Harmony programme is celebrating its 10th anniversary. In March the Royal Liverpool Philharmonic Opera is holding an In Harmony benefit concert, there is a special children's orchestral production at Liverpool Philharmonic Hall and further Liverpool In Harmony concerts are planned in Leeds and Newcastle.

My noble friend Lord Lexden, the noble Lords, Lord Aberdare and Lord Wallace, and the right reverend prelate the Bishop of Chichester all spoke about independent schools. As my noble friend rightly said, we have recently agreed a joint understanding with the Independent Schools Council. This is the first of its kind and it sets out the commitment that independent schools are making to support disadvantaged pupils, including looked-after children, and to work with others across the sector on things such as the better targeting of bursaries. I am aware of an excellent

drama and music production organised by the King's College School in Wimbledon in partnership with Ricards Lodge High School, Coombe high school, St Mark's Academy and Cricket Green special school. Interestingly, the statistics for those studying music GCSE are broadly the same in the independent sector and the state sector: about 6% in the state sector and 7% in the private.

We held a round-table meeting in Downing Street a few months ago with independent schools as part of something that I am very committed to: getting them to collaborate more with the state sector. At the round table, I asked the question: "What more should be happening?", and all the heads from the independent schools said, "We should have state school heads in this meeting next time". They are passionately committed to supporting the state sector in the promotion of good music, among other things.

My noble friend Lady Bloomfield referred to the quality of teacher training. In December last year we launched a consultation on strengthening qualified teachers' status and improving career progression. This will happen for all subjects but I do not yet have specific details on music.

My noble friend Lord Lingfield may be interested to know of the Classical 100, which was mentioned by the noble Lord, Lord Aberdare. Classical 100 was launched in 2016 and is a free online resource that provides classical music to primary schools. It was developed by experts in music education and the Associated Board of the Royal Schools of Music, Classic FM and Decca. Over 4,000 schools have signed up to this resource, with 6,300 teachers registered as users. The 100 pieces were selected to encourage people to explore, discover and listen to a range of styles over 10 centuries, including JS Bach, Beethoven, Brahms, Mozart and Tchaikovsky. The online site offers schools a range of flexible resources to support teachers and can be used not only in music lessons but as part of school assemblies, plays and dance and drama studies. My noble friend Lord Borwick is right: technology is emerging to offer different routes into music and the teaching of music, and the Classical 100 is a good example of that.

Let me say a few words about the Music for Youth Proms concerts taking place next month, from 5 to 7 November. The Proms is an annual event which takes place at the Royal Albert Hall and is a celebration of the entire Music for Youth season, showcasing high-quality performances from some of the UK's most creative, innovative and energetic young musicians. The DfE funds Music for Youth, and each night, more than 1,000 different young musicians take part in a concert which sees full-scale orchestras showcased side by side with some of the brightest young jazz bands, chamber groups, rock bands and choirs from across the UK. This is a tremendous experience for young people, giving them an opportunity to perform in a world-renowned venue alongside their peers.

I close by reassuring your Lordships that the Government absolutely understand the value of music. I cannot put it more personally than this. My own father studied music at university just before the outbreak of the Second World War. He volunteered to fight



before graduating but it remained an important part of his life. A few years earlier, at school, he used singing to overcome a debilitating stammer. I understand the power of music.

I again thank my noble friend Lord Black for tabling this debate to give the Government a chance to put on record all that is being delivered in music. I take note of all noble Lords' concerns and will ensure that the Government bear in mind all of today's contributions.

4.11 pm

**Lord Black of Brentwood:** My Lords, I am extremely grateful to all noble Lords who have taken part in what has been an incredibly important debate. To use a musical analogy, we have heard a stirring theme and variations. We have heard so many powerful illustrations from noble Lords with huge expertise in their areas of the clear and present danger to music education from the perfect storm, as the noble Lord, Lord Storey, described it. We have heard excellent examples of how the decline is not something in the future; it is happening here and now. I was very struck by what my noble friend Lord Lingfield said about the ESO and the way in which school orchestras are declining.

We have heard many other examples of who will lose out. We heard about how children with mental health problems will lose out, in a moving speech from my noble friend Lady Redfern. We heard about the threat to church and Cathedral music and the Anglican musical heritage from the right reverend Prelate. We have heard about the problems that employers will face. The noble Lords, Lord Clement-Jones and Lord Lipsey, referred to how music education has a profound effect on training young minds, even for people who are not going into the music profession. I know that the CBI has also made that point. All noble Lords talked about the threat to the UK economy and the problems those from future generations who want to get into the profession will face. My noble friend Lord Clancarty set that out with characteristic aplomb.

Yes, there are glimmers of light. I pay tribute to the charities mentioned by the noble Lord, Lord Wallace of Saltaire, which are seeking to plug the gap. In an important speech from my noble friend Lord Lexden, we heard about the role of independent schools in partnerships. They are terribly important, but I must say to both noble Lords that both independent schools and charities depend on the supply of well-trained teachers and professionals. If the decline continues over time, they, too, will find that they do not have the people to plug the gap as they do now. There may be glimmers of light now, but there is a danger that they will be snuffed out.

To use one final musical analogy, I hate to say it but I fear that the speech we heard from the Minister was the sound of fiddling while Rome burns. I fear that, as the noble Lord, Lord Watson, said, the Government are in denial about this, and that is extremely sad. I am very grateful to the Minister for his remarks and the way he set out what the Government are doing in music education, but perhaps he would take back a strong message from this House to the Secretary of State that it is time that the Government looked at the facts here, listened to what is going on on the ground

from the experts here and beyond—the Incorporated Society of Musicians, the conservatoires and so forth, who have a day-to-day knowledge of what is happening—and then acted.

*Motion agreed.*

## Employment and Support Allowance

### Statement

4.15 pm

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Buscombe) (Con):** My Lords, with the leave of the House, I shall repeat in the form of a Statement an Answer given to an Urgent Question in another place by my right honourable friend the Minister for Disabled People, Health and Work. The Statement is as follows:

“The department is correcting some historic underpayments of ESA, which arose while migrating people from incapacity benefit to employment and support allowance. We realise how important it is to get this matter fixed. Clearly the mistakes should not have happened, and we know it is vital that it is sorted as quickly as possible.

For the initial stage of the exercise, we expect to review around 320,000 cases, of which around 105,000 cases are likely to be due arrears. We now have a team of over 400 staff working through these cases and have paid around £120 million of arrears. We expect to complete the vast majority of this part of the exercise by April 2019, and we have to date completed all cases where an individual is terminally ill and has responded to the review, thereby ensuring they receive due priority. The additional cases will be undertaken throughout the course of 2019.

The announcement in July about paying cases back to the point of conversion requires us to review an additional 250,000 cases, of which we estimate around 75,000 could be due arrears. We will undertake this work throughout the course of 2019, and an additional 400 members of staff will be joining the team throughout this month and November. We will assign further staff throughout the review of the 250,000 cases. This will enable us to complete this very important activity at pace.

The department has prioritised checking claims from individuals whom we know, from our systems, to be terminally ill; to date we have completed all cases from the initial 320,000. Where an individual is terminally ill and has responded to the review, we want to make sure that they get that money as soon as possible, so we are now contacting cases identified as most likely to have been underpaid according to our system. Some of those cases will undoubtedly be the most complex.

Yesterday, the department published an ad hoc statistical publication, setting out further detail on the progress we have made in processing cases and revised estimates of the impacts of this exercise, including details of the number of claimants due arrears and the amounts likely to be paid. Also yesterday, I updated

[BARONESS BUSCOMBE]

the frequently asked questions guide and deposited it in the Library, and I will continue to update this House”.

4.18 pm

**Baroness Sherlock (Lab):** My Lords, I thank the Minister for repeating that Answer. This week we have learned that 180,000 sick and disabled people have been underpaid vital social security. The problem goes back to 2011 when the Government began migrating people on to ESA from incapacity benefit, but did it wrongly. In many cases, they migrated them across to contribution-based benefit when they would have been entitled to income-based benefit, which means that they could have got other payments, such as severe disability payment premiums and the like.

Initially Ministers said that they were allowed to pay claimants back money only until 2014, until CPAG went to court—at which point, they changed their minds. At the time of that migration an independent expert working for the DWP, Professor Malcolm Harrington, urged Ministers not to proceed until he was certain that the system was robust. But they did. Last July, the Public Accounts Committee published a scathing report about this error, in which it suggested that some people had lost out by as much as £20,000. It described the DWP as being defensive and unwilling to listen to warnings, which is very worrying. Claimants are now getting money, but in some cases it seems they have no idea how the sums were arrived at. The DWP now estimates that it is going to pay £1 billion as a result of this very serious error.

Will the Minister tell us, first, what steps are being taken to ensure that all claimants will be compensated for the lost value of passported benefits such as free school meals, NHS prescriptions or dentistry treatment? Secondly, what compensation will be paid to claimants on top of the arrears? Many of those will have found themselves forced into rent arrears, some into destitution. All of this costs money. How much compensation will they get for it? Thirdly, the DWP has identified those whom it knows to be terminally ill. How is it going to go about maintaining that, to include people who become terminally ill while the review carries on until the end of next year? What systems are in place to identify those people and prioritise their cases? Finally, and most importantly, what lessons has the DWP learned from this to ensure that it listens to the many warnings about universal credit migration and does not make the same mistakes?

**Baroness Buscombe:** My Lords, first, I will respond to the noble Baroness by referencing passported benefits, which are of course the responsibility of each government department. It would be impractical for the DWP to undertake an exercise to uncover who might have been entitled to those other passported benefits. However, we are talking to other departments to make them aware of the issue. In terms of compensation, it is important to make it very clear that no one saw a cash reduction when they were transferred to ESA. This is about extra money that they might have been entitled to. Also, it is really important to explain that we are learning lessons from this. The key lesson is that it is a mistake to try to prepopulate information without

being in touch with claimants. It is very important for us to make sure, when we are changing benefits or introducing new benefits, that we do so in a way that involves working with claimants so that, rather than trying to be clever with a seamless process, we actually engage. That is what we are doing now, with what will be 800 people working with claimants to get this right.

**Lord Stoneham of Droxford (LD):** My Lords, this announcement is a stark warning that a botched transition, which very sadly took place under the coalition, can leave vulnerable people thousands of pounds out of pocket for years to come. As the noble Baroness, Lady Sherlock, has just said, in the move to universal credit, we must take more care. What lessons are the Government learning from this mistake for the big changes to come and what new safeguards are they putting in place? In particular, will the Government amend the proposed Universal Credit (Transitional Provisions) (Managed Migration) Amendment Regulations 2018 so that claimants are transferred automatically from legacy benefits such as income-related employment and support allowance to universal credit?

**Baroness Buscombe:** First, I want to make it clear that we are constantly looking at how we can make our procedures more robust. In fact, our Permanent Secretary is in discussion with the Public Accounts Committee about how we can do this. The key lesson that we have very much taken on board in developing our processes and our thoughts on managed migration is—as I have just said, and I will repeat it—that it is important that we engage properly with the claimants and that we do not have a system that is entirely automatic without the opportunity to understand up-to-date data, information and circumstances with regard to each and every claimant. That is to ensure that claimants do not lose out on benefits to which they are entitled, unlike the legacy benefits, which about 700,000 people are not receiving. That is about £2.4 billion because there is not sufficient contact.

**Lord McKenzie of Luton (Lab):** My Lords, will the Minister say a little more about the reasons for these underpayments? Is it fundamentally a systemic problem, or simply a collection of ad hoc errors?

**Baroness Buscombe:** It is right to explain—indeed I did explain this in July—that the reality is that a mistake was made that should never have been made. No mistakes are acceptable when it comes to people who genuinely need this important support. What we did back in 2013 was respond to individual cases. Clearly, the department was not aware that there was a much bigger problem. We worked to legal advice at the time, and we took the view that the law prevented us from paying arrears beyond the date of the LH judgment in October 2014. An Upper Tribunal in Scotland endorsed that approach. The department is, however, now in a position to extend the payments back to the date of the original conversion from incapacity benefit to ESA. The department expects to pay back around £970 million in arrears between now and 2020.

**Lord Pickles (Con):** My Lords, the Minister has been quite contrite about what has happened, and I think the whole House will welcome that. Can we

briefly return to the question of passported benefits? I understand how difficult this is, but the regulations on passporting have become better known since they originally came in. Will my noble friend look again at that and make it more of an automatic process rather than relying on the good offices of other government departments? But I have to say that I am extremely impressed by the way in which the Minister and her department have approached this.

**Baroness Buscombe:** I thank my noble friend for his question. I agree that it is not sufficient for the medium and long term just to say that we are talking to other departments. We are looking to see how, when we move to universal credit, we can ensure through managed migration that nobody loses out and that, where possible, all the benefits that can be passported are passported. However, we have to accept that we are dealing with a really complex system and with millions of people. It is right to put this in the context of ESA: we are dealing with 2.3 million working-age people and, up to now, we have spent £54 billion on benefits for these people with disability and health conditions. That is over 6% of all government spending. We have to do this in a way that is sensible and practical and as

careful as possible. That is why we are also now employing 400 people in addition to the 400 we have already in order to sort out this particular mistake.

**Baroness Thomas of Winchester (LD):** My Lords, perhaps I might ask about communications. Will all the JCP offices be able to tell people that they do not have to take any action themselves to get compensation for what has happened? Sometimes people have asked JCP officers whether they need to fill in the form and have been told that they do. Obviously, there is a bit of misinformation flying round. Will the department keep JCP office staff up to date with how they should carry on?

**Baroness Buscombe:** The noble Baroness is right to raise this point. The core communication hub is at Oldham and it is working hard to send out letters with phone numbers to absolutely everybody, so that people can be in touch by phone. We are constantly training our work coaches in all job centres to make it absolutely clear that this is something we are prioritising and have to sort out. It is up to us to do it; it is not for claimants or others to have to make that move. We are in touch with people who think they might be within this group and we urge them to be in touch with us on the numbers we are sending them by letter.

*House adjourned at 4.28 pm.*







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