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PARLIAMENTARY DEBATES
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OFFICIAL REPORT

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

No party affiliation is given for Members serving the House in a formal capacity, the Lords spiritual, Members on leave of absence or Members who are otherwise disqualified from sitting in the House.

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House of Lords

Thursday 20 December 2018

11 am

Prayers—read by the Lord Bishop of Chichester.

Royal Assent

11.06 am

The following Acts and Measures were given Royal Assent:

Civil Liability Act,
Ivory Act,
Health and Social Care (National Data Guardian) Act,
Prisons (Interference with Wireless Telegraphy) Act,
Courts and Tribunals (Judiciary and Functions of Staff) Act,
Homes (Fitness for Human Habitation) Act,
University of London Act,
Ecumenical Relations Measure,
Church of England (Miscellaneous Provisions) Measure,
Church Property Measure,
Church of England Pensions Measure.

Retirement of a Member: Baroness Richardson of Calow

Announcement

11.07 am

The Lord Speaker (Lord Fowler): My Lords, I should like to notify the House of the retirement, with effect from today, of the noble Baroness, Lady Richardson of Calow, pursuant to Section 1 of the House of Lords Reform Act 2014. On behalf of the House, I thank the noble Baroness for her much-valued service to this House.

Brexit: Healthy and Nutritious Food

Question

11.08 am

Asked by Baroness Boycott

To ask Her Majesty's Government what steps they will take to ensure that healthy and nutritious food does not become more expensive after Brexit.

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con): My Lords, food prices depend on a range of factors, including commodity prices, currency exchange rates and oil prices. These will continue to apply after leaving the EU. Our future agriculture policy will enable farmers to produce healthy, homegrown produce. In addition, our ability to develop trade deals will maximise global opportunities that work for farmers, producers and consumers. This approach will help create a competitive domestic market, offering consumers the best price and a wide choice.

Baroness Boycott (CB): My Lords, I thank the Minister for his Answer. I am not completely convinced by his confidence. What are the Government's plans for Healthy Start vouchers, which are a lifeline for the most vulnerable mothers and children in society? The eligibility for, and the uptake of, these has declined dramatically in the last five years. There are currently fewer than 500,000 people eligible—a 30% reduction since 2011—and uptake by those eligible has also fallen. The price of £3.10 per week per child has not risen since 2009. Can the Minister tell us whether the Government will be encouraging more women to take up this lifeline? Will the Government look at increasing the £3.10 post Brexit, when I and many people am fairly sure prices will go up, not down?

Lord Gardiner of Kimble: My Lords, I acknowledge the noble Baroness's long-standing interest in these matters. She referred to the healthy food scheme. It is a £142 million scheme, which includes Healthy Start, the nursery milk scheme and the school fruit and vegetable scheme. It is really important that young people and vulnerable people have healthy food at affordable prices. This is part of helping in that regard. I will take this matter up with colleagues in other departments responsible for the food schemes. I very much encourage eligible people to claim. Clearly, milk, fruit and vegetables are an important part of diet.

Baroness Jones of Whitchurch (Lab): My Lords, yesterday, in evidence to the EFRA Committee, Michael Gove said that, in the event of no deal, it would be particularly difficult to guarantee perishable foods coming on to the market. That would be impeded and would be likely to drive up some prices. Is it not about time that the Government were completely honest with the British people and said that, in addition to all the other adverse impacts that it would have, a no-deal outcome could have serious implications for public health in terms of access to fresh food?

Lord Gardiner of Kimble: My Lords, that is of course why the Government think that a deal should be made and why we are urging that as the best way forward. However, it is clearly the responsibility of any Government to plan for all scenarios. Over the last two years, the border delivery group, chaired by the Permanent Secretary at HMRC and the Second Permanent Secretary at the Home Office, has been working extremely effectively, looking precisely at ways of ensuring a steady supply of produce. On the issue of nutritional and specialist foods, especially in terms of the health service, that has been given a particular priority so that vulnerable people are in a position to receive nutritional food.

Lord Forsyth of Drumlean (Con): My Lords, can my noble friend indicate whether he thinks that oranges are a healthy food? If so, can he confirm that, under the customs union and our membership of the European Union, the tariffs on oranges are set higher to coincide with the Spanish harvest in order to prevent people buying cheaper oranges from South Africa and elsewhere? So leaving the customs union will mean access to cheaper nutritious food from around the world. This scaremongering has got to cease if people are going to be honest with the British people.

Lord Gardiner of Kimble: My Lords, 60% of what we consume in this country is homegrown, and we produce 75% of all that we could possibly produce in the UK—clearly, it is difficult for us to produce oranges and other citrus fruits. There will be an opportunity in terms of part of the food chain and food supply, and our future tariff policy will ensure that tariffs are set in the best interests of UK consumers, businesses and farmers. Clearly, we have always imported a lot of food because of the difficulty of producing in this country certain foods that we all enjoy. Therefore, that is absolutely within scope and these are the sorts of things that we will consider.

Baroness Walmsley (LD): My Lords, given that 80% of vets in abattoirs are from the EU and that they are vital for the safety of our meat, will the Government look at the visa system prior to Brexit? I am told by scientists that the current visa system is long-winded, impenetrable and not fit for purpose. If the system cannot be understood by highly intelligent scientists, and if it takes many hours of their valuable time to bring members of their team into this country from abroad for scientific research, there is clearly a need for urgent radical improvement. Will the Minister ensure that that happens?

Lord Gardiner of Kimble: My Lords, I place on the record my experience of meeting many of those vets. The service provided by EU nationals in a wide range of sectors—the noble Baroness mentioned the veterinary and food safety sectors—is invaluable to us. We will want them to remain here, and indeed we will want other people to come to this country to help us in many industries. I assure the noble Baroness that we are working very closely with the British Veterinary Association and all vets to cover all contingencies, because the EU nationals working in the State Veterinary Service are invaluable to us.

Lord Rooker (Lab): Will the Minister have a word with the secret society that runs this place and find out why the European Union Committee report *Brexit: Food Prices and Availability*, published in May this year, has never been debated on the Floor of this House? There is a conspiracy not to debate this issue by those who run this place.

Lord Gardiner of Kimble: I am a former Deputy Chief Whip and I do not feel that there are conspiracies in the work of the usual channels. I really welcome the questions we have had on food prices to give the Government an opportunity to set out what they seek to do. I will perhaps make inquiries, but I very much look forward to whenever that debate is put on the Order Paper and to the small contribution I might make.

Baroness Jenkin of Kennington (Con): My Lords, may I draw the Minister's attention to the amount of fresh food waste emanating from farms? A recent survey by the charity Feedback estimates that around 37,000 tonnes of fresh produce, or 16% of crops, is wasted every year—enough to provide 250,000 people with the recommended five portions of fruit and veg every day for a year. Much of this is to do with

supermarket supply chains. Would my noble friend confirm that the Government are doing what they can to support the farming community on this loss?

Lord Gardiner of Kimble: It is not only an issue for farmers but an environmental one as well, and that is why the resources and waste strategy published this week promotes awareness of the importance of bearing down on food waste both by supermarkets and by ourselves as householders. I am afraid that 70% of our food waste comes from all of us, as householders. So yes, we must do more with the supermarkets through WRAP and other means, but we must all do better ourselves. It should not be the case that we waste food, and what comes from the farm to the fork we should not waste at all.

Housebuilding: Target Question

11.16 am

Asked by **Lord Shipley**

To ask Her Majesty's Government when they will achieve their commitment to build 300,000 new homes a year.

The Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, we have announced bold measures to make our housing market work better, including planning reforms and total financial support of over £44 billion to 2022-23. Furthermore, at Autumn Budget we abolished housing revenue account borrowing caps, which will help to bring forward a new generation of council housing. This supports our ambition to create, fund and drive a housing market that delivers 300,000 homes a year by the mid-2020s.

Lord Shipley (LD): My Lords, I thank the Minister for his reply and note his optimism, but I think that the signs are not good. The Minister will know that Shelter now estimates that there will be 320,000 homeless people over Christmas, that there are 1.25 million families on social housing waiting lists and that the country built only 222,000 new homes in the last year—that figure includes conversions. Is he aware that the National Housing Federation estimates that we need to build 90,000 homes a year for social rent for the next few years? Will the Government publish an action plan to show how they will deliver the homes that the country so urgently needs?

Lord Bourne of Aberystwyth: My Lords, I agree with the noble Lord about the challenges that we face, but I do not agree with what he said about the 222,000 homes in the most recent figures. That represents the best figure for 31 years, bar one year, and so is a considerable achievement. Yes, there is more to be done. We have committed money to social housing, as he will be aware. We have abolished the housing revenue borrowing caps, which we had been urged to do. That, too, will make a considerable difference.

Lord Kakkar (CB): My Lords, I declare my interest as a member of your Lordships' Science and Technology Committee. In a recent report on off-site construction, the committee concluded that a presumption in favour of off-site construction, particularly where the Government have an opportunity to play a role in the procurement of housing, would help to achieve this target of 300,000 new homes a year. Do Her Majesty's Government support that position?

Lord Bourne of Aberystwyth: My Lords, I very much agree with the noble Lord about the importance of off-site construction. We are very much looking at encouraging that and giving it a boost in garden communities. The noble Lord will be aware of the growth in the market for modern methods of construction. We have a lot of domestic producers, which is a double win. It encourages not just more houses to be built, and fairly quickly, but also British jobs, so I very much agree with his sentiment.

Lord Beecham (Lab): My Lords, I refer to my interests as a vice-president of the Local Government Association and a member of Newcastle City Council, which in the first year I was elected built 3,000 council houses. Affordable social housing rents are defined as 80% of market rents, which are inflated. Will the Government review that unrealistic definition of what is affordable and will the Minister indicate how many of the 300,000 houses envisaged by the Government will be built by local authorities or housing associations?

Lord Bourne of Aberystwyth: My Lords, I acknowledge the distinguished service of the noble Lord—over 51 years, I believe, in Newcastle. We obviously face very different challenges from those in the years when the noble Lord was first elected. That said, I accept that these new challenges mean that we have to consider different tenures and ways of delivering. He will have noted what I said about raising the housing revenue account, which will help bring forward a new generation of council housing in Newcastle and elsewhere. I note what he says about affordable housing, but it is a preferred measure to press ahead and tackle what is a very important challenge, which we all acknowledge.

Lord Lexden (Con): Does my noble friend feel that over the forthcoming holidays he and his ministerial colleagues might draw inspiration from the Conservative manifesto for the 1955 election? It stated proudly that over 1 million homes had been built in four years, entitling the party at that point to say:

“Only under Conservative administration can the nation be sure of a housing policy in line with its needs”.

Lord Bourne of Aberystwyth: My Lords, I thank my noble friend very much indeed for referencing the success of past Conservative Administrations, under Macmillan particularly, I think. I reassure him that, if I find that I am getting bored over the Christmas period, I will indeed pick up that manifesto, but I have to say that I have other plans.

Lord Bird (CB): In the process of building social housing, can the Government try to return to the old days of social housing when it was sociable housing?

The early council houses had a social mix, not just people who were in absolute deprivation, which creates social ghettos outside society.

Lord Bourne of Aberystwyth: The noble Lord makes an important point about the mix that there used to be in council houses and I am sure that that point will have been heard by housing associations, builders and local authorities. It is also important that we consider some of the earlier designs of council housing, which were probably much more commensurate to happy living than some of the more recent designs, but I remind noble Lords that design is now a factor in the National Planning Policy Framework, so that should carry us forward in that respect.

Lord Best (CB): My Lords—

Baroness Greder (LD): My Lords, does the Minister accept that there is a direct connection between the lack of affordable housing or social housing and homelessness, as described by Crisis recently? Twelve months ago, in Oral Questions on 19 December, the Minister described the resource that was being allocated, but we have now seen 12 months of an increase in homelessness, in contrast with Scotland, for example. What does the Minister hope to tell us in 12 months' time and why is it going wrong at the moment?

Lord Bourne of Aberystwyth: My Lords, before referencing the noble Baroness's question, I thank the noble Lord, Lord Best, for the work that he did on the Bill, which I omitted to do yesterday because I was out of time. I thank him and, indeed, the honourable Member for Westminster North for their considerable work on the Homes (Fitness for Human Habitation) Bill. In answer to the noble Baroness, what I hope to be able to say in a year's time is that we are making progress, that the 222,000 that we have just seen was not a blip and that we are continuing to make progress against considerable challenges. We look to see what is happening elsewhere, as the noble Baroness knows, particularly in Scotland, Wales and Northern Ireland, but also on the continent of Europe.

Prisoners: Imprisonment for Public Protection Sentences

Question

11.23 am

Asked by *Lord Brown of Eaton-under-Heywood*

To ask Her Majesty's Government whether in the case of imprisonment for public protection prisoners they will encourage the Parole Board to apply the legal principle that the longer the prisoner serves beyond the tariff period, the clearer should be the Parole Board's perception of public risk to justify the continued deprivation of liberty involved.

The Advocate-General for Scotland (Lord Keen of Elie) (Con): My Lords, the Parole Board may direct release only if satisfied that detention is no longer necessary for the protection of the public. The board will base its decision on a comprehensive assessment of the risk posed by the individual prisoner. This will be determined by reference to all the offender's circumstances.

Lord Brown of Eaton-under-Heywood (CB): My Lords, call it what one will, the plain fact is that the longer a prisoner serves beyond his tariff, the more he is detained beyond due punishment. Worboys had a tariff term of eight years and within two years of that was recommended for release—a case that has done terrible damage to the IPP cause. However, I am concerned with those at the other end of the IPP spectrum. Six years after the regime was abolished, of the 2,500 remaining IPP prisoners, 261 with a tariff of less than two years have served more than eight years beyond their tariff. Indeed, 129 have served over 10 years beyond their less than two-year tariff for punishment. Does the Minister not agree that that is gross injustice, and that the burden of proving a prisoner to be unsafe for release should in future lie with the detaining authority?

Lord Keen of Elie: My Lords, it is important to remember that the original sentence was imposed on individuals who had committed serious violent or sexual offences so that, at the end of the day, not only should they be punished for those serious offences, but the public and future potential victims should be protected. The Parole Board must, as I said, have in mind all material considerations when it scrutinises the level of risk that is or is not acceptable when one of these prisoners applies for parole. Of course, the time spent in prison post-tariff will be a relevant consideration; albeit that that is not a principle of law, it clearly is one of the considerations the Parole Board will have in mind.

Lord Blunkett (Lab): I rise to support the noble and learned Lord, Lord Brown, and once again to accept my responsibility for the failure of Parliament to be clear enough about the intention when laying down this law back in 2003. It is absolutely clear now that people are serving way beyond their tariff in an unacceptable fashion under the IPP—but also under previous legislation. I have been trying to help an individual, David McCauliffe, who had a tariff of seven years and has now served 31 years. Is it not time for the Ministry of Justice, with the Parole Board, to put in place rehabilitation facilities that allow people who have served that kind of sentence to transition from existing prison facilities back into normal life?

Lord Keen of Elie: My Lords, the Government are of course concerned that the Parole Board should have the opportunity to consider even these extreme cases, and it does so regularly. Regrettably, there are prisoners who have not responded to any of the regimes available to them while in prison, and in those circumstances provision is made for what are termed progression regimes, in which prisoners serving an indeterminate sentence have, for example, even been excluded from a move to an open prison because of their behaviour. In addition, psychological assistance is given to those prisoners, in the hope that they can progress towards release. However, I remind noble Lords that we must have regard to the fact that some of them have committed very serious violent and sexual offences, and as long as they remain a real risk to the public, their release has to be the subject of clear and careful consideration.

Lord Reid of Cardowan (Lab): My Lords, I hesitate to take issue with the noble and learned Lord, Lord Brown—even more so when it means also taking issue with my noble friend Lord Blunkett—but the key thing here is that this is not an extended punishment; it is a regime to protect the public. I never understood the principle referred to in the Question today, which is that for subsequent parole reviews we must show that the prisoner is clearly more dangerous than he—it is normally a man—was the last time parole was considered. If someone is a clear and present danger to the public, particularly because of terrible violent or sexual crimes, it is justifiable, after due consideration by the Parole Board, to extend that until such time as he or she is no longer a clear and present danger to the public.

Lord Keen of Elie: My Lords, I emphasise that the number of prisoners held under IPP sentences continues to decrease at an accelerating rate. However, I regret to observe that that leaves behind a serious core of sometimes incorrigible individuals, which presents real difficulties for the Parole Board when it addresses the question of release. Indeed, it is noticeable that as we have increased the rate of release of IPP prisoners, the rate of those being recalled under licence for serious breaches of it has also increased.

Lord Marks of Henley-on-Thames (LD): My Lords, we abolished these sentences under LAPSPO. The continuing rate of release is extremely low. This injustice cries out to be cured, and that can be done by changing the test under Section 128 of LASPO, as was always intended. Does the noble and learned Lord appreciate that the number of incidents of self-harm among IPP prisoners is more than double that for the rest of the prison population? Is that not evidence of the despair these sentences cause?

Lord Keen of Elie: My Lords, it is regrettable that the number of incidents of self-harm is both as high as it is and higher for IPP prisoners. However, many of these prisoners suffer from serious psychological issues, which is one reason for that unfortunate statistic. There is no intention at present to change the onus under Section 128 of the Act, but as the Supreme Court observed in a recent decision:

“Although the default position is that detention will continue ‘unless ... the Board is satisfied that it is no longer necessary’ ... the Parole Board is an investigative body which will make up its own mind on all the material before it”.

Yemen Question

11.31 am

Asked by *The Lord Bishop of St Albans*

To ask Her Majesty's Government what steps they are taking to provide humanitarian relief to Yemen following the agreement of the ceasefire in Hodeidah.

The Minister of State, Department for International Development (Lord Bates) (Con): My Lords, following the positive outcomes of the Stockholm consultations, it is imperative that the parties act in good faith to implement the agreements. Any escalation of military

activity must be avoided, and the ports of Hodeidah and Saleef and onward supply routes must be kept open. We continue to address the deteriorating humanitarian situation through our £170 million response this year. The UK is also discussing how best to support the ceasefire agreement with partners.

The Lord Bishop of St Albans: I thank the Minister for his response. I am glad that we are able to make a significant contribution but this humanitarian disaster is horrific in scale: 85,000 people have already starved to death, 420,000 children are being treated for malnutrition and we have seen the worst cholera epidemic in the past decade. What are Her Majesty's Government doing to consider whether we can provide additional help? In particular, what representations are they making to other countries to step up to the plate and address the shortfall so that we can try to resolve this humanitarian crisis?

Lord Bates: The right reverend Prelate is absolutely right to point out that this humanitarian crisis is without precedent. It is not going too far to repeat the words of the Humanitarian Affairs and Emergency Relief Coordinator, who said that this could be a famine on a scale that we have not seen for 100 years. The response needs to match that statement in its urgency. So far, the response to this year's \$3 billion appeal is around 80%; the UK's contribution has been £170 million. We are the fifth-largest contributor behind Saudi Arabia, the UAE, Kuwait and the United States. Next year, the appeal will be set at \$4 billion. There will be a pledging conference in Geneva on 26 February. The world must step up to address the humanitarian crisis and seize this window of opportunity with the ceasefire to address the desperate needs of the people of Yemen.

Lord Collins of Highbury (Lab): My Lords, the situation is obviously very fragile. Yesterday, the Foreign Secretary's Statement on the drafting of the UN resolution was repeated here. I repeat my tribute to Mark Lowcock, who ensured that humanitarian support was included in that resolution. However, the resolution not only acts as a trigger for the peace process and opening up the ports; as the right reverend Prelate said, it also gives us the opportunity to demand more assistance from the rest of the international community. I hope the Minister will ensure that we do so at the United Nations.

Lord Bates: I am very happy to give that assurance. A draft is in circulation. It rightly seeks to embody in text at the Security Council the positions and agreements agreed in Stockholm, but it also includes a significant element on the humanitarian crisis and the need for the international community to come in behind that UN Security Council resolution, perhaps agreed today, to ensure that those needs are met.

Baroness Sheehan (LD): My Lords, I put on record my admiration for the persistence of all those involved in bringing the warring parties to the negotiating table. We are told that, following talks in Stockholm, further talks are scheduled for January in Kuwait, I believe. Does the Minister share my concern that the

fragile agreement might have failed irrevocably by then and that reconvening the parties at an earlier date would be desirable?

Lord Bates: In a sense it might be desirable, but that was the agreement made in Stockholm. That is what we have to follow with the six-week commitment. During that time we will see whether the other commitments to opening the ports of Hodeidah and Saleef and the prisoner exchanges happen. There are a number of steps along the way, but I certainly join the noble Baroness in paying tribute to British diplomats, of whom we can be proud, such as the UN special envoy Martin Griffiths and our own Sir Mark Lowcock, formerly a Permanent Secretary at DfID, for the work they have done.

The Earl of Sandwich (CB): My Lords, as the noble Lord will know, some of us tried to find out during the Statement yesterday what exactly is happening in the port of Hodeidah. It is such a significant port for getting humanitarian aid in. Does the Minister have any up-to-date information? Given the ceasefire, we would expect a higher proportion of the dockside facilities to be available.

Lord Bates: Yes, we would expect that to happen. The latest data we have is from November, with 60% of food and in particular fuel coming in through that port. We have been monitoring it very closely. The agreement in Stockholm requires a weekly update back to the UN Secretary-General to see what is happening with delivery on the ground. I am sure he will follow that closely.

Lord Alton of Liverpool (CB): My Lords, in the aftermath of this welcome ceasefire the rebels said that they might provide maps and details of where IEDs, landmines and booby traps have been laid. That would obviously save many lives if it could be facilitated. Also, could the Minister say whether good will gestures such as the exchange of prisoners might take place as well?

Lord Bates: That provision of maps is an essential precursor to the delivery of humanitarian aid. There is about 140 miles of very remote, rough countryside between those two ports. If goods and people are to travel along it delivering aid, it is essential that they can do so in safety. It is a condition of the Stockholm agreement.

Baroness Hayman (CB): My Lords, as was made clear yesterday, humanitarian agencies from the UK and elsewhere are functioning in Yemen, despite the difficulties, but does the Minister agree that, because of the collapse of public institutions, people's access to essential services—water, sanitation, healthcare and education—have completely collapsed? Humanitarian agencies could do a lot more if they were allowed to, but they can never compensate for government spending. Is the right reverend Prelate not absolutely right to say that our Government need not only to step up their own efforts but to ensure that the international community does so as well?

Lord Bates: I wholeheartedly agree. In doing so, I pay tribute to the noble Baroness's work in leading the Disasters Emergency Committee appeal on Yemen, which has raised so much from the British people. There is a huge amount more to be done in this area, but she is right to recognise the humanitarian workers in this situation, who are putting their lives on the line for humanity. It is right that, at this Christmas time, we remember and give thanks to them for the work they do to ease the suffering of the people of this world.

Gatwick Airport

Private Notice Question

11.39 am

Tabled by Baroness Randerson

To ask Her Majesty's Government whether they will make a statement on the disruption at Gatwick airport caused by drone activity.

Baroness Randerson (LD): My Lords, I beg leave to ask a Question of which I have given private notice.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Sugg) (Con): My Lords, the disruption caused by these drones is extensive, and it is an ongoing operation. We are in close contact with Gatwick Airport as it works with the police to resolve the situation safely and as quickly as possible. These drones have been flown illegally and anyone endangering an aircraft could face up to five years in jail.

Baroness Randerson: My Lords, this incident has illustrated the frightening ease with which drone users can inflict massive damage on our safety, our security and our economy. It is Christmas, and thousands more drones will find their way as gifts into the hands of untrained, unregistered users. Will the Minister commit to introducing proper, stringent controls on drones early in 2019? I realise that the Government are very busy with Brexit, but this incident illustrates the importance of other aspects of our national life. Do police consider this incident to be an act of terror or simply one of criminal irresponsibility? Whichever of those it is, all airports are clearly now at risk. What steps are being taken to prevent a repeat, copycat attack?

Baroness Sugg: My Lords, I entirely agree with the noble Baroness that we need to introduce new laws to ensure that drones are used safely and responsibly. Earlier this year, we introduced a law which makes it illegal to fly a drone within a kilometre of an airport and above 400 feet. In November next year, we will introduce a registration system which includes a mandatory safety check before a person can fly a drone. As I said, these drones are being operated illegally. I am afraid that I am not able to give a further comment. It seems that the drones are being used intentionally to disrupt the airport, but, as I said, this is an ongoing investigation.

Baroness Smith of Basildon (Lab): My Lords—

Lord Kirkhope of Harrogate (Con): My Lords—

Baroness Smith of Basildon: My Lords, I think that it is a Front Bench response on an Urgent Question.

I am dissatisfied by the Minister's responses. I am sure that I am not the only noble Lord to declare an interest in Christmas flights from Gatwick, but there are two sets of issues: the longer-term issues referred to and the emergency issues for today. This incident is causing disruption and distress for thousands, with more than 100,000 people stranded.

Given the length of time that this incident has been going on and the scale of the disruption, it is clear that it has not been caused by a teenager playing with an early Christmas present from their bedroom. It is obviously malicious. The Government have to address serious issues.

The police say that they have 20 units looking for the operator or operators. Do they have the expertise and equipment? They now say that they are launching a campaign for information. Have the Government consulted or engaged our military, who surely have a higher grade of technology for dealing with drones? Which Ministers are monitoring the situation and co-ordinating the emergency response, and who will they report back to? I remember the days when Prime Ministers would have had a COBRA meeting overnight to co-ordinate ministerial responses.

Given their urgency, I would expect the Minister to have investigated these issues and to have come back to the House today with an answer. If she cannot give an answer now, will she assure the House that she will return within the hour to do so?

Baroness Sugg: My Lords, as I said, this is an ongoing operation. Sussex Police are in the lead and have officers on the ground. They are doing everything they can to locate the drone and its operators. All relevant parts of government, including the Department for Transport, the Home Office and the Ministry of Defence are involved in the response, and we are doing everything we can. As I said, it is an ongoing police investigation and I am afraid that I am not able to confirm the details at this time.

Lord Kirkhope of Harrogate: My Lords, I declare an interest, first, as a pilot but also as chair of the All-Party Parliamentary Group on General Aviation's investigation into airspace in the UK. We are very concerned with the incursion into airspace by drones. While I am reassured by my noble friend's remarks, we feel that it is urgent that these matters be dealt with and that full accountability for drone operators and those who sell drones to the public is now implemented.

Baroness Sugg: My Lords, as I explained, we changed the law earlier this year, bringing in an exclusion zone around airports. We are working with manufacturers and retailers to ensure that the new rules are communicated to those who purchase drones. From November next year, people will need to register their drone and take an online safety test. We have also recently consulted on extending police powers and will make an announcement on next steps shortly.

Lord Campbell-Savours (Lab): My Lords, two years ago, on 28 February 2017, I raised the existence of signal jamming equipment operational at a distance of 2,000 feet. In reply the then Minister for transport said he would take the issue up with officials, saying:

“We will be raising his specific point with manufacturers”.—
[*Official Report*, 28/2/2017; col. 709.]

What happened? Was it raised with officials? Was it raised with manufacturers and, if so, what were the results of those conversations?

Baroness Sugg: My Lords, as I say, we are working closely with manufacturers on counterdrone technology. That was also something we spoke about in our consultation; we are working closely with the Home Office on both the technological side of counterdrone technology and the physical side.

Lord Dholakia (LD): My Lords, the Minister keeps saying that this is an ongoing police operation. Is there any reason why we cannot be updated this afternoon? There are a large number of passengers queueing at Gatwick Airport and I think it is right and proper that not only the public but Parliament has information about what is going on. Will she come back and give us some information later?

Baroness Sugg: My Lords, as I said, this is an ongoing police operation and we will have to see how that develops through the day. We encourage all passengers who are due to travel from Gatwick Airport to check with their airlines before they go to the airport and also to look at the Gatwick Airport website where the most up-to-date information will be provided.

The Earl of Listowel (CB): My Lords, what requirements are placed on airports to be ready for these circumstances? Will the Minister be checking that other airports are prepared to meet these circumstances should they arise?

Baroness Sugg: My Lords, of course we work carefully with airports on all their operational contingency plans. The priority on that is safety and as I said, once this event is closed the police will be investigating fully. Of course, we will be looking at our response and working with airports to avoid such an incident in the future.

Lord Harris of Haringey (Lab): My Lords, the House is of course grateful to the noble Baroness for the rather complacent reply she has given so far. However, it is a fact that repeatedly in this House, as my noble friend said, for more than two years—for about the last five years, in fact—people have been raising concerns about drones and the Government have repeatedly dragged their feet. Why, at the earliest stage, were technical specifications not introduced and required of all drones brought into this country or built in this country, which would have enabled them to be disabled and brought safely to the ground? That technology is available and had it been introduced at the beginning it would have made life a lot easier. The penalties introduced in the middle of this year are quite clearly inadequate, as we have already heard from the noble Lord opposite. Why do the Government persistently drag their feet on these issues?

Baroness Sugg: My Lords, I can reassure the noble Lord that I am in no way complacent about this issue: we have been working incredibly hard on it all morning. We have also taken clear action this year, introducing exclusion zones and bringing in laws to ensure that drones are not flown above 400 feet. As I said, we have been consulting on extending police powers and will shortly announce how we will do that.

Lord Sharkey (LD): My Lords, I think most people will be absolutely astonished that we are unable to locate the drone operators or remove the drones. Can the Minister say what rehearsals were carried out for such a drone incursion?

Baroness Sugg: My Lords, as I said, the police are working on this at the moment. They are doing all they can to search for the operators and resolve the situation safely. I fear that I do not have details for the noble Lord on specific rehearsals for this but I will look into that and write to him.

The Earl of Sandwich (CB): My Lords, I declare a personal interest: my daughter is stuck in Berlin Airport at this moment, like many thousands. I do not think that the Minister has replied to the noble Lord, Lord Harris, who asked a very specific question about the equipment which can disable these drones and bring them back to where they came from. These have been tested at Gatwick. Has she not got any information on the results of those tests?

Baroness Sugg: My Lords, technology is rapidly advancing in this area. That is absolutely something that we are looking at. As I said, part of the consultation we did earlier this year was on counterdrone technology and we will be announcing our next steps on that very soon.

Lord West of Spithead (Lab): My Lords, our military and GCHQ have also developed techniques to identify the frequency very rapidly and either jam it or take control of the drone and land it. Is this ability being given more broadly to various airports? How is this being done? Clearly, we have not taken any action for a number of years to try to resolve this issue.

Baroness Sugg: My Lords, as I said, all relevant parts of the Government, including the Ministry of Defence, are working on this issue today to try to resolve it as quickly as possible. We are working on the new technology that is available to ensure that such an incident does not happen again. It is not acceptable that passengers have faced such disruption ahead of Christmas and we are doing all we can to resolve it as quickly as possible.

Homelessness *Statement*

11.50 am

The Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, with the leave of the House I will repeat in the form of a Statement the Answer given to an Urgent Question earlier today in another place by my right

[LORD BOURNE OF ABERYSTWYTH]

honourable friend the Secretary of State for Housing, Communities and Local Government. The Statement is as follows:

“Mr Speaker, every death of someone sleeping rough on our streets is one too many. Each is a tragedy, each is a life cut short. In particular, I share the sadness that every Member of this House will feel on learning of the death of a homeless man close to Parliament only yesterday. As you say, while we must allow the investigations to take place, I will be asking Westminster City Council to refer this to its safeguarding adults board to look into the matter and see that lessons are learned and applied.

The ONS data published today on the estimated number of deaths of homeless people is stark, with an estimated 597 deaths of homeless people in England and Wales in 2017. It is simply unacceptable to see lives cut short in this way. I believe we have a moral duty to act. This Government are committed to halving rough sleeping by 2022 and ending it by 2027. Last week we published our rough sleeping strategy delivery plan, which sets out how we will do this. It gives updates on the progress we have already made on the 61 commitments in the strategy and sets out clear milestones for activity.

But it is about action now. Our rough sleeping initiative, backed by £30 million in funding this year, is delivering at least 1,750 new bed spaces and an additional 500 outreach workers in areas across the country where rough sleeping is most prevalent. Only this week we have announced the location of 11 rough sleeping hubs across the country, which will provide immediate shelter and rapid assessment now, which will help thousands of people over the next two years.

But today’s statistics underline the need to stop people becoming homeless in the first place. We are investing £1.2 billion to reduce and prevent homelessness. Much of this funding is already having an impact, providing vital support to help people off the streets for good. Early intervention and prevention are key, and that was the focus of the Homelessness Reduction Act, which came into force in April this year.

We will continue to work tirelessly with local authorities and partners across the country to ensure that we are providing the advice and support they need. But I recognise that this cold weather period is a particularly difficult time. That is why I launched an additional £5 million cold weather fund in October. The fund has already enabled us to increase outreach work further and extend winter shelter provision, providing more than 400 additional bed spaces.

The death of anyone who is homeless is a tragedy. We remain focused and resolute in our commitment to make rough sleeping a thing of the past, and where we need to do more, we will”.

11.53 am

Baroness Thornton (Lab): I thank the Minister for repeating the Statement. Indeed, two days ago the second man this year died on our parliamentary doorstep. This man has a name: Gyula Remes, a 43 year-old Hungarian who will undoubtedly have a family somewhere in Hungary. Like me, many of your Lordships daily

walk past the four or five men and women who have made Parliament’s doorstep their home. It is going to be their home for Christmas, they told me this morning. One of them is an ex-serviceman. Noble Lords who drive into Parliament must have noticed the increase in the number of people sleeping on the doorsteps in Westminster and witnessed the shame that this brings to us all. I suggest that noble Lords who do drive into Parliament might go outside and have a look at the tributes to Gyula.

Does the Minister know these fellow citizens on our doorstep? Has he spoken to them? I hope that when the Minister answers he will address the point that while the Government may have their rough sleepers plan, it is not working. What are this Government going to do about the fact that rough sleeping has doubled on their watch? That is from the Government’s figures, but Crisis says that they are a fivefold underestimate.

Does the Minister agree with his colleague Mr Brokenshire, who says in the newspapers that this explosion in rough sleeping is nothing to do with this Government’s policy, or will he acknowledge that this Government’s policies and priorities will have to change to deal with the shame that this homelessness brings to our rich nation? So many of our fellow citizens have no home and are exposed to danger: 600 deaths this year show a 24% increase in the number of deaths on our streets in the last five years. There is also the awfulness of sleeping in doorways at the entrance to our Parliament. How many more deaths will it take before the Government resolve this problem?

Lord Bourne of Aberystwyth: My Lords, I thank the noble Baroness for that contribution and, as she has done, I offer sincere condolences on behalf of the Government and the House to the family of Gyula Remes and his friends—I think he had many in this country as well as in his native Hungary. In answer to the noble Baroness, I do speak to homeless people, and not just in Westminster. She is right that it is a tragedy, but it is a tragedy everywhere—not just here but up and down the country—that this is happening.

However, we have to acknowledge that this is perhaps much more complex than the noble Baroness suggested. For example, from the figures that she has no doubt seen today—the first set of such figures; we never previously had ONS figures on this issue and we should welcome that we now have this analysis—we know they indicate that over a third of the deaths have drugs as an element. That is not to minimise the issue but to show that there are many aspects we need to grapple with. It is not just a question of providing funding without knowing where it is going. Many of the deaths are also related to suicide or alcohol; I think more than half involve those three elements. So while, yes, it is about ensuring that we get the figures down, it is, as I say, much more complex than she suggests.

I also pay tribute, particularly at this time of year, to the many third sector bodies and charities which help. St Mungo’s springs to mind, but many others are helping and we should knowledge the great role they play, as well as local authorities. I will highlight one thing in the Statement. In the other place the Secretary

of State highlighted the £5 million fund for cold weather, which was announced in October. A lot of that funding is still not committed and local authorities can bid in for it. The Secretary of State will issue that message to them again today, but I encourage them to bid because there is money available, as well as the money we have announced in relation to the early adopters of the rough sleeping initiative.

Perhaps I could accentuate one other thing in answer to the noble Baroness, Lady Thornton, and for the benefit of the House. These figures do not relate just to rough sleeping; they are homelessness figures. It is where homelessness is featured on the death certificate, and some of those deaths will be people who have not been sleeping rough but have been in emergency accommodation, for example. So, again, it is perhaps a bit more complex than a first sight indicates.

Baroness Greider (LD): My Lords, will the Minister join me in encouraging everyone to download and support the excellent app StreetLink on their phone? The app is backed by St Mungo's and Homeless Link, and it enables people to report to an outreach team immediately if they see someone sleeping rough. I really recommend it to all colleagues and anyone else listening as it is excellent—but please donate when you use it.

The Minister talks of £5 million. Can he tell us how it is possible for Cabinet members to sign off on an additional £2 billion for a no-deal Brexit when it is entirely in their power to rule that out? Would that money not be better spent on this urgent problem to ensure that there are no more deaths on our streets of people sleeping rough? Where the money has been spent by local authorities, the numbers are coming down—but overall in England, the numbers are still going up and it is a disgrace.

Lord Bourne of Aberystwyth: My Lords, first, I thank the noble Baroness for the reference to downloading the StreetLink app backed by Homeless Link. That is very valuable advice and I encourage people to do that. On her second point, as I indicated, this is not just about money. Of course the money is important, and we have committed money to it. We announced money just this week in relation to 11 more hubs and we have the rough sleeping initiative areas that were announced previously: much money is committed there. We have to make sure the money is properly spent, so, yes, it is about the money, but it is not just about that, and nor is this problem unique to England. Sadly it is, broadly speaking, a pan-European problem. There have been some successes in Finland and we had a representative of Finland on the rough sleeping advisory board. Our noble Lord, Lord Bird, is on it, as are the mayor of Manchester, Andy Burnham, Andy Street and others. It meets regularly and it is taking action and taking the initiative. Once again, I encourage local authorities to look at whether they can bid in for some of the money relating to cold weather. The point is that it is not just about money, important though that is.

Baroness Boycott (CB): My Lords, some years ago I took part in one of those rather insane television programmes which meant that I slept on the streets for about eight nights. Even though I was completely safe and I knew that it was coming to an end, I cannot

begin to describe the feelings of hopelessness and terror that it induced in me. It was not just that I was hopeless and terrified and had nothing but that I had nowhere to go. I was frequently told, "Go and get a job"—which was quite impossible. I was wearing rubbishy old clothes and had carrier bags and I was not even allowed to sit in a café. It seems to me that we put charity money into keeping people perhaps safe overnight—and safety is very marginal in some of these shelters, especially for women, as I know—but they have to be helped to get out of this situation and to get jobs. It is not enough to hurl a few pounds to give them a hot dinner over Christmas. This is about the rest of their lives and the cost and the shame to all of us. I beseech the Government to take this much more seriously.

Lord Bourne of Aberystwyth: I thank the noble Baroness. First, I do take this extremely seriously. The noble Baroness is right that there is a short-term issue of getting help immediately, which we should not belittle as it is a real issue and it is right that we do that—but there is a longer-term issue, particularly about finding jobs. The noble Baroness is right about that. That is why some of the commitments that we are making in the rough sleeping strategy relate to just that: the wraparound, the commitment to see that individuals—and these are individuals, very much so—are helped and that we ensure that help gets to them, particularly in relation to finding jobs. I agree with that.

The Lord Bishop of Rochester: My Lords, despite what the noble Baroness has just said about jobs, some of the people who have died had jobs and were homeless yet in work. That seems to compound the scandal. The Minister might have seen an article in today's *Financial Times*, which features, of all places, Tunbridge Wells and the work of Habitat for Humanity, the YMCA and the churches there in tackling homelessness. It identifies the issue that among the people who are being helped are some who are in work. Does the Minister accept that this phenomenon is a particular scandal? What is the intention of Her Majesty's Government to work on not just the homelessness dimensions of this but on the employment dimensions which lead to this strange conjunction which we seem to be experiencing?

Lord Bourne of Aberystwyth: I thank the right reverend Prelate. As I have indicated, this is a very complex problem. The contribution of the right reverend Prelate about people who are in work yet are still homeless perhaps illustrates that. That demands much greater attention than it has had in the past, and it is why we have the strategy and the commitments, and why there will be ongoing work, particularly individualising this so that individuals get care and attention and in that way we take care of the many different facets exhibited by a serious and tragic problem, as we have seen in the most recent case on our doorstep.

Islamophobia

Motion to Take Note

12.04 pm

Moved by Lord Sheikh

To move that this House takes note of the impact of Islamophobia in the United Kingdom.

Lord Sheikh (Con): My Lords, I am very glad that we are having this timely discussion on Islamophobia today. I am also very pleased that recently there was a debate in your Lordships' House relating to anti-Semitism. I am totally against anti-Semitism and feel that we should all get together and combat it in every way we can. Unfortunately, xenophobia has to some extent crept into different walks of life in this country and certain people behave very badly towards minorities. Whether it is deliberate or based on misunderstandings, we must all make an effort to combat this trend.

I am proud to live in a country where there are numerous communities, and all races and religions are tolerated and in fact accepted. Xenophobic attacks are increasing in regularity, and some people feel it is fair game to engage in nastiness towards people who are different from them. I believe there are more similarities than differences between people, and I am very keen on promoting harmony between all communities. I might add that I am a patron of Muslim and non-Muslim organisations that work towards achieving that goal. That is the reason why I have tabled this debate today.

Furthermore, I have submitted an application to the House of Lords Liaison Committee asking for a special inquiry to be undertaken on the subject of Islamophobia. I hope that my application is successful, as Islamophobia needs an in-depth study. A poll by ComRes in October found that 58% of people agreed with the statement:

"Islamophobia is a real problem in today's society".

It is crucial that we combat all forms of Islamophobia, from subtle and institutional Islamophobia to discrimination and hate crime.

Discrimination in the workplace creates economic insecurity. Muslim women, for instance, are 85% less likely to be offered a job if they wear a veil. Muslim women face further prejudice, which was seen in August where women wearing the burqa or niqab were compared to letterboxes and bank robbers by a prominent politician. I spoke against those unsavoury remarks, but unfortunately I was subjected to hate mail and harassment. We parliamentarians should not create divisions by using inflammatory language. Instead we should encourage the discussion of contentious topics in a considered and inoffensive way. Does my noble friend the Minister agree? Furthermore, does he agree that discriminatory remarks should not be used as a platform to gain political advantage?

Unfortunately, I feel that elements of Islamophobia have crept into the political parties. I have written and spoken about this issue, and have gone public regarding the problem. I feel that political parties must hold an inquiry to establish if there is such an issue and the extent of the problem. The parties can then look into any remedial action that needs to be taken. Does the Minister have any view regarding that?

The Home Office recently published figures that reveal that 52% of reported hate-crime victims overall were Muslim. In fact, last month I hosted an event for Tell MAMA due to the increase in hate crimes. Hate crimes include physical assault, verbal abuse and incitement to hatred. Between January and June 2018, Tell MAMA recorded 608 reports that were verified as

being anti-Muslim or Islamophobic in nature. Two-thirds of those verified incidents occurred on the streets, with the majority being towards Muslim women, with one-third being online. The level of hate crime is of great concern to me, and these figures are just the tip of the iceberg, as many incidents go unreported. The actual numbers are much higher and on the increase.

It has also been noted that Islamophobia is an issue for people of other religions and ethnicities. For example, Sikhs have been subjected to hate crimes on the basis that they were perceived to be Muslims. This is totally wrong and we must get together to combat hate crime.

Does the Minister feel that the police are doing enough to combat hate crime and can anything else be done? Can the police be provided with extra resources to deal with the problem? Institutional Islamophobia also has a great impact on the lives of British Muslims. For instance, I believe that the media must seek to become more balanced in their coverage, basing reporting around facts rather than predetermined narratives.

I strongly believe in upholding freedom of speech and freedom of the press, but these must be exercised with a great deal of care and responsibility. The news media has become increasingly fixated by attention-grabbing, often outrageous headlines at the expense of accurate reporting. There is an association of Islam with crime and terror, which serves only to spread and normalise Islamophobia. Crimes are committed by people of all religions and races.

We must remember and respect the positive aspects of British Muslims in this country. There are more than 3 million Muslims in the United Kingdom who have come here from different parts of the world. Muslims have done well in every walk of life and contribute significantly to the advancement and well-being of the country.

I add that Muslim charities undertake good work in various parts of the world and provide aid to Muslims as well as non-Muslims. Muslims provide support to people of all races, colours and religions all over the world. In July, I referred in your Lordships' House to the fact that British Muslims gave more than £100 million to charity during the month of Ramadan last year. This figure equates to £38 a second. In his reply, my noble friend Lord Bates referred to the generosity of British Muslims and queried why there was an absence of media coverage of such charitable acts. I am most grateful to him, as he made a valid point.

Furthermore, I recently hosted an event to discuss the contribution of Muslims to the First World War, and spoke in your Lordships' House on the matter. That significant role is not widely acknowledged and has been historically undervalued. In fact, at least 2.5 million Muslim soldiers and labourers from all over the world fought in the allied forces with dignity and honour. In this respect, I have written a letter to the Minister asking whether the Government would consider putting up a memorial to them. Has he had time to consider my request?

The contribution of Muslims to society must be appreciated, as it sets out the philosophy of Muslims and of Islam itself. Having said that, I realise that Muslims are going through a critical phase and that

there are problems associated with some sections of the community. A tiny minority of people practise and promote ideas which are totally un-Islamic. They have misunderstood our glorious religion, and what they do and have done is not in accordance with Islamic principles. It is wrong to condemn the entire community for the actions of a misguided minority. I add that terrorism radicalisation needs a holistic approach and should involve contributions from many, including local authorities, the police, schools, prisons and members of the Muslim community itself. I emphasise that the Muslim community has an important role in combating radicalisation, but the community needs to be fully consulted. Does the Minister agree with the point I am making?

Sometimes, problems arise because of a misunderstanding of Islamic principles, so we should all work together to alleviate these misunderstandings. However, an issue that has to some extent impacted dialogue between Muslims and non-Muslims is the rise of populism and the existence of extreme right-wing groups, some of which have promoted negative perceptions of Muslims. The rise of populism in some parts of Europe also worries me. Earlier this year, a “Punish a Muslim Day” letter threatened violence against Muslim MPs, mosques and ordinary Muslims, and I am pleased that this was condemned by right-thinking people. Muslims can be seen as un-British by extreme far-right groups, yet in 2016, it was established that 93% of British Muslims felt that they belonged to Britain.

It is true that the United Kingdom has fared better than other countries in terms of resilience against far-right groups, which has lessened their impact. In fact, we can celebrate that we have now had Muslim Cabinet members, a Muslim is mayor of our capital city, and we hold positions both in national and local politics. However, we cannot forget the impact of Islamophobia in this country. Indeed, 70% of British Muslims in 2018 reported that they had faced religious-based discrimination and prejudice. I am sure that your Lordships are aware of the recent incident of a Muslim refugee boy being physically abused and bullied at school. I add that the British people abhorred this abuse and raised a fund for the family. This reaction by the people must be appreciated.

It is imperative that we create a definition of Islamophobia to make a meaningful change. The APPG on British Muslims recently launched a definition of Islamophobia, drawing inspiration from the IHRA definition of anti-Semitism. This definition reads:

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”.

I believe the definition is clear and lucid. It was developed over six months, with input from a wide range of sources, academics, parliamentarians, community-based organisations, and government-supported and funded NGOs. It has also received a great deal of support across the community. In fact, it has been supported by over 750 British Muslim organisations, 80 academics from different backgrounds and over 60 cross-party parliamentarians. Will the Minister consider the acceptance of this definition and schedule a meeting where we can discuss the way forward?

Finally, I thank all noble Lords in advance for taking part in this important and topical debate.

12.20 pm

Baroness Warsi (Con): My Lords, I start where the noble Lord, Lord Sheikh, has finished. I am grateful to him for having tabled this debate and wholeheartedly endorse both his comments and his asks of the Minister.

This is a take-note debate on the impact of Islamophobia in the UK. So we could take note of the breadth of Islamophobia in Britain today: from murder—the killing of Maz Saleem, a grandfather from Birmingham—to violent crime, much of it targeted at women and children; from discrimination in the workplace to bullying in the playground; from demonising in the tabloids to distasteful coalitions between fascists and other religious minorities; from the perpetuating of myths by the far right to the political hosting of Islamophobes by Members of this House. This has far surpassed the “dinner table test” that I laid out in 2011: it is, sadly, Britain’s bigotry blind spot.

I could give you statistics on hate crime and appalling polling figures on attitudes towards Muslims from my nearly two decades of work in this space, or I could simply read out the vile, daily Islamophobic messages that I receive some 80 years after both my grandfathers served to defend this country in the Second World War, and 60 years after they and my parents came here, having given up their former lives to create new lives for themselves and opportunities for others. Having served my country at the top table, with children serving to keep this country safe, these messages tell me that, despite all that, I am the enemy within, that the likes of me are not to be trusted and that I do not belong in Britain today. Or I could make a personal plea that I worry about whether my grandchildren will call Britain their home, but that would become a very long debate.

I note the 10-minute time recommendation, although some noble Lords have indicated to me that they will not take their full allocated time, so I hope noble Lords will bear with me if I take an extra minute or so. My ask today is simply that the Government adopt the definition of Islamophobia put forward by the APPG on British Muslims.

I start with a warning that poachers, who have hunted, hounded and harmed Muslim communities for years, have no credibility on a definition of Islamophobia. They may profess to be gamekeepers, but they have no intention to protect. Individuals and organisations who, at any and every possible juncture, have demonised, undermined and attacked practising British Muslims in public life now, ironically, purport to critique a definition on the basis that it would isolate British Muslims and make them the object of continuing hostility. This is a climate these individuals and organisations created. Enough is enough. We do not put racists in charge of race relations, we do not make anti-Semites the arbiters of anti-Semitism, and we should not hail those who have sought to malign Muslims as voices of reason on a definition of Islamophobia.

I welcome the government initiatives to tackle Islamophobia: many were established by me in government and many spearheaded on a daily basis by my noble friend the Minister. But if the rows of the last year have confirmed anything, it is that we have all acknowledged

[BARONESS WARSI]

that initiatives in the absence of an adopted definition are half-hearted. The Government and our political parties have rightly adopted the IHRA definition of anti-Semitism in clear knowledge that endeavours to tackle anti-Semitism begin with an agreed definition. By the same token, the initiatives proposed in the hate crime plan will simply fail, and fail miserably, in the absence of an agreed definition of Islamophobia.

I am aware of a small number of very vocal critics who have contacted the Home Secretary and other Secretaries of State, urging them not to adopt the definition of Islamophobia proposed by the All-Party Parliamentary Group on British Muslims. The evidence sessions took over six months of written and oral evidence. It was supported by over 80 academics and over 800 individual Muslim organisations and institutions. It was signed by over 50 parliamentarians from across this House. Every day the support is growing.

To those who criticise it, I say this: first, in evidence heard by the APPG, some of those urging the non-adoption of the definition of Islamophobia were equally reticent about adopting a definition of anti-Semitism—the Southall Black Sisters, for example. I can safely say that the Government and Home Secretary would justifiably give short shrift to arguments against the IHRA definition. British Muslims would expect nothing less.

Secondly, the definition proposed by the APPG emerged from a wide-ranging consultation involving politicians, lawyers, academics, victims, groups, British Muslim women's groups, community advocates and local Muslim communities. It is rooted in communities, underpinned by academics and framed by parliamentarians. Those who have taken aim at the definition possess neither credibility in nor the confidence of the communities this definition seeks to protect. So I return to the definition of anti-Semitism and reiterate that instrumental to its adoption was the agency of British Jewish communities. British Muslims expect nothing less.

Thirdly, to those who raise criticisms in respect of freedom of speech and freedom to criticise Islam, I simply say this: read the report. No aspect of the APPG report envisages protection of religion. We are not concerned with limiting or eliminating criticism of Islam any more than the IHRA definition of anti-Semitism limits or eliminates criticism of Israel. The same misguided arguments which were raised against that IHRA definition are being rehearsed in relation to the Islamophobia definition. We hear siren voices claiming it will curtail speech or criticism of Islam or Islamism. I am amused that those raising these concerns have been ostensibly silent on anti-Semitism, despite the Islamophobia definition mirroring the IHRA guidelines. Dare I say it, their arguments betray the same hyperbole of those whose contention against the anti-Semitism definition is that it would rightly call them out for anti-Semitic sentiments.

Those raising false flags about the Islamophobia definition do so to avoid being named and shamed. It only serves to demonstrate the necessity of the definition itself—to call out those anti-Semites or Islamophobes who poison our politics and society. In the case of one such critic, for example, *Sunday Times* journalist Andrew

Gilligan, I can only say that the sheer number of libel cases he has lost and the huge amounts of compensation paid to Muslim victims of his particular brand of journalism is evidence more of self-preservation than any palpable concern for victims of Islamophobia.

Those in positions of authority carry the burden of responsibility. I am grateful to the right honourable Yvette Cooper MP for her attendance and support at the launch of the APPG definition and also as chair of the Home Affairs Select Committee in initiating an inquiry into Islamophobia, whose terms of reference have now been extended to include the role of politics.

While I could give many examples of Members of the other place, including Boris Johnson and his dog-whistle remarks, for which he is currently being investigated by my party, it goes much deeper than that: from the Islamophobic London mayoral campaign against Sadiq Khan to this House, where noble Lords have hosted Geert Wilders. A Member of our House referred to Wilders as “a very great man”. Wilders was subsequently found guilty of inciting racial hatred in the Netherlands. Then there is the hosting of Stephen Yaxley—Tommy Robinson or whatever name he may go by this week—whom even members of UKIP consider to be divisive and Islamophobic, during the weeks when parliamentarians were receiving “Punish a Muslim Day” letters and on the day of his court hearing for contempt of court.

This association between mainstream politicians and anti-Muslim extremists was raised during evidence heard by the APPG as the process of making Islamophobia “respectable”. The APPG also heard evidence of the rising problem of associations between think tanks in the UK and far-right movements across the world. We heard concerns that:

“Neoconservative think tanks are attempting to influence government ... policies”,
and it is through these activities that they establish the,
“practical means by which policies that discriminate against Muslims are created and implemented”.

It is therefore no surprise that think tanks such as Policy Exchange at the more respectable end and the Gatestone Institute at the other are quick to criticise the framing of a definition of Islamophobia in light of their own history. For example, the *Hijacking of British Islam* report by Policy Exchange was found by BBC's “Newsnight” to have used fabricated evidence to falsely accuse British mosques of selling extremist material. The al-Manaar mosque in west London—the mosque that provided support after the Grenfell fire—was successful in obtaining an apology from Policy Exchange and the disgraced report was eventually removed from its website.

There are associations by Members of this House with think tanks such as: the Gatestone Institute, which has portrayed Muslims as an existential threat to the West; and the Henry Jackson Society, which openly shares platforms with the likes of Katie Hopkins and alt-right activists in the US, including those who have been excluded from the UK by successive Home Secretaries, and which has as its executive director one Douglas Murray, who, among his many divisive comments, has said:

“Conditions for Muslims in Europe must be made harder across the board: Europe must look like a less attractive proposition”.

He is succeeding somewhat. He was considered by my noble friend Lady Neville-Jones as too divisive and extreme to be associated with the Conservative Party.

I gave notice of my intervention today to the noble Lord, Lord Carlile, because I feel that if you are to mention a noble Lord, it is appropriate to let them know beforehand. I raised these issues with him in some detail last year because he has, sadly, lent his name to these organisations' publications and events in this House—publications authored by Douglas Murray and a researcher by the name of Hannah Stuart. Hannah is someone whom I have met and, as an individual, find personable, but her journey from the Henry Jackson Society via Policy Exchange to, now, head of research at the Government's extremism commission is deeply worrying. This web of connection between individuals and institutions which have published and promoted inaccurate and extremist views about Muslims is of grave concern and, ironically, leads to the door of the extremism commission itself. I urge my noble friend to advise the extremism commissioner that the battle to root out extremism should start with rooting out extremism from within the extremism commission.

I note that my noble friend is indicating that I have used up my time, but I will take 30 seconds more. I concluded my book two years ago with these words and I end with them today:

“The fog of fascism is once more spreading across our continent, xenophobic views are drifting in from the east and west ... It starts with words, and if the ‘respectable’ justification of hatred is left unchecked it ends with actions. How Britain responds to this new environment will determine whether we succeed in remaining a tolerant, diverse, liberal inclusive democracy, and the canaries in the coal mine are British Muslims”.

12.32 pm

Lord Parekh (Lab): My Lords, I congratulate the noble Lord, Lord Sheikh, on securing this debate. It is to be expected that more than half of the speakers are from the ethnic minorities, and this is one of the very few debates where this has been the case.

It is a real pleasure to follow the very eloquent and passionately argued presentation from the noble Baroness, Lady Warsi. If I disagree with her from time to time, it is not out of disrespect but simply to explicate further what she has been saying.

The word Islamophobia comes to us from the Runnymede Trust report of 1997, with which I was associated. The report began to make it clear that the word Islamophobia is useful but also risky. It is useful for all kinds of reasons, which the noble Baroness, Lady Warsi, mentioned, but it is risky for two reasons. First, it confuses Islam with Muslims. To talk about “Islamophobia” simply means that I resent Islam while taking a different attitude towards Muslims. Secondly and more importantly, “phobia” absolves the agent of responsibility—for example, one might say, “I suffer from agoraphobia”, or say that they have a fear of heights or of speaking in public. If someone says, “I have this phobia; there is nothing I can do about it; it is an irrational, deeply ingrained fear”, it gives them a get-out. As the report argues, one therefore needs to think of an alternative explanation that captures the idea of Islamophobia while not remaining restricted to it.

The expression it used was “anti-Muslim racism”. That also does not quite work, because I do not know what “racism” is doing there. It looks like verbal obesity, using an extra word when “anti-Muslim” would convey what you wish to convey. It also fails to capture the specificity of Islamophobia. I therefore suggest that, rather than talk about “anti-Muslim racism”, one simply says that something has to be done about anti-Muslim hostility and discrimination in all areas of life.

This discrimination also occurs towards other minorities, but in addition Muslims have been subjected to something unique—a kind of irrational, instinctive fear. Whenever somebody talks about Muslims in a university or elsewhere, the feeling is: “Oh my God; keep it out”. Where does this irrational antipathy, this refusal to talk about it and closure of the mind, come from? This is peculiar to Muslims; it does not extend to black people or others. In that sense, I want to retain the word Islamophobia while recognising that it does not capture the full range of anti-Muslim discrimination.

If you recognise that there are two realities—anti-Muslim discrimination and Islamophobia, as I have just defined it—you require a dual strategy. One strategy should counter anti-Muslim discrimination, hence the useful repertoire of anti-discriminatory mechanisms we have developed. A very different strategy is required for Islamophobia, and I will spend most of my time talking about that, because I think it is very subtle, very deceptive and, if we are not careful, extremely dangerous.

When did Islamophobia in that sense arise in our society? I trace its origins to the Iranian revolution. When the ayatollah appears on the scene, Muslims in Iran and elsewhere acquire a tremendous sense of power and the feeling that what was done in Iran could also be done elsewhere. There is therefore an enormous growth in self-confidence, a desire not to be taken for granted or marginalised and to stand up for their rights. It is in this context that Salman Rushdie's *The Satanic Verses* appears, followed by an approach to the ayatollah and resulting in the fatwa. That is the seed, the origin of Islamophobia—the combination of the Iranian revolution, the ayatollah's fatwa and Salman Rushdie's *The Satanic Verses*. If you look at these, four things come together.

First is extraterritorial loyalty, the feeling that Muslims are somehow more loyal to the ayatollah than to their own sovereign—reminding them of the Pope asking the British people to revolt against Elizabeth I. Secondly, the argument arises that Muslims are somehow against liberal values, freedom of speech or gender equality. Thirdly, and increasingly importantly in recent years, is the idea that somehow minority identities—in this case, Muslim identity—are valued more and that the identity of the majority community in society as a whole is being systematically undermined. Finally, there is the argument that Muslims are keen to introduce religion into public life and question the secular settlement.

This combination of four different ideas generates a kind of instinctive, morbid and irrational fear of Muslims. How do we get rid of this? How do we counter this deep-seated, irrational fear? When you have a phobia of this kind, when one simply refuses to

[LORD PAREKH]

counter or even face something, it is a case for a kind of political psychoanalysis. One needs to refute it step by step. We must show that this is wrong, as I have done in my writings, and as others, such as my friends Tariq Modood and Varun Uberoi, have done. There is quite a lot of literature showing this. The noble Baroness, Lady Afshar, has talked about it as well. We need to show that the four different values and combinations are wrong. For example, on extraterritorial loyalty, it is argued that there is no sense in it as 95% of Muslims say that they are absolutely loyal to this country. They are not questioning secularism but simply want to redefine it to make it more hospitable to religion, but not to religionise public life. They are not hostile to liberal values. In short, one has systematically to unpack and attack this knot of values that is held against Muslims.

The other thing that is very important is for Muslims to be in positions of power where they are seen as responsible members, standing up for society as a whole. That, happily, has been happening. I cannot remember a situation before now when a Muslim has been talked about as a possible Prime Minister of this country. That is a great achievement, and if we look at many walks of life, a Muslim presence is seen, which is being recognised.

Then there is the question of creating a situation in which Muslims in their day-to-day context are accepted as a part of life. Sometimes I fear the Muslim rhetoric—the rhetoric of young Muslims who are angry needs to be toned down so that there is a better space for communication between them and the rest of society.

12.41 pm

Baroness Burt of Solihull (LD): My Lords, it is a pleasure to follow the amazing speakers that we have heard so far. I feel quite humbled.

As I understand it, the point of this extremely important debate today is to assess the impact of Islamophobia in the UK, although there has been much discussion in getting to a definition of what Islamophobia actually is.

There is a point in establishing this, since if we cannot say what something is, how can we measure its prevalence? The noble Lord, Lord Parekh, has already referred to the Runnymede Trust definition of “unfounded hostility towards Islam”, but I do not feel that that goes far enough. For me, it is more than that: it is giving expression to the underlying hostility that some in this country feel towards people or beliefs that are “not like us”—the “other”, for which marking characteristics such as the hijab are a useful identification on which to hang this insular feeling.

Of course, this applies to women and other racial groups too, but the presence of terrorist groups purporting to act in the name of Islam has enabled some to feel greater justification for their prejudice. Why people feel this way, and why we suffer spikes in racism after events like the Brexit referendum, is a subject for a whole other debate; sadly, we do not have enough time for that today.

Islam is blamed for many things but in truth, pure Islam, and most other religions, are innocent of the malign characteristics sometimes ascribed to them. It

is those who seek power over others to interpret the words of Allah—or the name of any other God—and bend them to their own ends who are to blame for many of the injustices in this world.

The all-party group’s short definition says:

“Islamophobia is rooted in racism, and is a form of racism that targets expressions of Muslimness or perceived Muslimness”.

I was really impressed with the speech of the noble Baroness, Lady Warsi, who argued very persuasively for this definition.

My first question to the Minister was also asked by the noble Lord, Lord Sheikh: do the Government intend to adapt the APPG definition? I expect that my noble friend Lady Falkner will have a word or two to say about definitions—and she is not the only one. The National Secular Society calls this definition “vague and unworkable”, and says that it conflates,

“hatred of, and discrimination against, Muslims ... with criticism of Islam”.

Criticising Islam, like criticising any religion, is quite legitimate, of course. As a Liberal, I would be the first to ensure that this precious freedom should never be sacrificed for fear of offending any group in society. Fear of criticism leads to some bizarre decisions. An appropriate example at this time of year is the complete rubbish spoken about using the term “Christmas”, as if saying “Christmas holidays” or “Happy Christmas” is going to offend those of other religions. The worst term, in my view, is “winterval”. We disrespect those of other faiths by imagining they might be offended by our expressions, any more than we would choose not to say “Happy Eid”, or “Happy Hanukkah”.

Whatever definition we use, it is the effects of this unreasonable and irrational view of Muslims and Islam that are damaging the fabric of our society and the lives of so many thousands of people. While researching for this debate I was intrigued to learn about Tell MAMA, which the noble Lord, Lord Sheikh, has already mentioned. MAMA stands for measuring anti-Muslim attacks. The number of attacks has increased each year, and about 70% were offline, at street level. The majority of the victims were Muslim women—most easily identifiable through their clothing—and the majority of the perpetrators were white men. That does not paint a very attractive picture, does it?

This is a worry, because according to the Runnymede Trust, British Muslims are the most economically deprived group in the UK. Half of British Muslims experience household poverty, compared with a national average of 18%. Only one in five is in full-time employment. The Social Mobility Commission says that young Muslims face considerable barriers to progression in schools, education and the labour market. What a waste of talent to society.

What are the Government doing about this? Apparently they launched a nationwide public awareness campaign this autumn to educate the public about what hate crime is. I must have missed it, unfortunately. Since the last action plan in 2016 they have “engaged” with 17,000 young people to challenge beliefs and attitudes. For my second question, could I ask the Minister what form this challenge took, and whether he believes that

engaging with 17,000 young people is sufficient to achieve a meaningful change in the perceptions of our youth?

There are several other measures in the hate crime action plan, both from 2016 and announced in the update this year. I am glad that two of those measures were to require police forces to disaggregate crime—presumably hate crime—statistics by faith, and to give Tell MAMA £2.5 million to help with its work in encouraging reporting of Islamophobic and anti-Muslim incidents, and supporting victims. What we do not measure, we cannot manage.

I suggest that the Government quickly implement for ethnicity the equivalent of pay gap reporting for women. For my third and final question, I ask the Minister: is that on the cards? It would make a big difference to the way in which many companies think about how inclusive they are and who they have on the payroll. We know that more ethnically diverse and inclusive businesses do better because they have a wider talent and ideas pool on which to draw.

Whatever definition of Islamophobia we choose to use, we need only look at the rising statistics for Islamophobic attacks every year, and our wasting of natural talent and lack of productivity as a country, to understand that we have to do more to celebrate the diversity and talents of all our citizens.

12.49 pm

Lord Singh of Wimbledon (CB): My Lords, it is a pleasure to follow the noble Baroness, Lady Burt. We all sympathise with the suffering of the Muslim community, encapsulated in the word “Islamophobia”. It is our common responsibility to tackle it but we have to be clear about its meaning to do so. To me, the suggested definitions are still woolly and vague; I will try to give a more precise one. If we do not have a clear definition, “Islamophobia” risks being seen as an emotive word intended to get public sympathy and government resources—a concern raised by the APPG on British Muslims.

Unfortunately, it is a fact that some communities use government funding to produce questionable statistics to show that they are more hated than others; groups without a culture of complaint, such as Sikhs, fall off the Government’s radar. We have had debates on anti-Semitism and Islamophobia, but what about other communities? Should we not be thinking about all communities, not just those in more powerful positions? I believe that the Government must be even-handed.

The result of that effective lobbying is seen in the half-term report on the Government’s hate crime strategy, which gives some 20 government initiatives to protect Abrahamic faiths from hate crimes. However, it is totally silent on hate crimes against other communities. We have heard mention of statistics being plucked out of thin air or provided by Muslim groups. In the report, there is no common statistical basis for comparing hate crimes suffered by one community against those suffered by others. Figures produced by organisations such as Tell MAMA are based on perception and include attacks on Sikhs and others. I appeal to the Government to start treating all vulnerable groups in an even-handed way, using common statistical evidence with clear definitions of what we are measuring.

To my mind, there are four distinct aspects of hate crime against Muslims that are collectively known as Islamophobia: hate crime arising from common prejudice; hate crime arising from assumptions about the teachings of Islam; hate crime arising from perceptions of Muslim behaviour; and hate crime against non-Muslims due to mistaken identity. Let us start with the common prejudice experienced by those “not like us” and not of the majority, as the noble Baroness, Lady Burt, referred to. It is easy to assume that prejudice is found in only a small number of people. That is not true. We all have our prejudices. We are all hard-wired to be suspicious or wary of those we see as different. It is only through education and social contact with others that we begin to see that superficial differences such as skin colour, appearance, language or national or geographical origin obscure all too easily the reality that we are equal members of one human race.

Perversely, group identity is strengthened by negative perceptions of others, even when groups are not real. Some years back, *New Scientist* magazine reported on an opinion poll in the States asking respondents about their views on Jews, Negroes, Asians, Darnerians and Wallerians. Although the last two groups were entirely fictitious, they were hated none the less. Even today it is common to refer to Germans as “Huns” and the French as “frogs”—to say nothing of the bureaucrats in Brussels wasting all our money.

Today the one-time distant foreigner with a different culture and religion, whom we could safely ridicule at a distance to give us a greater sense of cohesion, is now very often our next-door neighbour. For a harmonious society we must work to remove the distorting fog of ignorance and prejudice, and see others as they really are: equal members of our one human family. This can be done only through much greater emphasis on the teaching of respect for different religions and cultures.

I turn to the second aspect of hate crime against Muslims: negative perceptions of Muslim teachings. What generally passes for religion is, in fact, a complex mix of superstitions, rituals, culture, group history and uplifting ethical teachings. Negative attitudes to others found in general society are often seen in a more virulent form in the recorded history embedded in some religious texts and in claims of an exclusive access to the one God of all—even God is suggested to have prejudices.

Texts condoning the killing or ill-treatment of the innocent, taken out of the context of the time when they were written, lead to horrendous crimes and savagery, not only between faiths but even within the same faith, and to increasingly familiar terrorist outrages in the name of religion. Negative perceptions of Muslims can be removed only by members of that religion doing some drastic spring cleaning—we all need to do this—explaining dated social and cultural practices in the context of today’s times.

The third aspect of Islamophobia is negative perceptions of Muslim behaviour. Political discrimination and misunderstanding of Islam cannot justify the unacceptable behaviour of some Muslims in the UK and abroad. Terrorist outrages and the behaviour of Muslim grooming gangs inevitably lead to negative images of the Muslim community. Again, only the Muslim community can address them.

[LORD SINGH OF WIMBLEDON]

The fourth and last component of the amalgam of unacceptable behaviour collectively referred to as Islamophobia is the hate and physical violence experienced by Sikhs and others who are mistaken for Muslims, and which is recorded as Islamophobia. Several Sikhs were killed in mistaken identity attacks in the United States following 9/11—the first person killed was a Sikh. Similar incidents have occurred in this country. Again, religious literacy would help make such attacks less likely.

In summary, while I sympathise with the suffering of the Muslim community from hate crimes arising out of common prejudice, there is no statistical evidence whatever to suggest that this is greater or less than that suffered by other communities. To my mind, we need to do a little disaggregating. The only components of hate crime that justify the term “Islamophobia” are those arising from negative perceptions of Islam, or what is seen as inappropriate behaviour by members of the Muslim community. It is again a task for the Muslim community. It is not an easy one. The Muslim leaders and clerics deserve our full support in this.

12.59 pm

The Lord Bishop of Chichester: My Lords, I am grateful to the noble Lord, Lord Singh, for his patient and insightful speech and to the noble Lord, Lord Sheikh, for securing this debate. As a Christian minister, I hope that I can contribute with humility and sensitivity in this vital matter.

As extremists attempt to divide our communities, and even seek to hijack Christian symbols to do so, it is important to state clearly and loudly that it is the duty of all Christians in this country to stand in solidarity with our Muslim brothers and sisters who suffer hate speech, violence or prejudice.

This duty falls particularly, but by no means exclusively, on the Church of England. Her Majesty the Queen, in a speech to faith leaders at Lambeth Palace in 2012, gave an eloquent reminder that the role of the established church is,

“not to defend Anglicanism to the exclusion of other religions. Instead, the Church has a duty to protect the free practice of all faiths in this country”.

We stand, therefore, resolutely for freedom of conscience and for a society in which the open and public practice of faith is rigorously protected.

The greatest impact of Islamophobia is of course felt within our Muslim communities, especially perhaps by Muslim women. We have heard moving accounts, especially from the noble Baronesses, Lady Warsi and Lady Burt, of the reality of the personal impact of bigotry on the lives of our fellow citizens. We should also remember that hatred which isolates us from one another impoverishes us all, socially, economically and culturally. As the noble Lord, Lord Sacks, has argued, a society that values integration without assimilation allows us all to bring our particular gifts as contributions to the common good,

“not to ourselves and our communities alone but to all of us and the life we share”.

Freedom of conscience also implies a fundamental freedom to dissent from and to criticise religious beliefs. That is one reason why attempts to build a consensus about how we define Islamophobia need to recognise that when we are talking about the impact of anti-Muslim hatred we are also concerned with adherence to a faith tradition and not simply to a political ideology such as communism. Just as Christianity has so deeply influenced the laws, culture and modes of life in this country over the centuries, so, too, the Muslim faith has been integrated into and shaped cultures in ways that affect the various social and legal identities of other countries.

There is a real distinction to be drawn between, on the one hand, discourse that seeks to argue with or dispute particular beliefs or assertions and, on the other, attempts to attack, ostracise or belittle our neighbours for their faith and way of life.

Prejudice, discrimination and hatred of Muslims must not be treated as a concern voiced by the Muslim community alone. It is the duty of us all to ensure that Islamophobia is given no hiding place in our national life and to seek to build an open society in which the varied and significant contribution of our Muslim brothers and sisters is recognised and celebrated.

1.04 pm

Baroness Jenkin of Kennington (Con): My Lords, I thank my noble friend Lord Sheikh for initiating this debate and for all he does to support British Muslims in public life.

I wish to focus on an area in which I have some experience; namely, gender. When I co-founded Women2Win in 2005, we simply had the goal of upping our game on women’s representation from the 17 Conservative MPs we had then, representing only 9% of the parliamentary party. Today, there are 67 Conservative women MPs, which is more than 21%, but four out of five are still male—so this is not good enough. However, we now have six female MPs of ethnic-minority origin, not least the first female Muslim Minister to speak at the Dispatch Box, Nusrat Ghani, who told “Woman’s Hour” last week that her mother is illiterate and even today has to have Nusrat’s words and speeches on television and in Parliament translated for her.

I am proud to support 50:50 Parliament’s cross-party #AskHerToStand campaign, which over the past year has brought forward hundreds of women from all backgrounds and religions to start their journey. Last month, I was honoured to join the board of the Fawcett Society, the UK’s leading charity campaigning for gender equality and women’s rights.

As a team at Women2Win—I include both present and past co-chairs and directors—we have learned a great deal about the barriers facing women from all walks of life, not least class and race. A number of women candidates of Muslim background are currently active in Women2Win and in the Conservative Party. A big learning experience for me has been to listen to some of the challenges faced and fears felt by Muslim women. While resilience is crucial in politics and there will be personal challenges for everyone entering public life, there some issues where we must speak out and say, “This is not good enough”.

It is not good enough that Muslim women can today still feel isolated as a result of their religion, and this makes them question their place in public life. My party has implemented a zero-tolerance policy and a formal complaints system, but some female Muslim candidates have said that they also need support and mentoring in light of some of the unique issues they face. That is why I have encouraged my party to look at creating a sister organisation alongside Women2Win focused on supporting ethnic-minority candidates.

It is not good enough that Amnesty International research has found that women of colour in public life are 84% more likely to get abusive tweets than white women. After the 2017 general election, the Committee on Standards in Public Life found that intimidation of parliamentary candidates was accentuated if they were women, LGBT or from a religious or ethnic minority—clearly, Muslim women fall into three of these categories. We need to be mindful of the ratcheted-up abuse that Muslim women can face and create an environment where they feel comfortable talking to people within our party who might be able to help.

It is not good enough that Muslim women enter politics with a constant battle raging over what they wear or what type of Muslim they are. No one has a right to tell a woman what she can or cannot wear.

Speaking from a background that many would consider privileged and as someone who is not a Muslim or from an ethnic minority, I cannot of course expect to understand all the nuances. However, I can listen. I do what I can to be a strong ally to Muslim women, to equip Muslim female candidates in the best way possible to combat the barriers to public life and to raise awareness of the issues faced by Muslim women in society more generally.

I wish to highlight three policy areas affecting Muslim women where I am proud that my party in government has taken or supported action. First, for the past decade, more Muslim women than men are going into higher education. However, a new report published this month by the Institute for Public Policy Research highlights that Pakistani and Bangladeshi Muslim women struggle to enter the labour market. White women have an employment rate of 73.3%, while women of Bangladeshi ethnicity have an employment rate of just 32.8%.

I welcome the fact that, last month, Penny Mordaunt, the Minister for Women and Equalities, committed to transforming the Government Equalities Office into an equalities hub permanently based in the Cabinet Office alongside the Race Disparity Audit. It will focus more on small businesses, part-time work, women from all parts of the UK, low-paid women, women with multiple barriers to reaching their full potential, older women, financially fragile women and women who are not easy to reach, measure or sometimes even to see.

Secondly, a report by the monitoring group mentioned by the noble Lord, Lord Sheikh, Tell MAMA, found that a record number of anti-Muslim attacks were reported in the UK last year. Anti-Muslim attacks rose by 26% last year, with most occurring face to face rather than on social media. Moreover, women are disproportionately targeted. I acknowledge the work

in this area being done by my noble friend Lord Bourne in supporting the Anti-Muslim Hatred Working Group.

Thirdly, efforts to place gender at the heart of policy must include intersectional issues. I am proud to hear of the work undertaken by Akeela Ahmed MBE as chair of the Anti-Muslim Hatred Women's Group and I have seen how women such as Nimco Ali and Leyla Hussein have been at the forefront of efforts to tackle FGM. I have seen how a group of Muslim social activists—Amina Lone, Henna Rai, Zehra Zaidi and others—lobbied the Government to include far more of a gendered perspective in counterterrorism policy. Let us support these women who have entered public discourse and those who follow them. Let us listen to their concern that our gendered approach does not always include their and wider intersectional perspectives.

Finally, people often say that we must find what we have in common. That is true, but sometimes we must also see the value in our differences and how we interconnect to make this country great.

1.10 pm

Baroness Falkner of Margravine (LD): My Lords, I join others in thanking the noble Lord, Lord Sheikh, for securing this significant debate. I begin by saying that I have the utmost regard for the motives of those behind the report and I do not intend any disrespect in my remarks today. I do not like to be self-referential in public debates but as this topic is so defined by identity, I find that I have to share a little of my experience as context for the remarks I will make.

I am familiar with the problems described by the witnesses in the report. As an ethnic and religious-minority woman, I tick three of the protected characteristics of hate crime, but my experience of discrimination is a very long tale. My family experienced discrimination on their move from India to Pakistan in 1947 and I have experienced discrimination, been denied rights and been routinely verbally abused—all in Muslim-majority countries, at the hands of other Muslims, in Pakistan, where I grew up, and subsequently in other Muslim countries in the Middle East. This happens still today. It was probably because my family were not sons of the soil; because I was educated at an elite convent school, which was deemed suspicious, despite the fact that Pakistan's only female Prime Minister went to the same school; and because we fought for what in those countries are called liberal values, such as women's rights and human rights.

The discrimination was palpable and was shown to us for being "insufficiently Muslim", but that experience was as nothing compared to the discrimination that Ahmadiyyas, Shias and various others still face today at the hands of other Muslims. My point is that there is great diversity within Islam in terms of its different traditions and the composition and practice of its adherents, as well as their ethnicity and geographical backgrounds. It is an error to speak of the Muslim experience in the West as one of a homogenous group, with "them" against "us", the victims. The identity of Muslims from east Asia is profoundly different from that of south-east Asian Muslims, or from Turkic,

[BARONESS FALKNER OF MARGRAVINE]

central Asian or west African Muslims, leaving aside Europeans and other converts to Islam. So a community of global adherents to a particular religion, particularly one which is so diverse, does not lend itself well to being set up as a group with distinct and superior collective rights in a European context, in opposition to the majority population, which is what I find this report is mainly about.

Baroness Warsi: Will the noble Baroness give way?

Baroness Falkner of Margravine: I will give way only very briefly, because my time is limited.

I take it that the noble Baroness has decided not to intervene. I am grateful to her for that. I am always open to have a discussion with her, but time is limited and I have quite a lot to say.

Baroness Warsi: It is just that the noble Baroness made a comment just then which is simply untrue; I want to put that on the record.

Baroness Falkner of Margravine: Since I do not know what comment the noble Baroness is referring to and since I cannot prove or disprove, in belief terms, what is or is not true, I think I will let that one go.

My other broad problem with the analysis is that, while it takes pot shots at other political ideologies, it is almost entirely silent on Islamism and political Islam. So while there is reference to incidents of hate crime and Islamophobia spiking after a terrorist incident, or after sustained negative media coverage of Muslims, the report does not contextualise those rises against the broader backdrop of the portrayal of Islam as being problematic due to Islamism. It seems hardly surprising that there has been a rise in Islamophobia over the last two decades when it is seen against the backdrop of the 9/11 attacks, our knowledge of the Taliban's ideology during the Afghan conflict, and the sustained and ongoing nearly two decades of Islamist terrorism in the West, including the UK. We can add to this the rise of violent extremism within the UK—yes, right-wing extremism as well—and the identification of Pakistani men as a particular category in sexual grooming in the UK. To this long list let me add the necessary military intervention by the United Kingdom and its allies in the war against Islamic State. This causal relationship in the “normalisation” of Islamophobia that the report claims exists has taken place against a backdrop of the public being exposed to an unprecedented display of medieval savagery, entirely inimical to our values, in Islamic State's actions in Syria and Iraq. Moreover, the fact that so many western Muslims have chosen to lay down their lives in that cause has come as a surprise to the public.

So context is important, and that is what is missing in the report. One could look at things the other way, as many of us do, and the report picks this up insufficiently: we are intensely loyal to Britain; we believe we absolutely belong here; and we are full and active citizens partaking of the opportunities this country offers. Despite the malign acts of our co-religionists and their impact on public perception, the majority of us get on and live our lives day in, day out without thinking of ourselves as victims of something undefinable.

I think the dissonance between the report and what I have described lies in the narrow specialisation of the contributors of the evidence. In academia they are drawn mainly from sociology, criminology and geography, with a particular critical theory bent, while the rather more balanced view of Muslim ideology and its implications, which belongs to the mainstream of the political sciences, has been ignored. Hence the extremely narrow framing of the narrative as religious discrimination rooted in race, rather than anti-Muslim acts sitting in a western, liberal, rights-based, pluralistic national framework.

Missing are the thinkers of contemporary Islam: Ali Allawi, Bassam Tibi, Abdullahi An-Na'im, Reza Aslan, Olivier Roy, Gilles Keppel and even the problematic Tariq Ramadan. The few with dissenting voices who make it into the analysis, such as Romy Hasan, are sadly dismissed. I should say that I have had the privilege of discussing these issues over many years with almost all of those I have mentioned. Instead we have Tahir Abbas describing the various typologies of Islamophobia so widely that it could encompass most people in this country: alongside hate crime we have failed multiculturalism discourses, ideology where the political right and left are hostile to Muslims, and organisations that are susceptible to Islamophobic groupthink. Intellectuals are included, as these influential right and left-leaning thinkers are in denial, according to him. The media gets it in the neck, as noble Lords would expect, while neoliberalism, which is an economic concept, is thrown in for blame too. Finally, in this net are other religions: so Christians, Jews, Hindus and others are hostile, he claims, to Muslim minorities. Moreover, to him Islamophobia is not just “an individual matter” but,

“part and parcel of a wider social, historical, political and cultural discourse that continues to evolve and grow”.

This, for him, leads to,

“an ecosystem in which anti-Muslim racism festers and manifests itself”.

The problem with indulging in a sweeping critique of all around you is that it trivialises what is undoubtedly a serious and growing problem that should concern us all. By portraying it as a deep-seated, racially motivated, institutionalised attempt to “keep Muslims down”, it risks dividing the very community it seeks to protect.

I have discussed the report with several people who are expert in this area and we share a dismay that the tangible problems relating to discrimination, respect and hatred have been subsumed into a well-intentioned but misguided cry for protection from intangibles such as culture and society. I accept that culture wars can be destructive but I also recognise that contestation is a necessary element of rubbing along together in a diverse society, and that we cannot legislate for human nature or indeed for prejudice where it is nebulous and subtle or “normalised”, as the report claims.

The definition says:

“Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness”.

When you define a religion—in other words, a belief system—as an adjective and declare that this is rooted in race, which is biological, you ascribe to belief an immutability which cannot work. People live their

lives on a spectrum of belief, at some points in a deeper sense and at others less so. Their visible and cultural identity will depend on where they are on this spectrum and may change over time. By basing Islamophobia on biological characteristics and saying that Muslims are a racially homogenous group, you are speaking to the plight of only a section of the BAME community. Where does that leave white European Muslims—Bosniaks, Kosovars and Albanians—as well as converts to Islam in Europe? One assumes that their protection would come under religious hate crime.

I could have gone on for rather longer but, in conclusion, Islamophobia is a problem for Muslim communities and needs to be monitored and counteracted. In my opinion, much of the response must come from existing criminal and civil law and guidance, rather than from the creation of new criminal definitions and categories. There is a role for government, and I commend the Government's efforts in this regard, but it must also come from Muslims themselves, who need to actively use the law as they find it, individually and collectively where that is appropriate. What we should not do is live our lives in a narrative of victimhood, which holds us back from achieving our potential as active citizens of this country we all choose to call home.

1.22 pm

Baroness Uddin (Non-Aff): My Lords, I thank the noble Lord, Lord Sheikh, for calling this timely debate. The urgency of addressing Islamophobia surely represents one of the key challenges of our times.

Since the Salman Rushdie affair in the 1980s and, more recently, the attacks on 9/11 and 7/7 and the subsequent “war on terror”, Muslims have become the suspect community. The evil acts of a small number of misguided individuals purporting to be acting in the name of Islam dramatically heightened an existing and long-standing fear and hatred of the “Muslim other”. The fear of Muslims and Islam dates back to the days of the Crusades, the Ottoman conquest of Europe and the Muslim empire which spread its influence, culture and values across south-east Europe, western Asia and north Africa for more than 600 years.

The 20th century witnessed the mass persecution and killing of millions of men, women and children who were identified, demonised and dehumanised because of their Jewish faith. The Holocaust was underpinned by a fever of fear and hatred, illogical persecution and misinformation. This fear and hatred of Muslims manifested itself in the psyche of Europe for more than a millennium, with anti-Islam narratives in history, the arts, literature and the wider culture of Europe also part of a pattern of fear and illogical hatred.

Centuries-old prejudice and fear have ignited the ever-rising demonisation of Muslims, as has the adoption of draconian anti-Muslim measures and knee-jerk policy reactions, which are a threat to the safety of Muslims in many parts of Europe. We have also seen the shocking growth of so-called populism and the rise in Greece, Hungary, Italy, Germany, Denmark and the Netherlands of political organisations whose principal mandate is to prevent what they call the “Islamisation” of their homelands.

From the time of Rushdie, the genie of anti-Muslim hatred was out of the bottle. In our country, even those working in the anti-racism sector to address discrimination and inequality failed to recognise the severity of anti-Muslim experiences and discrimination that were festering. This failure laid the ground for the social exclusion, the demonisation and eventually the securitisation of an entire community, including its surveillance from the cradle to the grave, as we have seen with the public sector equality duty. As the noble Baroness, Lady Warsi, stated, the worry is not simply that the demonisation of Muslims has passed the dinner table test but that its pernicious effects have so profoundly influenced government policy.

I reflect on the words of the director of one prominent organisation—whose patrons include respected Members of this House—who gave a speech in the Dutch Parliament headlined, “What are we to do about Islam?”. Having praised the virtues of the notorious Dutch Islamophobe, Geert Wilders, he stated:

“Conditions for Muslims in Europe must be made harder across the board: Europe must look like a less attractive proposition”—denying the fact that European Muslims, in their millions, are just as much citizens of Europe.

However, it is not just the words of far-right extremists and hostile secularists with which we should be concerned. Our own Prime Minister declared in her 2016 party conference speech:

“If you believe you are a citizen of the world, you are a citizen of nowhere. You don't understand what citizenship means”.

These sentiments raised widespread concern at the time, as was argued by the now Liberal Democrat leader, Vince Cable, who said that the PM's words were regrettably reminiscent of anti-Jewish hatred in the previous century. He shared the opinion of many in recognising that the PM's blatant brand of post-Brexit nationalism ignored people with multiple nationalities and identities, including migrants with century-long ties here, living as British citizens.

The Prime Minister's predecessor, David Cameron, said at a 2011 conference in Munich:

“Under the doctrine of state multiculturalism, we have encouraged different cultures to live separate lives, apart from each other and apart from the mainstream”.

Alarming, in 2015, Mr Cameron displayed concerns about the submissiveness of Muslim women, implying that if Muslim women spoke more English, it would reduce extremism. He spoke of Muslim community leaders who,

“promote separatism by encouraging Muslims to define themselves solely in terms of their religion”.

The notion was unequivocal: Muslims were largely pursuing an existence based on separatism, leading to non-violent extremism, which then leads to violent extremism—the so-called conveyor belt theory.

With this speech Mr Cameron ushered in the doctrine of non-violent extremism as the critical pathway to violent extremism. He was of course echoing now-accepted norms and ideology promoted by the same neocons and Islamophobes, including think tanks which glibly questioned, “What are we to do about Islam?”, reinforcing the proposition that conditions for Muslims in Europe must be made harsher across the board. This new assault on Muslim values heralded new and old alliances

[BARONESS UDDIN]

and a wave of published attacks by prominent figures. Remarkably, these included the former chief of the equality commission, who utterly discredited the office for equality and social justice when he was content to assert at a Policy Exchange conference that Muslims, “see the world differently from the rest of us”, and that we are, “in danger of sacrificing a generation of young British people to values that are antithetical to the beliefs of most of us”.

Urging a tougher approach to integration, he argued—despicably—that:

“Muslims who have separatist views about how they want to live in Britain are far more likely to support terrorism than those who do not”.

Once again there is the link: Muslims—separatists—terrorists.

It has not escaped the attention of those in the Muslim community, or the APPG’s new report defining Islamophobia, that the Government continue to seek counsel from many such reactionary organisations and misguided individuals and, worse still, to make funds available for sustaining a corrosive Islamophobic mechanism which has emerged in the form of repressive and backward discriminatory legislation and counter-terrorism programmes such as Prevent and Channel.

We cannot turn a blind eye to the culpability of our own senior political figures in contributing to the widespread growth of demonisation and discrimination and its likely consequences—the unprecedented level of hate attacks on Muslims in this country. The work of the APPG on Islamophobia is therefore timely. I acknowledge the effort that went into producing the report and its drive for consensus. It provides a good overview, with a range of perspectives and experiences, and shines a light on the nature of direct Islamophobia. More importantly, it has created momentum within and outside Parliament.

Although I can understand why the option of integrating Islamophobia under racism is appealing, I strongly suggest that legally defining religious discrimination as racism is an erroneous contradiction, given the distinction argued throughout the report itself. Further, the race industry has worked consistently to deny religious discrimination equal weight. As someone who has been at the forefront, and in the midst, of the anti-racist movement since the 1980s, I know that that is so. The virulent religious discrimination in Britain today demands detailed, national and structural policy responses and redress. As it is only a working definition, I expect that further consideration will be given to the matter and that Islamophobia will be removed from the restrictive box of racism. If it had fitted the standard racism test, it would have become part of our race narrative 20 or 30 years ago.

However, any doubts that I have about using racism to explain Islamophobia are in no way intended to resist the urgent need for the Government to accept and enact a definition. I fully accept that racism is still rife in all parts of our society. The full spectrum of Islamophobia continues to be a cancer in society. The corrosive scapegoating and “othering” of groups are often directed at the most vulnerable in society, often based on gender, sexual preference, age and, indeed,

faith. For now, I seek further clarification on how the Government intend to adapt and respond and whether they intend to accept in all government institutions a definition such as that proposed by the APPG, and as they have accepted in relation to discrimination based on race, sex and disability.

Those of us who were there at the beginning of the anti-racist movement know that definitions have always been controversial. The definition of race as a concept was itself greeted with the same irrational counter-argument that now greets the definition of Islamophobia, regardless of whether it is seen as part of religious or race hatred. I commend the work that has gone into producing the report and look forward to continued work with the APPG to adjust and strengthen the format further.

1.32 pm

Lord Hussain (LD): My Lords, I join others in thanking the noble Lord, Lord Sheikh, for securing this debate. Due to a small, technical reason I have not been able to get my speech here, which means that I am not going to speak for too long and will make only one or two comments.

I came to this country as a teenager and have grown up here. I am proud of this multicultural, multireligious society that I have grown up in. I really admire this society’s openness and acceptance of people from different religions and cultures within this country, and for giving us all the opportunities to excel in the areas that we are good at. I am a prime example of somebody who came to this country without speaking much English and, after many years of course, joining this House. It was hard work, no doubt, but there is no ceiling in this country for anybody who excels.

However, during the 47 years that I have lived here—nearly half a century—I have witnessed racial discrimination and religious discrimination of all sorts, and I am not the only one. Thousands of others have done the same. Many people have tried to give names to discrimination, asking, “What kind of discrimination is this? Is it racial discrimination, religious discrimination or whatever?” But religious discrimination has worsened into the hatred that we have seen. I have been a recipient of the “Kill a Muslim” letters in the recent past. That is how far it has gone, and purely on religious grounds. It is about the colour of skin no more; it has gone further.

I very much appreciate the work of many who have tried to raise the issue of Islamophobia, or hate against Muslims or Islam. My friend the noble Baroness, Lady Warsi, has done a tremendous amount of work in this regard and I appreciate her efforts in having the inquiry, on which I spent some hours sitting. We got very powerful testimonies from people who gave us their experiences and told, in their life stories, how they were discriminated against on the basis of religion. With that, I hope only that the definition of Islamophobia which the inquiry came up with, after consultation right across the country—I know of many Muslim organisations that were consulted—will be adopted by the Government. I also hope that it will be implemented and that the Muslims will get a recognition of their discrimination through this new definition of Islamophobia.

Baroness Falkner of Margravine: I think I heard the noble Lord say that he experienced discussions with many Muslims across the country who have been discriminated against on the basis of religion. If that is what I heard, that is precisely the point: if they are discriminated against on the basis of religion, that is a hate crime and the law exists to cover it.

1.37 pm

Baroness Afshar (CB): My Lords, I am grateful to the noble Lord, Lord Sheikh, for initiating this debate and would like to express my concern about defining the national approach to Islam as a phobia, whereas objections to other faiths are referred to as anti-Catholicism or anti-Zoroastrianism, or whatever. What is it about Islam that is phobic? What is so tarantula-like and all-encroaching about my faith that it has to be defined as a phobia?

Islam is a religion of peace and equity. As a matter of fact, the text of the Koran states clearly that Islam accepts and respects all religions of the book that have preceded it. The root for the word "Islam" is *taslim*, meaning surrender and submission; submission to the will of God and the teaching of the faith. For many of us, Islam provides not only a pathway to heaven but a prescription for living our lives well in this world. There is a fundamental concern for balance, moderation and compassion that must be observed. We fast during Ramadan so that we can celebrate at sunset by sharing our meal, *iftar*, with those less fortunate than us who would appreciate a good evening meal. We are expected to pay one-fifth of our income as *khums*, a religious tax paid to the less wealthy. In addition, the Shias demand that we donate *zakat*: the value of a fourth of the goods and chattels bought during each year.

Fourteen centuries ago, Islam gave women rights that are yet to be gained by feminists in the West. Some 40 years ago when I got married and chose to keep my own name, the notion was so extraordinary that the registrar had to leave the ceremony to find out whether it was legally possible for me to keep my own identity. My audacious move made headline news in the local papers: "Reluctant bride refuses to take husband's name". I am pleased that at long last the matter of name has been resolved in the UK and feminists have made huge strides towards achieving separate property rights, but there is still a way to go.

Far from being a religion of fear, the celebration of science and the pursuit of knowledge have made Islam a pathbreaker. Muslim scholars such as al-Khwarizmi opened the way to understanding mathematics. Known as the father of algebra, al-Khwarizmi's quadratic equations facilitated groundbreaking mathematical advances that, along with Arabic numerals, remain in use to this day in the West and across the world. I am married to a mathematician, so my source is sound.

Sadly, although many individuals and scholars are all too aware of working across countries, cultures and languages, there are unfortunate crevices. Islamophobia is emerging in a country that has an exuberant history of celebrating differences and enjoying different foods, customs and ideas across the centuries. In this country, with its wonderfully varied population, curry and fish and chips are served by the same takeaways and are

washed down with China tea. The UK, which imports 0.8 billion kilos of tea a year, is one of the top three consumers of tea as a national comfort drink, but it is a land where not many tea bushes are in sight. The British Empire introduced Britain to wonderful varieties of foods, faiths and factories and paved the way for an industrial revolution on the back of textiles in a land where a head of cotton had never been grown. This country has been part of, and a pioneer in, opening doors and benefiting from interactions with others.

It is therefore a matter of deep regret that we are experiencing a sad tendency by some people to create barriers and label some of us as "not one of us". Rather than building bridges, we are seen in terms of stereotypical caricatures that demonise us and deny our identity. When I say that I am a Muslim, a surprising number of people look me in the eyes and say, "No you are not!". Stereotypes are stronger than the reality. I fear that instead of celebrating differences, there has been a labelling of us by our faith and the demonisation of Muslims and that we are being otherised. Many young people born and raised in this country find themselves labelled as the enemy within simply because their nominal faith is Islam. Many of them do not know much about it, and I have been trying to teach some of them.

Surely it is time that the Government stepped in, ceased to define us by our religion but referred to us in terms of our professions, marital status or whatever is used to refer to other people. Since we do not talk about Christian or Zoroastrian citizens, why talk about Muslim citizens as a single category when in reality we are as diverse as the continents that we come from? In the light of recent events, will the Minister say what measures the Government are taking to prevent further violence against Muslims perpetuated by demonising us in the name of religion? In future public and official statements and legislation, will the Government undertake not to refer to us as a single community defined by our creed any more than they would define us by our race or colour?

1.44 pm

Baroness Warsi: My Lords, with the leave of the House, I rise in the gap before the Front-Benchers speak to explain a material point that was raised in my speech. I have sought the permission of the Front-Benchers and the clerk. I said that the definition proposed by the APPG emerged from a wide-ranging consultation involving politicians, lawyers, academics and victims' groups. An issue has been raised about who did not give evidence to that APPG inquiry. I want to make it clear that the call for evidence was an open call. It was widely publicised. The APPG did not make a decision about who would and would not be heard. Anybody who submitted written evidence was acknowledged in the report, whether or not the parliamentarians agreed with that submission, anybody who asked to come to give oral evidence was given the opportunity to do so and parliamentarians from both Houses were given the opportunity to come along to take part in those evidence sessions.

Lord Singh of Wimbledon: My Lords, while evidence was accepted, not all evidence was agreed in the definition.

Baroness Warsi: Of course. That is the point that I make. I agree with the noble Lord that ultimately once all the written evidence—and there were reams of it—was received, after all the days of evidence, after the consultation with communities across four cities at which hundreds of ordinary citizens attended, after many academics had come to the table because they wanted to give evidence and after people who felt they were experts in this area came to give evidence, parliamentarians took the decision about what the report and definition would look like.

1.46 pm

Baroness Chakrabarti (Lab): My Lords, I am grateful to all noble Lords who have spoken in a thoughtful and important debate. I have the words of the right reverend Prelate about the importance of humility and sensitivity in matters such as this ringing in my ears. Even though this is our last working day before Christmas, a debate about hatred of British Muslims is particularly important as so many British Muslims will celebrate Christmas with their friends and wider communities, and many British Muslims alongside British Jews and members of other faith communities will be working in vital emergency services and doing other important work to allow their friends and neighbours to have a break over Christmas. That is worth remembering and recognising.

I thank in particular the noble Lord, Lord Sheikh, for bringing forward this Motion and for his courage in calling out unhelpful behaviour in his party. It is not easy in any party to call out hateful behaviours; I know that. At the outset of my—I hope—not-too-lengthy remarks, I say to the Minister that while his noble friend will have said some uncomfortable things, I am sure he will listen to them. I want to approach these matters in a truly bipartisan way, not least because I know from my experience over the past couple of years that, when issues of this kind become weaponised by rival political parties, it makes it harder to deal with any problems we have in our own political parties and across politics and society. I shall approach my contribution in that vein.

I am sorry to say it, but everyone has acknowledged that racism is on the rise, not just in our country, or just on the continent of Europe, but across the world in a manner that I would never have predicted in my teenage years in the 1980s. By the mid-1990s, I thought we were in a much better place when it came to matters of race and faith, but sadly, in the light of subsequent events, I was wrong about that. While racism generally is on the rise, I think Islamophobia in particular is too often minimised, ignored and even denied in our politics and our media, including as compared with other manifestations of racism. That is not to set up a competition for victimhood but to acknowledge that a real problem has perhaps not been given sufficient space.

This is not easy to say because, generally speaking, the tenor of debate in your Lordships' House is a lot more comfortable than in other places, including the other place, but over the last couple of years I have heard Islamophobic remarks even in this Chamber

and your Lordships' House. This has not been on a daily or routine basis but I have heard them, and I think it is important to acknowledge that.

I give special thanks to the noble Baroness, Lady Warsi. I want to be clear that while it is in the best traditions of your Lordships' House to refer to people on one's own Benches as noble friends—a fine tradition of political camaraderie—she is both noble and my friend. Furthermore she is an incredibly distinguished politician, the first Muslim Cabinet Minister and the former chair of her party. She is a great role model, not just for British Muslims but for British people and for young women in particular. I say that by way of also recognising the remarks of the noble Baroness, Lady Jenkin, about the importance of encouraging, not discouraging, women in public life and in politics in particular, and in recognition of her important contribution about the extra venom that political women experience, and when they are at the intersection of other groupings that experience hate it is even worse. With all that in mind, I want to say that some remarks made about the contribution by the noble Baroness, Lady Warsi, to a counterterrorism debate earlier in the week were patronising, completely mistaken and, in my view, unnecessary.

I thank the APPG for doing such important work. The work is difficult and sensitive as people are always going to have differences of principle and of detail. I have read the report with some care and think it is very good, even if it cites rival views. It has made an incredibly important contribution to examining the considerable weight of evidence, and it will take us a little further forward towards a working definition of Islamophobia. Why are such definitions important? Not because hate is not hate, not because human rights abuses are not indivisible and not because there is a hierarchy of races or other hate, but because in combating human rights abuses of any kind there is value in trying to articulate particular manifestations of abuse as experienced by groups that are subject to that abuse. That is why it is particularly important to hear from those who experience anti-Semitism, Islamophobia, misogyny or any hatred that is directed at a group. That does not mean that other voices are not important in the debate or in defining the manifestation of that hate, but one has to give particular recognition to the victims, the people who are experiencing hatred in all its manifestations on a daily basis.

It is important, again in the spirit of political bipartisanship, to thank the co-chairs of that APPG for their work, the Members of Parliament for Broxtowe and Ilford North, and to say from these Benches on behalf of my party, which now has well over half a million members, that even though the word is tricky and has a complicated history—I defer to academics and historians on this—we accept the concept and existence of Islamophobia per se. I understand why some people have an instinctive and intellectual problem with the word. Of course people should be able to criticise Islam, or particular strands of it, as they should be able to criticise any other faith or belief system. However, Islamophobia as we understand it is not about criticising Islam; it is about the hatred of those who practise that faith or who are mistakenly perceived to be doing so. Hating people is not the

same as hating ideas, let alone critiquing them. It is not helpful and it is completely unacceptable, particularly when that hatred translates into discrimination, persecution and worse.

As for the work on the definition itself, my party is a mass movement and a democratic one, as I say, and it is conducting its own consultation on what would be a working definition for the purposes of the Labour Party. However, I think the work done by the APPG is a good start and something that we will take incredibly seriously, including the proposed definition itself. Why do I think it is a really useful place to start? Because it talks about Islamophobia being rooted in racism. I say to some of the speakers in this debate that that is not to suggest that Islam is a race—frankly, scientists will critique the notion of race as real at all—but rather to identify that Islamophobia is coming from the same engine room as racism. The hatred is rooted in racism, even though the members of a Muslim community can be of many different races.

The other useful aspect of this proposal is that it acknowledges that this is about targeting expressions of Muslimness or perceived Muslimness, and therefore it can be of real benefit to other communities and other people, including British Sikhs, who are—because bigotry is by definition ill-informed—misperceived on a routine basis as being Muslim. So people who are not Muslim can still be the victims of Islamophobia. I was once called the most dangerous woman in Britain. Obviously that was a badge of honour and greatly inflating to the ego, but it was probably in part founded on a misunderstanding—that I was Muslim. I almost do not like to tell that story because I should say, “I am Spartacus”; we are all Muslims together if we are going to be branded and abused in that way, and one wants to give solidarity. However, that is a useful aspect of this proposal: that you do not have to get your hatred right to be criticised for that hatred. It is plain English and I do not think it is woolly.

The issues about a phobia being innocent are not right. Homophobia, like Islamophobia, is long-established now, in the practical language of ordinary people, as hatred—in its case, of gay people. Let us not be too academic or perfect in our semantics. We have to go with a working word that people have come to understand increasingly over the past 20 years.

Finally, the statistics are real. The Home Office statistics now point to 52% of religious hate crimes—which are recorded as religious hate crimes—being directed at 5% of the population. That is a real worry and, with underreporting, the figures may be even worse than that.

This is not a competition for victimhood, and no political party or any part of society has a monopoly of virtue in this area, so I hope that in the new year, after your Lordships have all had happy holidays and a happy Christmas, we can take forward the thinking and work in the report together.

2 pm

The Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, I thank noble Lords who have participated in an excellent debate, full of people’s experience of

different aspects and bringing together many different strands. I am, first, grateful to my noble friend Lord Sheikh for so powerfully introducing this important debate, covering many different aspects.

Interestingly, in noting, as my noble friend Lady Jenkin said, the importance of Muslim women and women generally in this area, it was interesting that more than half the speakers—a majority—were female. That is interesting, and we had some good contributions, both male and female, from all sides of the House.

Islamophobia, racial and religious hatred is an issue that must concern us all—that came out from around the House. In closing today’s debate, I emphasise some of the points raised. I begin by noting some of the excellent work that some of our governmental bodies and projects do. Tell MAMA was referred to by my noble friend Lord Sheikh and others, who talked about the excellent work it does to monitor anti-Muslim hatred—I think that is what MAMA stands for—and support victims. I have had the opportunity to speak to Iman Atta this week. She is the director of Tell MAMA and we have regular meetings to review its progress. It has a massive job of work to do and does it extremely well.

I also pay tribute to the excellent work of the cross-government working group to tackle anti-Muslim hatred, which, since 2012, has been leading our response to Islamophobia and anti-Muslim hatred. Reference has been made to its director, Akeela Ahmed, who is a great role model doing excellent work. During the debate, many referred to the importance of role models from minority communities in public life, not just in politics but in many other aspects of life. That is a point very well made. I often say, only half-jokingly—perhaps not jokingly at all—that much more good is done for race relations in this country by the likes of Nadiya Hussain and Mo Farah than government initiatives. Both are important, but role models are extremely important. We are coming to the end of a refresh of the Anti-Muslim Hatred Working Group, which will take place in the new year. I have been working with other Ministers in the department and the executive members, including Akeela, of course, as the director.

I shall try to deal with contributions made by noble Lords and then pull things together at the end, given some fair questions asked about where we go next. My noble friend Lord Sheikh referred to the importance of charitable work done by the Muslim community. One thinks of Nisa-Nashim, the Penny Appeal, the work done through Iftars and the work done by the Muslim community to help with the floods a couple of years ago—I saw with my own eyes the work done there. This is repeated in communities up and down the country daily, and we should reference and celebrate it. The media has a role in getting that message across more than sometimes happens.

My noble friend Lord Sheikh also spoke about the efforts of Muslim communities in World War I and World War II. The noble Lord, Lord Ahmed, who is not in his place at the moment, asked about that a couple of weeks ago. They are absolutely right, and it is something that we very much celebrated this year when we commemorated the 100th anniversary

[LORD BOURNE OF ABERYSTWYTH] of the end of the First World War. That was a great coming together of different communities across the whole nation. We were pleased to be able to broaden representation at the Cenotaph this year to include other religious groups who had not previously been included—I think of the Jains, the Baha'is, the Zoroastrians, the Coptic Christians and other communities.

My noble friend Lady Warsi spoke very movingly about the contribution of both her grandfathers and what a matter of pride it was that they had helped in the war effort. We need to recognise that this is true of so many communities and so many people up and down the country who have personal experience of their families fighting in the war and losing members of their families. As I said, that was commemorated recently.

Lord Sheikh: My Lords, I again ask my noble friend whether he has any views regarding the erection of a memorial to commemorate the work done by Muslim soldiers and labourers.

Lord Bourne of Aberystwyth: I apologise to my noble friend for not picking that up earlier. The first I heard about the letter was when he mentioned it. I will go back to the department, find out what has happened to the letter, take it very seriously and respond to him, but I did not know about it until he raised it, so I will follow that up, if I may. I shall say something about the government position on Islamophobia later, if I may.

My noble friend Lady Warsi has been for many years a friend, as well as a friend in this place. I must say how much work she has done in this area in general and how valuable it is. I noted one thing she said, which was, "Read the report". The Government are certainly doing that and I urge others to do so as well. It is a great contribution to the debate, but I shall say something more about that later, if I may.

The noble Lord, Lord Parekh, spoke about the definition and traced back work done by the Runnymede Trust, which is also an important contribution. He spoke about role models and the fact that someone of Muslim heritage is a potential Prime Minister—at some stage, I should say, before it looks as though I am declaring that there is a vacancy, which there is not. It is important to make the point that there are senior political figures of Muslim heritage and Muslim faith—there is Sadiq Khan in the Labour Party, as well.

I give a plug for an interesting, very important project that runs across government is Operation Black Vote, which I attended earlier this week, when there was a graduation ceremony for people who have completed internships for MPs of all parties, and at which all parties were represented. It was powerful to see how important and successful that is. Simon Woolley is to be congratulated on the work he does promoting Operation Black Vote so successfully. It was good to see them coming to Westminster this week.

I thank the noble Baroness, Lady Burt. She is right that the essence of discrimination is often "not like us". People will see someone who is different and that is often how discrimination starts. We have to tackle

that. That said, as other noble Lords said—this is interesting in the context of Islamophobia—there are Muslim converts and Bosniaks who are not visibly different from us, so it is a little more complex than one would immediately identify.

The noble Baroness asked me several questions about what we are doing to counter hate crime attitudes. A lot of work is being done: for example, through the Anne Frank Trust, which we fund; the Stand Up! project, which counters Islamophobic and anti-Semitic notions; and, although it is not strictly within the hate crime programme, we work with schools through the Linking Network. Over the last couple of weeks, I have been privileged to see linking in Luton and Blackburn between schools with different racial and religious backgrounds, which has been very successful.

Lord Singh of Wimbledon: The Minister mentioned work that is being done to tackle Islamophobic and anti-Semitic hate crime. Is any similar work being done for other faiths?

Lord Bourne of Aberystwyth: The noble Lord raises an interesting point, but the project I was just talking about, schools linking, does that for all faiths. I recently visited schools in both Luton and Blackburn. One is in a predominantly white area of the town, or has predominantly white pupils, while another has pupils of different religions and races. It has had a beneficial effect on all religions and races, including on pupils in an essentially Christian-based, white school. I was going on to say that the children positively look forward to meetings between the two schools after they have had one or two. It is important to get in early in people's lives to try to combat discrimination and prejudice. People are not born with prejudice and discrimination—it is something that grows. I hope that linking schools in that way will have benefits for older family members as well.

The noble Baroness also asked me about the diverse ethnicity and integration policy and what we were doing on that, and about recording the ethnicity divide on pay. We are certainly looking at that in the context of the *Race Disparity Audit*, which the noble Baroness will know that the Prime Minister has driven hard. That is now going forward, led by the Cabinet Office.

It was interesting to hear what the noble Lord, Lord Singh, said about people being asked about their attitudes to certain groups, including groups that did not exist, and because they sounded as if they could be racial minorities, people said that they did not like them. That is indicative of the ignorance that is behind a lot of this. I thank the noble Lord very much for highlighting that and for what he does. He says, to paraphrase him slightly, that Sikhs are not good at fighting their corner or complaining—but he always brings forward important matters so that we cannot forget the dimensions that exist there.

The right reverend Prelate the Bishop of Chichester made a point about Muslim women in particular being subject to discrimination and bigotry. It is awful that it occurs at all, but it is often even more appalling in relation to women, who can be isolated if they do not speak the English language well. That makes it particularly insidious, so it is important that we act. I thank him for that.

I congratulate my noble friend Lady Jenkin—I had not known about this—on her election to the board of the Fawcett Society and for all the work she has done on Women2Win over many years, and the success she has had. Yes, there is more work to be done, but she has done a terrific amount. She talked also about higher education and made a good point about the need for continuing support for women in Parliament. Going back to Operation Black Vote, it is interesting that there was a high proportion of women on that scheme—I did not count, but it was certainly at least 50%—so that is perhaps good news for the future.

I thank the noble Baroness, Lady Falkner, very much for a powerful description of the situation within Islam; there is certainly great diversity there, as I have found out in this job. There are the Ahmadiyya Muslims and other sects, and great national differences—the Bosniak Muslims often have different interpretations of Islam—and I agree with her that we need to take these things on board. She also stressed that the great mass of Muslims—the vast majority—are loyal to this country and play an active role as citizens of this country, which is not always appreciated and which, again, the media has a role in ensuring is carried forward much more.

I thank the noble Baroness, Lady Uddin, very much; she spoke about the urgency of the task, and I know about the work that she has done over many years and commend it. She also put this in the wider context of anti-Islamism in Europe, as did the noble Baroness, Lady Chakrabarti, in closing. This is of course not just about Britain. That is bound to be our main focus, but it is horrific to see that this is becoming a worldwide problem, and certainly a Europe-wide problem. We can see some of the discrimination and the results of it across Europe.

The noble Lord, Lord Hussain, again spoke of the proud role of the vast majority of British Muslims, including himself: he is a good example of a powerful role model. As I say, role models are extremely important. He also touched, as did others, on the dreadful anti-Muslim letters that we saw. I commend the community, who showed incredible courage, bravery and dignity during that period. It is difficult for me to appreciate what that must have been like, and I am sure that it was dreadful for somebody who was prominent in public life. However, it must have been far worse for people who are isolated. I am sure that Akeela Ahmed will not mind me saying that she, a prominent person, was not as fearful as other people in her family and people she knew, who she said were reluctant to come out that day. For that to happen in our country is dreadful. We should all feel a sense of shame about that and should work to counter it.

I thank the noble Baroness, Lady Afshar, very much for a very analytic description of the position and how we need to celebrate differences. Largely, we do; it is important to remind ourselves that the great mass of people get on with their lives, celebrate diversity in many aspects, and recognise the great diversity and benefits we have had from immigration in this country. We should now stand as one united nation, which is very much the message we should all carry forward. For people to talk about immigrant communities and

their descendants as if they were the enemy within is distinctly un-British and shameful, and the Government are totally intolerant of it and will act on it.

In closing, I will try to encapsulate where we are. A great deal of work has been done. The Government's position is fairly clear. First, if anyone asks the Government or indeed a political party, "Are you against anti-Semitic behaviour or anti-Islamic statements?", of course any Government will say, "Yes; of course we're against Islamophobia and anti-Semitism". The question then is what we do. The first thing we need to look at—we will be looking to work done within government—is establishing a definition that will make things better. That is the start, and I think people will understand that. It may be that there is a swift resolution of that question, but we do not want to make things more difficult. We have seen today that there are different strands of opinion on how that definition should roll out; I appreciate that that is a slightly different aspect of the issue, but it means that the more potential definitions there are, the more you need to be reassured that you will not make matters worse.

Secondly, in parallel with that, we will certainly study the APPG report. It was thorough and well researched, and there are aspects to it that clearly anybody would want to take on board. That is the position we are in, and it is very much the position of the ministerial team in the department. This debate is important, and it will certainly be shared by the ministerial team to underline the importance of taking this forward.

Baroness Warsi: I thank my noble friend for giving way. I am sure he will agree that both he and other ministerial colleagues have indicated, from the Front Bench here and in the other place, that the problem the Government had with adopting a definition of Islamophobia was that they did not feel that the matter had been properly engaged with and agreed on. That was one of the reasons why the APPG went away to conduct this inquiry—particularly because, as the Minister is aware, government is much more hesitant about engaging with all aspects of British Muslim communities.

This report clearly had to engage with all aspects of British Muslim communities: those with which we in government agree and those with which we disagree. As the Government have curtailed their engagement with Muslim communities over the years—there is now a very small number of people and organisations that they continue to engage with—it was important to ensure a definition that would have agency with Muslim communities. It had to be one that was properly rooted in all communities, not just those aspects that the Government favour.

Lord Bourne of Aberystwyth: My noble friend is understandably very protective of the report, which I fully understand; the APPG does much great work but, as we have heard in this debate, there are differences that attach to the definition. No Government would want to rush in and say, "Right, this is what we do". We need to do two things: first, determine that a definition will make things better—that is step one;

[LORD BOURNE OF ABERYSTWYTH]
and secondly, look at the various definitions. It may be that my noble friend is right and the definition that the APPG has come up with is the best one. But that is something noble Lords would expect us to test by consulting with Muslim communities up and down the country, and with others. I am somebody who speaks a lot to Muslim communities around the country. I frequently visit mosques and talk to people about these things. It is not all one-way traffic, as my noble friend will know. For example, TellMAMA is not convinced of the need for a definition. We need to get this right and I am determined that there should be a thoroughgoing discussion before we move things forward.

Lord Sheikh: Is the Minister prepared to enter into dialogue with APPG members to discuss a definition? That would be a good start.

Lord Bourne of Aberystwyth: My Lords, I am always open to dialogue as an individual, but I want to clarify the Government's position on where we stand. As I say, we need to look at the need for a definition and whether that will make things better. Consequent to that, we can move things forward. But I am of course always open to dialogue.

Lord Singh of Wimbledon: Before the Minister sits down, I made a plea to the Government to be more even-handed to all communities. Do the Government intend to move in that direction? For example, if the term "phobia" is attached to discrimination against one religious group, should it not be there for all religious groups?

Lord Bourne of Aberystwyth: My Lords, not surprisingly, I do not agree with the premise that the Government are not even-handed in relation to all religious groups; all religious discrimination is wrong and that is the Government's position, as I have made clear on many occasions. The noble Lord's contribution perhaps indicates why we have to move sensitively to ensure that we get this right. It is important; we need to get it right.

2.23 pm

Lord Sheikh: My Lords, I thank all noble Lords who have taken part in this debate, which I feel is timely and very important. I would also like to thank my noble friend the Minister for his excellent reply, and for the summing up that he has just concluded. I will pick up on some of the points made by noble Lords. My noble friend Lady Warsi spoke passionately about the need for a definition. I am grateful for the background she gave us regarding the work of the APPG. The noble Baroness, Lady Burt, spoke at length about hate crimes against Muslims, in particular against women. The noble Lord, Lord Singh, made some relevant points regarding discrimination against all communities. The right reverend Prelate the Bishop of Chichester made the point—I am so glad he said it—that Christians must stand by Muslims.

People will be celebrating Christmas very shortly. I point out that, in the Holy Koran, we have a chapter that talks about the birth of Jesus. We believe that

Jesus is one of our prophets. My noble friend Lady Jenkin referred to the lack of Muslims in the field of employment. The noble Baroness, Lady Uddin, made some salient points about the demonisation of Muslims. She also talked about populism and the problems that Muslims face in Europe. The noble Lord, Lord Hussain, spoke about the injustice of discrimination. I am glad he referred to the point that in this country we have multiculturalism; people of all races and religions live here and are accepted.

The Minister made some relevant points, although he has not answered all the questions that I posed to him. Perhaps he would like to look at *Hansard*. I would very much appreciate a response to the points I raised. I was very pleased that he agreed to look at the question of definition, which we referred to. I am glad that he said that this will be done and I look forward to receiving the response of the Government.

With that, I thank everybody for their contribution. It has certainly been an interesting and lively debate.

Motion agreed.

Royal Navy: Type 31e Frigates

Question for Short Debate

2.26 pm

Asked by Lord Berkeley

To ask Her Majesty's Government what progress has been made on the tendering process for building five new Type 31e frigates; and what impact this process will have on the future of the Appledore shipyard.

Lord Berkeley (Lab): My Lords, I am grateful for the opportunity to have this topical debate. I declare an interest as a resident of the Isles of Scilly, off Cornwall. We are having the debate because the Appledore shipyard in north Devon is planned to close at the end of March next year, with the loss of some 200 jobs and many local suppliers to be affected. The present operator, Babcock, says that it will move all its business to Plymouth and other areas, but many people comment that the company seems to have given up on seeking work to keep the yard open. Of course, any shipyard needs orders; I hope the Minister, when she replies, will tell us a little about the Type 31e frigates.

Appledore shipyard has a proud history. While not unique, the level of expertise there is among the greatest in the country. I question whether the Government, and particularly the MoD, can afford to let it die. A good campaign has been started by the GMB and Unite unions to keep the shipyard alive. Jake McLean, the campaign manager, tells me that the yard has built 197 ships, beginning at the time of the Spanish Armada. There used to be 40 shipyards on the banks of the River Torridge; now there is just one. Most recently, Appledore built many sections for the two new aircraft carriers, the "Queen Elizabeth" and the "Prince of Wales", and four high-quality offshore patrol vessels for the Irish navy.

As the noble Lord, Lord Greenway, said to me this morning—sadly, he could not speak today—perhaps we need some fishery protection vessels, which are cheaper and easier to build and operate than destroyers for keeping French fishermen away. That is something the Minister might want to reflect on afterwards. The quality of work in the yard is probably one of the best in the world and the prices, they say, are cheaper than those of many competitors. It can build ferries, dredgers, tankers, superyachts and naval ships.

The campaign for the yard to stay open is also being led by the Devon and Cornwall Business Council. It gives some interesting statistics about the area of Torridge: trade apprenticeships are almost double the national average, and the Appledore shipyard provides nearly 80% of all employment in the ward of Appledore. That is a very high percentage in a small town with pretty awful road access to anywhere else in the county. If the shipyard is lost, it will potentially have a serious impact on business rates. The area around the yard is one of the 20% most deprived areas in the country, but there is very strong local community and loyalty. Workplace-based earnings in Torridge are less than 79% of the English average. There are many similarities with other places that are badly connected in the south-west and the Isles of Scilly.

However, I think one of Babcock's ideas is that many of the high-quality workforce will suddenly be happy to commute to Plymouth. It must be at least a two-hour bus journey on pretty horrible roads. I fear that the whole community and this high-quality workforce could dissipate unless it is somehow preserved by the shipyard continuing.

We all know that, for a shipyard to work, it has to have an operator and some orders. I and others have been looking at trying to help see if anyone is prepared to take over the operation when Babcock leaves. The yard owner, Langham Industries, is very keen to keep shipbuilding going and seek potential operators. I met one operator this week, Oil Gas and Marine Ltd, which is very interested in taking over the yard and restarting shipbuilding—or continuing it we hope—of any description. I know it has been in discussion with Babcock and the owner about the assets and the staff. It claims to be able to finance a start-up provided that it receives orders. So there is hope there, but orders are key.

I have mentioned the Type 31e frigates, but many other ships could be built for the UK Navy. There is fishery protection, as I have said. There are other countries' needs and the offshore industry, such as oil and gas supply, windmills and even something that the Cornwall and Isles of Scilly LEP is promoting—offshore windmills that float on pontoons. Many of these could also be built in the Appledore yard. I am not sure how high-tech the pontoons are, but they are moored to the seabed. We will see what happens.

But we cannot expect any new owner to survive on fresh air, so we have to get some new orders going. My contribution to this is to encourage the building of a new passenger ship to replace the aged "Scillonian III", which plies between St Mary's and Penzance in the summer. In winter, there is no ship service; one flies in little planes, which last winter were disrupted

29% of flying days. Many of us around there think that, rather than spending £20 million on redundancies in Appledore, one should spend £20 million on building a new ferry.

That would be a challenge, but it is worth exploring. The sea conditions are worse than the Pentland Firth at the north of Scotland in terms of wave heights. I have all the data. You need a big ship to go across the rough sea but a small one to get into the harbour, so you need a compromise, which has to take the bottom at both ends. A design for a new ship—which would actually have stabilisers, which are quite common on most other ferries—was completed about six years ago. It could carry all the freight and all the passengers. The islands need this to survive and prosper.

Could the Isles of Scilly service be the saviour of Appledore? We have to move fast and the Government have to move fast. The previous ferry 42 years ago was financed by government loans, and they have been repaid. Scotland, of course, has it easy because the Scottish Government subsidise everything, but we do not so here.

Meetings with Ministers and officials have focused on how to get a winter ferry service, how to ensure that the operator does not remove the ship to make more money elsewhere—which is always a challenge—and on an operator of last resort. Ministers have made it clear that they are prepared to consider support only if there is one voice from the island community. I believe that has been delivered in its first stage. The timing is quite critical. One could start on a metal-bashing contract—as I call it—at Appledore from this design very quickly. It is all approved by the Maritime and Coastguard Agency. Then one can talk in more detail about what has to go on top.

Who would finance it is a question that needs to be asked with Ministers, local authorities and the present operator—it has just published its annual accounts this week, and they do not look too promising for funding a new ship. It would be possible for Ministers to arrange for a new "Scillonian" to be ordered from Appledore to save the yard. A new ship operating all year round would really benefit the people of Scilly and their guests. I know that Ministers believe that the modern shipbuilding facility at Appledore is worth preserving and encouraging. It has a long tradition.

I have three questions for the Minister. Do the Government believe that continuity of shipbuilding at Appledore is something that is important not only to the town itself but also to the south-west and to defence? What are the Government doing to encourage a new operator and encourage new orders for Appledore from the UK or elsewhere, naval or civilian, to reinstate a full order book for this important facility? Will the Government encourage their transport colleagues to take forward an order for a new "Scillonian"?

2.37 pm

The Earl of Arran (Con): My Lords, I have a brief intervention to make that is rather similar to the line that the noble Lord, Lord Berkeley, has taken. I thank him warmly for introducing this debate. Just sometimes you have to look on a national basis, beyond value for money for the taxpayer or the return on a commercial

[THE EARL OF ARRAN]

investment, and focus instead on equally important matters from a local viewpoint and the state of the economy in that particular region.

I live not far from Appledore, in a very poor part of the United Kingdom—north Devon—where agriculture and tourism are by far and away the most important activities and large or medium-sized industrial concerns are rare. But those who work in such companies are proud and loyal people whose families have very likely worked there for generations. Appledore is such a place. It has a long history of a proud and dedicated workforce, which is immensely loved and respected in the community for its many years of service to the Royal Navy. All of a sudden, although rumour had been around, news came that that great icon of heritage renown was to close and 200 mostly highly skilled employees were to go. For them, a terrifying vacuum suddenly evolved. If it had been anywhere else in the United Kingdom, it would have been different. Help would have been much closer at hand. Where is it for them now?

I simply say that Appledore, from now on, needs to be looked at both pragmatically and commercially, particularly bearing in mind the region and its financial circumstances. Furthermore, the Government need to understand that the West Country does not start and end at Bristol, as was—and still is—the common perception. Appledore is what it is and where it is, and it needs to be regarded as a special case, with a skilled and loyal workforce who could have still so much to offer.

I do not anticipate much encouragement from the Minister, but where principle and people's livelihoods are at risk, you must do your utmost to persuade government and others that hope springs eternal.

2.39 pm

Lord West of Spithead (Lab): My Lords, I thank my noble friend Lord Berkeley for introducing this debate. I am delighted that we have noble Baronesses on the Front Bench. I thought that there might be more in the Chamber because noble Baronesses are able to launch ships, which is something that noble Lords cannot do, and of course they immediately become “ladies who launch”.

Appledore is just the tip of an iceberg because, without a full order book, I believe that other yards will go the same way. Let us look at the current UK ship orders. There are only two warships in build in the UK: HMS “Prince of Wales”, which is fitting out in Rosyth and is almost complete, and HMS “Glasgow”. Two other frigates are on order and they will follow on when “Glasgow” is moved out of the yard. So, as we speak, across the United Kingdom steel work is going on on only one frigate. That is a disgrace for a maritime nation such as ours.

There is of course the plan to award a contract for five Type 31e frigates by December 2019 and a contract for the second batch of five Type 26 frigates in the early 2020s. Indeed, I had understood that one bid for the Type 31e comprised Babcock at Appledore in north Devon, Ferguson Marine on the Clyde, Harland and Wolff in Belfast, with integration at Babcock

Rosyth, Fife. So, as I understand it, one of the businesses is Appledore and it is a Babcock build, so the closing of Appledore seems strange. Perhaps the Minister can confirm that the plan includes that bid.

However, these plans are just aspirations, of course, and I am afraid that I am old enough to have seen many such aspirations dashed: two landing platform helicopters reduced to one; 12 Type 45 destroyers reduced to six; 13 Type 25 frigates reduced to eight; eight Astute-class submarines reduced to seven; and so on.

There is a strategic imperative to keep a minimal shipbuilding capability in this country, but the continual loss of yards such as Appledore puts that at risk. This is clearly understood in the case of nuclear submarines, although in the early 1990s the Government almost lost the United Kingdom that capability due to a lack of orders. Similarly, I think that the Government understand the requirement for our nation to design and build complex warships. However, there need to be a sufficient loading and a steady drumbeat of orders, not least to ensure that SMEs can survive, but at present these orders do not exist. Without them, that shipbuilding capability will be lost.

We need to maximise the shipbuilding load, and the fleet solid support ships—ideally three of them, rather than two—could help that dramatically. It would also ensure the use of 90,000 tonnes of British steel, helping to maintain another strategic requirement for a nation such as the UK. However, the national shipbuilding strategy was very clear that the fleet solid support ships would be subject to international competition.

The Treasury line is that we should go to competition beyond the UK for cost reasons, but of course it does not look at the real cost to the nation of not building them here. No account is taken by the Treasury of tax paid by the shipbuilders and workers in those shipyards. It does not look at the loss of apprenticeships leading to high-skilled jobs. There is no look at the costs of retraining and unemployment in specific regions if these yards have to close, nor at the knock-on effect of a loss of jobs supported by the shipyard workers in that region, as has already been touched on by the previous two speakers. The Treasury also, strangely, seems to equate a job as a shelf-stacker in a supermarket with a high-tech skilled job in a shipyard. I am afraid that I do not see it in that way.

The national shipbuilding strategy announced that warships would be built in the United Kingdom on the basis of a competitive tender between UK shipbuilders, and that competition would help to ensure value for money and productivity, as is correct. It also said that companies could choose where to undertake the work. I cannot fault any of that but there is a hollow ring about the national shipbuilding strategy's master plan that provides a 30-year forecast of Royal Navy shipbuilding requirements. It is far too vague and very short on specifics.

It has been stated that the strategy provides industry with greater certainty about the Royal Navy's procurement plans—I have already talked about how these things can change quite dramatically—so that industry has the confidence to invest for the long term in its people and its assets, which is a very good thing. However, it

does not do that. Where is the increase in frigate numbers promised by the Government? On what dates will they be built? Ditto the dates for the replacement amphibious ships. Why not have shortened timescales for the Type 26 programme? Where are the follow-on SSNs to take the numbers back up to the minimum requirement for eight boats? More detail is required for the small shipbuilding programmes. The demand by other government agencies, such as the Border Force, HMRC and the police, should be addressed as part of this package. The strategic position post Brexit means that we need to start building as soon as possible. Our exclusive economic zone and territorial seas are, I am afraid, wide open.

If the Government want industry to raise productivity and innovation and improve its competitiveness in the domestic and overseas markets, they must ensure a minimum shipbuilding base loading. I am afraid that at present that is not happening.

2.45 pm

Lord Burnett (LD): My Lords, it is a pleasure to follow the noble Lord, Lord West of Spithead, who brings a wealth of knowledge and experience to these matters. I draw noble Lords' attention to my interests as disclosed in the register, and I congratulate the noble Lord, Lord Berkeley, on tabling this debate. He and the noble Earl, Lord Arran, have given an accurate breakdown of the predicament of Appledore. I should mention that I had the honour of representing the constituency of Torridge and West Devon in the other place for some years, and Appledore shipyard was in my constituency.

Appledore, in its present form, was founded in 1855 and has been in existence continuously since that date. It started to construct ships for the Royal Navy about 75 years ago. It is a superb shipyard, and the talent and ability, enterprise and innovation that it has shown throughout that time has always been excellent. Appledore Shipbuilders had a substantial involvement in the construction of the new aircraft carriers.

Appledore has constructed ships for a number of private clients from overseas and a number of foreign navies. The standard of ships that it has constructed is outstanding. For example, HMS "Echo", the survey ship, was constructed and completed by Appledore shipyard in 2002, and it has been at sea almost continuously since it was launched. This is just another example of the superb workmanship of Appledore and its outstandingly capable and innovative workforce. It also constructed HMS "Enterprise" and HMS "Scott", the other survey ships, to the same extremely high standard.

I am unable to understand the logic of Babcock's decision to close the yard, putting 200 jobs at risk. When I was Member of Parliament for Torridge and West Devon, the workforce was in fact far greater. To close such an excellent shipyard with such an outstanding workforce is nothing short of vandalism, especially in the light of the fact that the press reported that the Ministry of Defence offered Babcock work for Appledore to the value of £60 million, and I understand that further work has been offered to Babcock by the MoD. I am anxious to find out exactly what work was offered by the MoD and why Babcock dismissed these

offers as not enough to secure the long-term future of the yard. It should be added that Appledore generated revenues of £24 million in the last financial year and has recently completed the construction of four offshore patrol vessels for the Irish navy.

I appreciate that the delays in the Type 26 and Type 31e frigate programmes will mean a hiatus for shipyards across the country, including Appledore, but surely the Government must look to other opportunities to retain the expertise of this important shipyard for the benefit of not only the country but North Devon in particular. I revert therefore to the offers made by the Ministry of Defence to Babcock and repeat that I should be grateful if the Minister would spell out exactly what was offered to Babcock as an inducement to continue to keep the yard open. This House will also be anxious to know what other shipyards or contractors have been approached or have approached the Government in connection with the Ministry of Defence work or, for that matter, other work to keep Appledore open. Appledore has an enviable record of high quality in the construction of not only military but civilian and merchant ships.

The Department for International Development may well need a vessel that can be used to bring supplies, hospital facilities and other humanitarian relief. Troops from 40 Commando Royal Marines—a unit in which, many years ago, I had the honour to serve—were deployed on humanitarian operations in the Caribbean after the terrible damage caused by the hurricanes last year. The unit distinguished itself in these operations and HMS "Ocean", the amphibious assault ship, was vital in assisting. A helicopter is invaluable for humanitarian operations.

Will the Minister confirm that there is an understanding both in the Department for International Development and in the Ministry of Defence that such a ship can be used not only by the Department for International Development for humanitarian operations but by the Ministry of Defence for combat littoral strike operations? I should like a specific reply from the Minister on this, bearing in mind that HMS "Ocean" has now been sold to the Brazilian navy.

I stress that the Ministry of Defence should complete the Modernising Defence Programme as soon as possible. Orders for the Type 26 global combat ship and the Type 31e general-purpose frigate should be brought forward for urgent operational reasons; this in turn would end the shipbuilding hiatus. The Royal Navy is in desperate need of these ships. We have large aircraft carriers that will not have anything like the escort vessels needed. Frigates are also required for many other roles, including protection of our waters and sea lines of communication. A replacement for the amphibious assault ship HMS "Ocean" has been delayed, and we are in desperate need of a landing platform helicopter ship—an LPH.

Have the Government spoken to shipbuilders and other contractors that may be interested in taking a lease when Babcock leaves the site in March 2019? The people of this country deserve to be told exactly what is happening to Royal Navy shipbuilding and capacity. The outstanding workforce at Appledore deserve the respect and support they have so palpably and emphatically earned over many years and decades.

2.52 pm

Earl Attlee (Con): My Lords, I am grateful to the noble Lord, Lord Berkeley, for introducing this Question for Short Debate. I agree with what he and all other noble Lords have said about the background to the yard, and I will not repeat all the arguments. We should not forget that the Appledore yard, under Babcock's stewardship, successfully tendered for and built the Irish offshore patrol vessels against competition—I am quite sure that German yards would have tried very hard to get that order, yet Appledore still managed to secure it. It is an interesting point on labour relations that they built the last one without any difficulty.

I declare an interest as patron of the Steamship Freshspring Society, and Appledore has been very helpful to us. The steamship "Freshspring" is berthed at Bideford. Obviously it is advantageous to have a shipyard nearby, but any major works needed on the "Freshspring" would have to be commercially tendered for.

I imagine the Minister will tell us that there will be very limited direct employment consequences because—as the noble Lord, Lord Berkeley, and others have told us—the employees at the Appledore shipyard will be bussed to the Plymouth yard. I understand that quite a lot of them come from some distance away.

In the absence of strategic considerations, I do not wear rose-tinted spectacles and want to preserve all possible heavy industry—that is not where the money is. A lot of this work can be done much more economically overseas, which is why we have seen solid support ships built overseas. However, there are strategic considerations. Very few yards in the United Kingdom can build a complete warship, and Appledore is one. It has a large dry dock with overhead cranes and is covered from the elements so can work 24 hours if necessary. We simply cannot afford to lose this capacity.

It is easy to fall into the trap of believing that we will never be in a serious war or existential conflict. But recall the Falklands conflict, when the "Canberra" mysteriously received a new helicopter landing pad in a few days. That was a sudden, unexpected demand on the shipbuilding industry, but at the time we had the capacity to do it. Could we do it now? In my view, it is a strategic necessity to keep the Appledore yard available, even if we do not have work for it immediately.

A lot of skills, knowledge and experience are involved in shipbuilding. One only needs to think about the problems experienced on the Tyne. When we tried to build Bay-class ships there, it suddenly became very expensive because people had forgotten how to do it. The noble Lord, Lord West, touched on the problems with the Astute-class submarine, when people at Barrow-in-Furness had lost the skills to do the job.

I have outlined the fixed facilities at the yard, but an important consideration is what is called the movable plant. If it were dispersed, say in an auction, it would be much more difficult to recommence production at the yard. Will my noble friend the Minister do everything she can to encourage Babcock plc, which, I understand, owns the movable plant, to pass on the plant on reasonable terms to any viable future operator?

Finding new work for the yard will be challenging, as I am sure all noble Lords agree. Unfortunately, Babcock—for what may be perfectly good business reasons—only pursued military work. The problem is that, realistically, it is unlikely that any new awards will arrive in the next 12 months. The Government must therefore take action to preserve the capacity at the Appledore shipyard.

2.57 pm

Lord Tuhig (Lab): My Lords, I thank my noble friend Lord Berkeley for securing this debate. It has been a good debate, albeit a short one, on a matter very important to our defence and economic interests. I appreciate that I am stating the obvious: we are an island—not a very big island—but we are also the world's fifth-largest economy, a permanent member of the UN Security Council, a nuclear power and a major player in NATO. Protecting the seas around our island and keeping open the world's shipping lanes for trade is essential to our very economic existence. To do that, we need a modern, well-equipped Navy crewed by highly trained and motivated personnel.

Alas, this Government have presided over the biggest reduction of our naval capabilities in our country's history. As my noble friend Lord Browne of Ladyton said yesterday, the Navy now has fewer vessels than in 2003. Time and again, the noble Earl, Lord Howe, has had the unenviable task of coming to this House with the thinnest of arguments in support of the Government. It is only because of the high regard and respect for the noble Earl across the House that he has succeeded to some extent in assuaging the tide of criticism from all sides.

But on Tuesday night, when the noble Earl repeated a Statement on the Modernising Defence Programme, not a single Member from the Government's party on the Benches behind spoke in support or even asked a question. To call it a Statement is something of an exaggeration. Patrick Kidd in the *Times* said that the Defence Secretary had "weaponised jargon". My right honourable friend Kevan Jones said in the other place:

"If military strength was based on management-speak and general waffle, the Secretary of State's statement would make us a world-beater".—[*Official Report*, Commons, 18/12/18; col. 662.]

My noble friend Lord Tunnicliffe summed it up well with just four words when he said:

"It is essentially a classic 'We will try harder' Statement".—[*Official Report*, 18/12/18; col. 1774.]

When the Government suspended the competition for the Type 31e in July, there was suspicion that the MoD had not received enough competitive bids. The process was restarted in August and on 26 November, the noble Earl, Lord Howe, told the House that the Government were committed to maintaining a fleet of 19 frigates and destroyers and that there would be a competition for building the Type 31e worth £1.25 billion.

Earlier this month the Government announced that they had awarded the contracts for the competitive design phase. Stuart Andrew, the Under-Secretary of State for Defence Procurement set out in detail the plan for a competition to build five Type 31e frigates. The MoD awarded three contracts for the competitive

design. The contracts have been awarded to a consortium led by BAE Systems, Babcock and Atlas Elektronik UK and are valued at up to £5 million each.

However, a major concern is the affordability of the ships. The cost has been capped at £250 million each, which many industry experts worry is not feasible. Can the Minister say something to assuage our concerns on this matter? Can she share with the House details of how the Government have arrived at this £250 million figure? If she is not able to do so today, will she write to us?

Having said that, it is only right to state that we on these Benches are pleased that the process has been restarted. Indeed, we greatly welcome it. We believe it imperative that the MoD ensures that the programme proceeds to the planned timescale so that the ships can enter service as replacements for some of the Type 23 frigates. Can the Minister say something more about this? Can she confirm that the Government will give regular updates to Parliament on the progress? Are the Government completely confident that the timetable for the construction will ensure there is no time lag between the decommissioning of any Type 23 frigate and the entering into service of the Type 31e?

Will the Government undertake to keep Parliament updated regularly on the cost of the new frigates? Can she say what monitoring mechanisms will be put in place to ensure there are no cost overruns? This reassurance is necessary because, unfortunately, this Government have a very poor record on keeping within budgets. Indeed, the affordability gap in the defence equipment plan is now estimated to be somewhere between £7 billion and £15 billion.

Finally, I support the comments of my noble friend Lord Berkeley, and others, about the Appledore shipyard. Ships have been built there for 163 years, including, as my noble friend said, sections for the two new aircraft carriers. Some of the skills and trades at Appledore may not be found elsewhere in the United Kingdom. These are skills we can ill afford to lose, and I hope the Minister will have something positive to say when she replies.

3.02 pm

Baroness Goldie (Con): My Lords, I congratulate the noble Lord, Lord Berkeley, on securing an important and very well-informed debate on the subjects of the Type 31e frigate programme and the Appledore shipyard. I welcome the opportunity that this debate affords to highlight the progress being made by the Ministry of Defence towards the important issue of delivering the Type 31e programme and the also important contribution that the programme is making to realising the vision of the National Shipbuilding Strategy.

In 2016, the defence sector had a turnover of £23 billion and £5.9 billion of export orders. The Ministry of Defence is the sector's most important customer. Last year we spent £18.7 billion with UK industry, directly supporting 123,000 jobs in every part of the UK. The 2017 sector examination, carried out by the MoD, with which noble Lords will be familiar, produced the analysis which duly informed the National Shipbuilding Strategy. That analysis was guided by the expert advice contained in Sir John Parker's independent review. I

have not the time available to go into details of the recommendations, but suffice to say that we accepted all of those that applied to government.

I noted that the noble Lord, Lord West, challenged a part of the review recommendations, but I have to say that my impression is that the National Shipbuilding Strategy constructed largely in that review has been widely welcomed. The noble Lord perhaps predictably questioned the number of craft actually available for deployment at sea. We are now building state-of-the-art vessels, deploying the most modern technology. That is introducing a flexibility of operation and deployment that was not previously possible.

Lord West of Spithead: We are just coming up to the anniversary of the Battle of the North Cape where a very modern and high-tech German battleship was sunk because basically we had a battleship, two cruisers and 10 destroyers against it. They were not nearly as high-tech and modern, but numbers themselves have a strength.

Baroness Goldie: I am sure that the noble Lord and I could spend a happy hour or two engaging in a debate as to what constitutes an optimum naval facility, but I think it is acknowledged that, as with other areas of activity in the world, approaches and strategy in defence have had to adapt to what is now possible with the technologies available, which our predecessors did not have to hand.

Defence makes a contribution to the UK's success as a major supporter of maritime equipment and systems through the work that it provides to build and support ships, both at the shipyards and in the wider supply chain. To continue to be successful, both the yards and the supply chain need to develop their global competitiveness for military and civil work. We need a modern and efficient shipbuilding industry. The importance of our Royal Navy to the defence and security of the UK and the significant level of investment by the Government in shipbuilding demand this.

The launch of the Type 31e programme represents a tangible first fruit of the National Shipbuilding Strategy. It is a pathfinder for the delivery of the new shipbuilding and capability vision set out in that strategy. As noble Lords are aware, under that Type 31e programme we will deliver a class of five ships at an average price of £250 million per ship. We want the first ship in service in 2023 and all five in service by 2028. The noble Lord, Lord Touhig, asked specifically about the costings of the programme, and I can say that we are confident that industry can rise to the challenge of building each Type 31e for £250 million; our growing defence budget, of course, is providing full funding for the remainder of the programme.

We believe that the industry can indeed meet that challenge. Following an intensive period of market engagement, a pre-qualification questionnaire was issued on 28 September 2018. I am pleased that the award of three contracts for a competitive design phase was announced to your Lordships' House by the Minister of State for the Ministry of Defence, my noble friend Lord Howe, on 10 December 2018.

[BARONESS GOLDIE]

These contracts, as I said, are each worth around £5 million, and have been awarded to consortia led by BAE Systems, Babcock, and Atlas Elektronik UK. The contracts will fund the first stage of the design process, which will assess whether suppliers can deliver the Royal Navy's threshold capability by the target date and within budget. I think the noble Lord, Lord West, asked about Babcock's position in relation to the Appledore yard. It is a decision for Babcock to choose where it carries out the work, should it win that contract. That has to be a commercial decision for the company.

Concurrent with the award of the contracts for the competitive design phase, the Ministry of Defence has issued to each winning consortium an invitation to negotiate for the single design and build contract that we intend to place by the end of 2019. Conducting the competitive design phase, in parallel with the negotiations for the design and build contract, will allow us to award the contract earlier than would normally be the case in a major procurement. The noble Lord, Lord Touhig, asked whether regular updates would be provided to Parliament in connection not just with the 31e programme, but the Type 26 frigate programme. I am sure that the department will want to co-operate with whatever the reasonable demands of Parliament may be, and we would certainly want Members to be kept informed as to how matters were progressing. That will be a matter for discussion through the usual channels.

The approach to this contract is one that we all regard as an innovation. It is unusual; it is a contractual milestone, and is a testament to the Ministry of Defence's positive engagement with the industry and the commitment to move the programme forward.

Turning to Appledore shipyard, it is, of course, a matter of deep regret that Babcock has decided to close the yard, which has such a lengthy and distinguished history. My noble friend Lord Arran spoke eloquently of the yard and its importance to north Devon. The noble Lord, Lord Burnett, with his extensive local knowledge, spoke cogently about the local community and economy, and my noble friend Lord Attlee spoke warmly of the yard and its capacity. I acknowledge all these comments.

Your Lordships will be aware that the Ministry of Defence spent £1.7 billion with Babcock last year, and the Appledore yard played an important role in manufacturing blocks for the nation's two new aircraft carriers. I wish to acknowledge the skills and commitment of the Babcock workforce at Appledore, to which the noble Lord, Lord Berkeley, rightly paid tribute.

Babcock has also started work on a £360-million contract to be the technical authority and support partner for the Royal Navy's new aircraft carriers and the fleet of Type 45 destroyers. However, following the completion of four offshore patrol vessels for the Irish navy, to which a number of your Lordships referred, Babcock has been unable to secure further work for its Appledore yard. The decision to close the yard has been taken by Babcock in the face of this long-term workload gap. It is Babcock's commercial responsibility to make that judgment and take these decisions.

In this connection, I think it was the noble Lord, Lord Berkeley, who asked about UK fishery protection vessels. My understanding is that these are the responsibility of Defra, and the Royal Navy fisheries protection squad supports Defra, whose responsibility that function is.

The Ministry of Defence has explored a range of options with Babcock to secure the future of the yard, which included bringing forward a £60-million package of Devonport-based refit work. Unfortunately, no practical value-for-money solutions have emerged. I think it was the noble Lord, Lord Burnett, who asked me about the wider issue of a humanitarian ship for use by DfID following the decommissioning of HMS "Ocean". The MoD remains able to provide a range of ships, including frigates, landing platform docks and survey ships of the Royal Navy and the Royal Fleet Auxiliary, to support DfID's humanitarian work.

I am aware that it has been canvassed that the Ministry of Defence could bring forward work on the Type 31E or the fleet solid support ship programmes to support Appledore. Babcock is involved in both programmes. But neither programme is able to provide Appledore with the immediate work, or the certainty of imminent future work, that Babcock would need to retain the yard. As I have said, we expect to award the single design and build contract for the Type 31E in December 2019, while a contract for the fleet solid support ship programme, which is in the early stages of an international competition, is not anticipated before 2020. The future of the yard, following Babcock's withdrawal, is ultimately a matter for the landowner. I understand that Babcock has said that it is working to offer new opportunities, including transfers to Devonport, to as many of its 200 employees as possible.

I think it was the noble Lord, Lord Burnett, who asked what the Government were doing about the current situation. The Department for Business, Energy and Industrial Strategy is engaged with local and national stakeholders regarding plans for the future of the Appledore site. The department is also looking to engage with the current owner of the site to offer support in finding a buyer. More widely, the Devon and Cornwall Business Council is setting up a taskforce to look specifically at this issue, and I understand that it met for the first time last week.

I was very encouraged and pleased to hear from the noble Lord, Lord Berkeley, that there is hope that a buyer may be found for Appledore. The Government will, of course, welcome any development that may preserve jobs at the site. However, I must emphasise that any such plans for the future of the yard following Babcock's withdrawal are ultimately a matter for the landowner and the commercial interests involved. I think it was my noble friend Lord Attlee who asked about the plant currently at the yard. That is an important point, but it is a decision for Babcock. I assure your Lordships that the Government recognise the impact that the closure of the yard will have on local communities.

The noble Lord, Lord Berkeley, raised the issue of a new Scillonian ferry. I have been a very happy holidaymaker to the Isles of Scilly on one occasion—although I have to confess that I flew there; I did not

go on the “Scillonian”. It is important for potential visitors to be encouraged to travel to the islands and to have the means of doing so, and that is a matter for the new transport board for the Isles of Scilly and the Isles of Scilly Steamship group, to reflect upon. Their vision may include a plan for the replacement of assets such as the “Scillonian”, but even with the buy-in of all, that is not a precise way forward. A lot of planning will have to emerge and become clear from such a vision, if that is what is ultimately intended. I should make it clear that the provision of a new ferry is a commercial decision for the new transport board. It is difficult to see anything in the possible provision of a new ferry that could help alleviate the immediate lack of work at Appledore now.

The Government remain committed to ensuring that services to and from the Isles of Scilly are maintained and secured for the future. However, we must be clear that these have to operate on a commercial basis. We do not wish to interfere where there are commercial solutions to any transport challenges faced. We expect that to become clearer once the transport board has established its future vision. I thank the noble Lord again, and all contributors, for an interesting and helpful debate.

Independent Inquiry into Child Sexual Abuse

Motion to Take Note

3.15 pm

Moved by Lord Campbell-Savours

To move that this House takes note of the remit of, and arrangements for the handling of evidence by, the Independent Inquiry into Child Sexual Abuse.

Lord Campbell-Savours (Lab): My Lords, we all welcome the IICSA inquiry. Unfortunately, an early start was hampered by chairmanship difficulties, and a seamless process under the Inquires Act has become mired in controversy with the disbandment of panels, the removal of chairmen, a churn in staff and questions over remit.

The original remit was to consider, “whether and to what extent public bodies and other institutions have taken seriously their duty of care to protect children from sex abuse and seek to address public concern over failings exposed by appalling cases of organised and persistent child sexual abuse”. All very laudable. However, I have a fundamental objection to the inquiry’s management. It gives credence to hearsay and allows for the presumption of guilt in the court of public opinion. It should confine itself to considering only cases where guilt has been established in a court. Without due process the door is open to huge injustice and the trashing of reputations, and is an affront to every tenet of natural justice I have nurtured over a lifetime.

Today I intend to examine one case where justice has been stretched to breaking point—that of Greville Janner, a former MP. This is the case of a man with an exemplary record of public service who, during the trial of a children’s home manager and convicted

paedophile—a man with a grudge against the MP—was accused of assaulting a child. The grudge led to an accusation against Janner, but following an investigation, Janner was neither arrested nor charged. Decades later he was again investigated, without being interviewed, and again not arrested. To cap it all, following legitimate public outcry over other such cases, he was then singled out in his dying days as a person who would have been prosecuted if he had not been suffering from dementia.

To understand the background to the Janner case we have to return over 70 years, to 1947, when the multilingual and brilliant young man Janner, aged 17 and Jewish, was sent to post-war Germany to help in investigating war crimes and to work in the kinderheim at the Bergen-Belsen concentration camp. His role was the rehabilitation and mentoring of gravely damaged child survivors of the Holocaust. This experience would haunt Janner over a lifetime. It determined his politics and accounts for his attitude throughout his life to underprivileged children from broken homes. Those who find such experiences difficult to comprehend should read his biography—because it is all there.

As Janner’s godson Nigel Cohen messaged the family on Janner’s death,

“He always tried to help children who needed help. I discussed with him a number of times the risks he exposed himself to by helping people he hardly knew. He always replied simply, they need my help. He refused to be bowed by what others might say”.

The fact is that Janner was an easy target for underprivileged accusers—many of whom had a long history of criminal activity and repeat offending reaching well back into their early years. As I reflect, I almost perceive in Janner a gentle naivety.

One such person was a young lad I will call Anthony, who, in the 1970s, lived in a Leicester children’s home run by a man called Beck. In 1991, while being prosecuted for the rape of children in his care, Beck interrupted his own trial by, during proceedings, abruptly accusing Janner of child abuse. Until then, no one had ever accused Janner of sexual misconduct. The accusation came out of the blue and was soon followed by Anthony claiming to be a victim. When a former High Court judge, Henriques, wrote the report that partly led to IICSA, it is noticeable that he failed to reveal that Anthony had a history of lying and sex offending.

Of course, the Henriques report was one in a series of inquiries and reports into Janner, all of which I have read. Uncharacteristically for Henriques, its flaw was its total failure to understand the significance of the complainants’ backgrounds, criminal pasts and motivations in seeking financial compensation. It is worth noting that not one of the listed complainants, almost all of whom were party to civil actions for damages, received compensation from the Janner estate. Indeed, they have withdrawn their actions on legal advice, perhaps believing that IICSA’s findings can rescue their claims. We do not know the number of people making claims under discredited sexual offences compensation arrangements, a scheme paying out on the balance of probabilities, often without a court decision. That scheme, which cost the taxpayer more than £40 million last year, is institutionally unworldly, in my view. Even the infamous “Nick”, of Ted Heath

[LORD CAMPBELL-SAVOURS]

fame, managed to take the scheme for a ride. Furthermore, it refuses detailed scrutiny under FOIs. Following the “Nick” trial, I believe that it should be reviewed.

Any detailed study of the Janner case inevitably takes us back to the inquiries and what has gone wrong in the justice system. The Beck and Anthony interventions led to the police investigations. It is obvious that the police failed in their task. They failed to interview individuals who were critical to the findings the CPS needed in determining whether action should be brought against Janner. Equally, those of us who question the validity of accusations believe that more detailed inquiries would have exposed the calculated dishonesty at the heart of claims—a fact already established adequately. We do not need an IICSA inquiry to tell us what we already know. I believe that if real evidence had been found, the time to charge Janner was in 1991; but of course, it was not found. To end up here 20 years later, and over 40 years after the alleged events, is a travesty of justice, but that is what has happened.

Operation Enamel was set up in 2014, drawing on the memory of accusers—compensation in mind—from 40 years previously. It does not surprise me that Leicestershire Police refused my FOI application for access to this damning report, as it would have exposed its incompetence. As Henriques wisely put it in paragraph 2.60 of his report:

“The Chief Crown Prosecutor understandably accepts that it is impossible to recollect details of events some twenty four years ago”.

In paragraph 2.70, in relation to accuracy over the timing of a meeting, he states:

“There are any number of possible innocent explanations not least the passage of time”.

If it is difficult to recollect events from 24 years ago, how credible are recollections made after 40 years?

Two factors clearly influenced the police investigation. First, while in prison, Beck had shared a cell with a man called Norman Newall. Beck had confided in Newall. They were close, having known each other for years. In June 1991, Newall revealed in a statement to police that Beck had made a comprehensive confession to him, admitting committing buggery with boys and girls, having sex with numerous children and giving children a good thumping. Also, I have seen a statement that he was going to plead “not guilty” and drag all the top people in. He got one of the kids to say that Greville Janner had taken him to Scotland and bugged him. When asked by Beck’s cell mate if it was true, Beck had replied that it was not but would throw the light off him. He had gone on to say that he was sure the kid would stand up, and he had three newspapers on his side. The kid did stand up; it is Anthony who stands at the heart of this case.

What is interesting about this admission is that Henriques qualifies the Newall statement, stating:

“I have also noted an antecedent history of formidable proportions”.

That was not said in the case of Anthony, a man with an equal record. Nevertheless, I believe that Newall’s statement, and those of others, was key to non-prosecution in 1991. The CPS clearly feared that Newall’s statement would collapse a trial.

Another factor was Anthony’s wider record, which Henriques either ignored or failed to have in mind. We do not know whether a devastating social services report on Anthony was ever made available to the police, or even Henriques. That report may well have influenced both the police and the CPS. Another consideration may have been the police’s knowledge of Anthony’s criminal background. We now know that Anthony was convicted on three separate counts of sexual assault, serving four years in prison. His allegations of sexual assault in Scotland were dismissed as false and his accusations of sexual activity with social worker Barbara Fitt, a woman with a 16-year unblemished record, were dismissed as fantasy.

He is also reported as having forced a six year-old child into oral sex, having exposed himself and masturbated in front of a minor—I am sorry to use these terms but they have to come out—and theft. This man is described as a core participant, and therefore potentially a witness before the inquiry. That is an outrage. Can I be assured that if the Janner strand is foolishly allowed to remain in the inquiry, Members will see all the reports? I must emphasise that there is no mention of any complaint against Janner in the social service record of any complainant, despite many complaints against Beck and others.

So, where do we stand now? I believe that the Janner strand—the lead strand in the IICSA inquiry—is an affront to justice. I want to know why IICSA insists on maintaining that strand. We need to know why. The strand is likely to make findings of fact on contested allegations that Janner cannot challenge from the grave. That is at the heart of my objection. The strand is based on an assumption of being guilty until proven innocent—something rejected by the Janner family. I am concerned that my letters to IICSA on these matters are being replied to by not its chairman but its solicitor, who was not in place when the Janner strand was announced. The chairman is accountable, not the lawyers. I am concerned that little account is being taken of memory loss. I believe that IICSA has no understanding whatsoever of the reputational damage to the Janner family in the court of public opinion if, behind the cloak of anonymity, unsubstantiated and unchallenged claims are made in open hearings.

I am concerned that both the Henriques and Enamel reports, while questioning the veracity of statements supportive of Janner, give unquestioned credence to those of the accusers. I am not sure there is any understanding of Janner’s mentoring relationships with deprived children, arising out of his post-war experience. In Parliament, we knew of it; others would never understand it. It was so open to exploitation. I am concerned about how the statutory compensation scheme is attracting false accusations. I am not convinced that IICSA’s panel is aware of the dangers of anti-Semitism when, on the back of unchallenged accusations, it effectively put a leading member of the Jewish community on trial. Be of no doubt: it is the court of public opinion that matters here. I can tell the House that I, a gentile, would never sit on such a panel in any circumstances—not that I would ever be asked—if only because its worthy remit is now tainted by the stench of injustice. I am so sorry to have to use such a word.

3.29 pm

Lord Hunt of Wirral (Con): My Lords, I draw attention to my interests declared in the register, in particular my tenure as honorary chair of the Sir Edward Heath Charitable Foundation until earlier this year. I congratulate the noble Lord, Lord Campbell-Savours, on securing this debate and associate myself with all the points he so eloquently and passionately made.

We all of course accept the need for the Independent Inquiry into Child Sexual Abuse. We also all accept the need for it to be operationally independent, just as we accept the need for the police to be operationally independent. However, this does not mean that such bodies are entitled to rewrite their own remits, nor that we as parliamentarians should stand by and watch silently as manifest instances of injustice occur. There must be no power without responsibility. That would negate every precious principle of the rule of law.

I will first deal with the allegations made against the late Sir Edward Heath and their relationship, such as it is, to IICSA. In the wake of the deeply unsatisfactory Operation Conifer, Wiltshire Police deliberately and knowingly left seven accusations against Sir Edward Heath hanging in the air. It would, it claimed, have sought to interview Sir Edward under caution about those seven accusations had he still been alive.

I understand that at no cost to the hard-pressed taxpayer—what a breath of fresh air that is—a certain amount of further research has just been undertaken that has swiftly put at least three of those accusations to the sword. If we were allowed to know more about the accusations, I am confident that the others could be dispatched just as easily. Any remaining shadow or taint on the name of Ted Heath—slight though it now is, for I know of no one credible who believes a word of it—would be laid to rest once and for all.

As the then chair of the Heath foundation, in 2017 I had to consider whether the foundation should apply for core participant status with IICSA. I had my doubts, given that the accusations against Ted Heath had already been so widely discredited. Others of my colleagues, however, made the valid point that core participant status might give the trustees privileged access to more information about the accusations, which could be vital as we all sought to disprove them.

So I went for a meeting at IICSA. It became clear during the course of that meeting that establishing the likely guilt or innocence of individuals was outside the inquiry's remit. This was subsequently confirmed publicly by the inquiry and in correspondence with me. It has been the stated view of IICSA all along, considering its remit and the first-class legal advice to which it has access, that investigating the truth or otherwise of allegations of child sexual abuse against individual parliamentarians would be neither necessary nor proportionate for the inquiry. I was reassured that there would be no kangaroo court. I quickly concluded that the disadvantages of core participant status far outweighed any possible advantages. No one in their right mind believed that Ted Heath was guilty of these supposed crimes, so there would be no good purpose at all in the foundation associating itself publicly with IICSA.

Subsequently, we have found ourselves in a ludicrous impasse where everyone agrees that someone impartial with judicial authority should examine the seven remaining accusations against Ted Heath, but no one is willing to initiate such an inquiry. The police and crime commissioner for Swindon and Wiltshire, Angus Macpherson, has repeatedly said that he too accepts that there should be such an inquiry, but he has consistently refused to fund it. In 2017, he wrote to IICSA asking it to take on responsibility for establishing whether there was any substance to the accusations. I must confess I found this a shameful abrogation of responsibility and felt confident that, when it came, the answer from IICSA would be pretty dusty, and so it proved. Quite rightly and properly, IICSA has declined Mr Macpherson's request to undertake a line of investigation for which it would lack statutory authority. The Inquiries Act 2005 does not empower an inquiry such as IICSA to commission a review of accusations by a retired judge. It is also not for such an inquiry to establish the likely innocence or guilt of any individual.

So who will commission a suitable inquiry? That question remains hanging and the reputation of a former Prime Minister unjustifiably continues to carry the faintest of taints. Do I need to say more? I know that the Minister has already had a taste of the strength of feeling in this House on all sides, so perhaps I should just move on for now.

That brings me to the question that inspired this debate: the so-called Janner strand of IICSA. Here I must declare an interest, not in the formal, parliamentary sense, but as an individual. I knew Greville Janner well. I do not believe for one moment that he was guilty of offences against children. I shall never forget the day when I finally left the Cabinet in 1995 to return to my law firm as senior partner and found Greville Janner waiting for me. He said, "David, you were chair of the parliamentary committee against anti-Semitism and racism. It's time for you to return to that role". I worked closely with him for many years, particularly with the Holocaust Educational Trust. I now have the great honour of being the HET's vice-president.

Far more important than the opinion of one individual, so far as Greville Janner is concerned, is the fact that the law of the land declares him innocent. The accusations against him have been thoroughly investigated several times and found to be without foundation. Civil cases against him and his estate, with a far lower bar of proof than criminal cases, have also completely collapsed. Yet he is now principally commemorated not for his tireless work on behalf of Holocaust victims, nor for his long and distinguished political career, but as a strand of IICSA.

Implicitly, even explicitly, by naming a strand after Greville Janner, as well as giving privileged platforms to those who make wild, unsubstantiated claims about him, IICSA, in advance of its own hearings, has publicly proclaimed his guilt. In doing so, it has surely breached its own guiding principle. It is simply ludicrous to equate one man, against whom nothing has been proven, with major state and non-state institutions. Without the benefit of trial, IICSA has trashed the good name of Greville Janner. The noble Lord, Lord

[LORD HUNT OF WIRRAL]

Campbell-Savours, has set out a persuasive—some would say overwhelming—case for the defence. Why has this case fallen on deaf ears with IICSA?

Unfortunately, it is inevitable that all such inquiries with open-ended budgets, wide remits and sensitivity to public scrutiny and criticism are vulnerable to “mission creep”. The so-called Janner strand suggests that IICSA may already have succumbed.

Numerous institutions in this country have failed to protect vulnerable children from the vile attentions of sexual predators. That is to our shame as a nation, and we must do everything we can both to help genuine victims to heal and to prevent further such abuse.

IICSA certainly has a job to do. However, that job does not require it, enable it or empower it to make definitive judgments on the innocence or guilt of individuals. That is a matter for the courts. Rightly, IICSA has absolved itself of any responsibility for considering the credibility of the seven accusations against Sir Edward Heath. Why, then, does it treat Greville Janner differently? That must be the question on which I hope my noble friend the Minister will give us an answer. Why may his name be sullied in this arbitrary fashion? This is not just about the good names of two men, both notable public servants; it is also about the very nature of our nation and our society.

The principle of someone being innocent until proven guilty is the foundation stone of the rule of law, all our freedoms and surely our very way of life. That principle is every bit as important for the dead as it is for the living. While retaining their cherished operational independence, police forces and independent inquiries such as IICSA must be ever mindful of that fact or no one’s reputation will ever be safe again.

In matters of justice, the buck ultimately stops here with us. I hope my noble friend the Minister can provide some reassurance that, even in death, Sir Edward Heath, Greville Janner and others who have been subject to unproven accusations are entitled to justice and untainted reputations.

3.42 pm

The Lord Bishop of Chichester: My Lords, I am grateful for the clarity with which the noble Lord, Lord Hunt, has spoken and am glad to follow him in this debate. I can speak today with direct experience of the work of IICSA and its handling of evidence. In March this year, the inquiry held public hearings over 14 days in its case study of the Chichester diocese, in which I gave written and oral evidence. As part of that case study, the inquiry has also heard evidence from survivors of sexual abuse. I begin today by asking the House to keep in mind the courage, and personal cost, with which survivors have been willing to share their testimony.

The inquiry has had from the start, and continues to have, the unequivocal support of the institutions of the Church of England. The most reverend Primate the Archbishop of Canterbury called for and has publicly welcomed the inquiry. The Archbishops’ Council continues to support it and has given a commitment to co-operate fully with its work.

The Church and we as a diocese are shamed and profoundly sorry for the abuse that has been perpetrated in our midst; for our grave failings in preventing and responding to incidents of abuse; and for our past shortcomings in providing care and support to survivors. My heartfelt apologies are already on record. But words of apology in this context can have substance and credibility only if we are seen to face up to our failures and deliver a real shift in safeguarding practice and culture.

It is right that the grave and costly failings of the Church and of other institutions should be investigated independently. It is right that survivors of abuse are listened to with respect and afforded dignity, which is happening not just through public hearings but through the important work of the Truth Project commissioned by IICSA. It is right also that institutions and their processes which have failed vulnerable people co-operate energetically and with humility in assisting the inquiry.

As someone who has appeared before a public hearing of the inquiry, in giving evidence I found its approach to be robust, challenging and extremely well informed. I was left with a strong impression that the inquiry’s staff, counsel and panel members were approaching their difficult task with considerable skill and care.

As a diocese and in the wider Church of England, we see our engagement with the inquiry as an expression of a more general willingness to be accountable to external bodies for how we keep children and vulnerable adults safe.

Lord Campbell-Savours: Was the evidence given in a public session?

The Lord Bishop of Chichester: It was given in a public session; it was streamed live, and a transcript was made. Both the transcript and the stream are available on the IICSA website.

Lord Winston (Lab): Was it cross-examined?

The Lord Bishop of Chichester: It was an inquiry and not a judicial court. There was, as I have described, robust examination, but there was never what I would call cross-examination which led to intimidation. I was asked clearly and cogently about my knowledge and understanding of the safeguarding procedures. I would not say that I was cross-examined. They wanted the information and knowledge that I had; they did not want to cross-examine me.

Lord Campbell-Savours: The right reverend Prelate referred to survivors. Were they not cross-examined as well?

The Lord Bishop of Chichester: I was not present for the oral statements given by survivors, but survivors were also able to do that and were called to give evidence as well.

In Chichester, our safeguarding practice benefits significantly from the full engagement at a senior level by the police, the probation service and adult and children’s social services through our diocesan safeguarding advisory panel. Similar involvement from the statutory agencies is ensured nationally by the

work of the Church's national safeguarding panel, with its newly appointed independent chair, Meg Munn. The inquiry itself must, of course, also be open and accountable—above all to survivors of child sexual abuse and those representing them. Everyone recognises the considerable challenges posed by the scale of the inquiry, which is surely a reflection of the pervasiveness of our failures, as a society and as institutions, to safeguard the most vulnerable. My own experience is that the inquiry is meeting those challenges through an approach that is thorough and well and clearly focused.

The inquiry's case study into the diocese of Chichester is yet to report. We are ready to listen carefully to its recommendations, particularly to anything more that might be done better to protect children and vulnerable people from the risk of abuse. Whatever its recommendations, it is my hope that the inquiry will ensure that institutions are and continue to be held to account for their failings, and that it will do all this in a way that sustains the support and confidence of those survivors whose lives have been so gravely and shamefully affected by our failings to protect them in the past.

3.48 pm

Lord Lexden (Con): My Lords, one of the great merits of this most welcome debate, for which we are indebted to the noble Lord, Lord Campbell-Savours, is that it helps to focus attention again on a serious issue with which, like the noble Lord and other participants in this debate, I have been much preoccupied in the last few years. It is one that the Independent Inquiry into Child Sexual Abuse will need to bear carefully in mind as it goes about its work, for reasons that we have already heard. The issue is well-known: it is the failure of the Church as well as of the state to accord, at all times and in all places, full and equal respect to the legal rights of both the alleged abuser and the complainant in cases of child sex abuse.

The House considered the injustices that can arise in a debate that I initiated in June two years ago. The cause of this deeply troubling state of affairs is equally well-known: it arises from the view, so widely held in recent years among the police and in the Church of England too, that the complainant should not only be heard seriously and respectfully but should almost always be believed. Because, for so many years, complainants were brushed aside or disbelieved, the police and the Church, among others, have rushed to the other extreme and given almost automatic credence to complainants at the expense of alleged abusers.

As a result, as my noble friend Lord Hunt of Wirral said, the cardinal legal principle, so long established in our country as one of the bedrocks of our liberties—that those against whom crimes are alleged must be regarded as innocent until proved guilty—has been compromised, sometimes perilously so. Grave injustice has been done to many people: some prominent in our public affairs; others suffering outside the glare of publicity; others still who are dead, their reputations horribly sullied by allegations that they cannot themselves rebut.

The Government frequently emphasise the operational independence of the police, sometimes almost giving the impression that they think it has become almost a

separate estate of the realm—a result, in part, of the arrival of those newcomers, the police and crime commissioners, whose performance varies so widely across the country and for whom hardly any elector wishes to vote.

We surely must ensure that the police are called effectively to account when operations have been concluded and there is serious reason to believe that injustice may have been done to those who have been investigated. Often, large sums of public money are spent on these operations. Failure by any crime commissioner to make provision for proper review of completed operations in these early days of the new system should lead to intervention by the Government; otherwise, public confidence in the police will be seriously eroded, and many police and crime commissioners will come to feel they have no need to bestir themselves to arrange for serious criticisms of completed operations to be properly investigated.

I hope that the Government will make it clear from the Front Bench at the end of this debate that those who weighted the scales against alleged abusers were wholly wrong. In this connection, they must keep a watchful eye on the work of the Independent Inquiry into Child Sexual Abuse, for reasons set out so powerfully by previous speakers. While the independent inquiry pursues its investigations, the Government should give every support to those who deserve redress because they were unfairly treated in cases of child sex abuse. Sadly, on this point, the state has not so far distinguished itself in some notable instances where redress is imperative.

I salute the noble Lord, Lord Campbell-Savours, for the determination and tenacity with which he has sought to correct injustices done to those who cannot act for themselves because they are no longer alive. He has spoken movingly about the unsatisfactory manner in which the independent inquiry has approached the investigation of allegations against the late Lord Janner.

The noble Lord, my noble friend Lord Hunt of Wirral and I also share a common conviction that a great wrong has been done to Sir Edward Heath, a man I did not know but in whose work I take a great interest as a political historian. If he is to be seen accurately by posterity, the seven allegations of child sex abuse against him, left open at the end of the much-criticised Operation Conifer, must be cleared up, as my noble friend Lord Hunt has emphasised. This is no less than our duty to a Conservative statesman in this generation, when the facts can be readily established, as it is unlikely to be possible hereafter. It is simply wrong to let his reputation remain gravely tarnished by doing nothing.

Last week, with the support of the noble Lord, Lord Campbell-Savours, and others in all parts of the House, I set out in detail why an independent inquiry must be held. Shamefully, the Government have brushed aside the unanimous view of this House. The matter cannot rest there. I have now tabled a further Motion for debate that,

“this House resolves that an independent inquiry should be established by Her Majesty's Government to review the seven allegations against Sir Edward Heath left unresolved at the end of Operation Conifer”.

[LORD LEXDEN]

This is the strongest form of words that the rules of this House provide in circumstances where the Government have failed to do their duty.

The injustice that has been inflicted posthumously on a Conservative statesman should come within the remit of the independent inquiry, as the inquiry itself has recognised and my noble friend Lord Hunt has explained. Yet, perversely, the Conservative police and crime commissioner for Wiltshire keeps on saying that the inquiry should investigate, despite its clear refusal. It is a measure of this man's extraordinary irresponsibility. He could set up an inquiry himself but keeps on passing the buck. Since he will not act, the Government obviously should, and yet they constantly refuse.

The Government now maintain that they have provided a full and sufficient explanation for their refusal to establish an inquiry in a letter dated 10 October and written by the current Home Secretary to the noble Lord, Lord Armstrong of Ilminster, who I see in his place, a copy of which has been placed in the Library of the House. The Government have made much of this letter. It is wholly definitive, in their view, leaving nothing further to be said, according to views expressed in this House last week and earlier this week. At six paragraphs, this communication is certainly more than a note but is not much of a letter.

The key section is as follows:

"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".

"Not clear", says the Home Secretary. That seems absurd. A review of the seven unsubstantiated allegations by a retired judge or other leading lawyer, who would probe and scrutinise every aspect of them, would establish whether or not all, or some, or even one of them carried serious credibility.

The Home Secretary has not provided any adequate justification for his inaction. He should write another letter, much longer and fuller this time, for which I asked in our debate in the House last week on the injustice done to Sir Edward. I hope that I shall hear from the Front Bench this evening that such a letter is in preparation and that all who took part in last week's debate will shortly receive it.

Where, above all in our land, should we expect to find unwavering support for natural justice? What are the last places where a rush to pass judgment on an alleged but unproven sex abuser might be anticipated? Surely the answer is the Christian churches and our established Church, represented here in this House, in particular. But a terrible wrong done to arguably the greatest of all Anglican bishops of the last century has damaged confidence in the Church's rectitude.

In October three years ago, completely out of the blue, the Church of England's national press office announced that compensation had been paid to a woman who said that she had been sexually abused as a child by George Bell, Bishop of Chichester, who died 60 years ago and was revered in this country and far beyond it for the depth of his learning, the strength of

his support for both suffering Christians and Jews in Nazi Germany and for his remorseless opposition to the carpet-bombing of German cities during the war, a stand that is often said to have cost him the archbishopric of Canterbury. The Church's judgment on Bishop Bell three years ago was a terrible wrong to this colossal figure in the history of Christianity, because the single, uncorroborated allegation against him had not been properly investigated by the secret group within the Church who passed judgment on him. Key living witnesses were neither sought, found nor interviewed. His extensive collection of private papers at Lambeth Palace was only cursorily examined.

These shortcomings, and more besides, emerged in the independent review of the case carried out by the noble Lord, Lord Carlile of Berriew, and published exactly one year ago. His report was scathing about the procedures that had been used. The noble Lord found that the Church had,

"failed to follow a process that was fair and equitable to both sides".

He described the manner in which the Church had conducted its investigation as "inappropriate and impermissible", and called the financial payment "indefensibly wrong". No one in the course of the process spoke on behalf of this most distinguished and long-dead bishop, yet the Church saw no need to express penitence or regret for the great wrong that had been done to Bishop Bell, a wrong which the noble Lord's report illustrated so fully.

The Church chose to regard it purely as a question of its own processes. Even when those processes had been shot to pieces, the Archbishop of Canterbury himself continued to maintain the conclusions which the processes had drawn, quite regardless, pronouncing that a "significant cloud" still hung over the reputation of George Bell. That cloud was entirely the work of the Church itself, and many critics were not slow to observe that its authorities had a vested interest in maintaining it in the air, regardless of the fact that there was no longer anything to support it. A little over a month after the noble Lord, Lord Carlile, published his report, the Church embarked on another secret inquiry after one further allegation appeared. Nearly a year on, that second inquiry has yet to be completed.

Bishop Bell has been much in my mind over the last few years and in the mind of many others, too: distinguished clergymen in this country and other European nations, historians and lawyers, powerful commentators in the press, along with so many other people up and down the land who have been grievously distressed by the conduct of their Church. I had hoped that the right reverend Prelate the Bishop of Chichester might, in the course of his remarks, at least have made it clear that this second inquiry will be brought to a swift conclusion and that a report will be published as soon as possible. As it is, I urge all those who have not done so to look at the report of the noble Lord, Lord Carlile. I hope that we will, sooner rather than later, have from the Church a proper, firm pronouncement removing the stain placed on Bishop Bell, whose reputation it should never have compromised in the first place.

I regret to say that the Independent Inquiry into Child Sexual Abuse has not been a great help in securing justice for Bishop Bell. Having decided, quite rightly, that it would not conduct an investigation itself since the noble Lord, Lord Carlile, had already done so, it proceeded in March to give a platform to the Chichester diocesan safeguarding adviser, a member of the team that failed to investigate the first allegation properly, so that he could justify himself at length and snipe at a number of comments made by the noble Lord, Lord Carlile.

Could there be a more flagrant denial of the presumption of innocence than in the case of Bishop Bell? The independent inquiry should take note. It is examining some truly shocking cases of child sex abuse, but it must take great care to respect the rights of those who are accused and avoid serious mistakes of the kind that have been made in both state and Church when justice and fairness were overridden because the complainants were assumed to be telling the truth.

4.06 pm

Lord Finkelstein (Con): My Lords—

The Lord Bishop of Chichester: I thank the noble Lord, Lord Lexden, for his speech. Does he agree with me that it would be inappropriate to comment on the ongoing investigation into matters surrounding Bishop George Bell while we do not know the date on which that investigation is going to report?

Lord Finkelstein: The right reverend Prelate is intervening on me, so my noble friend Lord Lexden cannot reply.

I shall start with the words that noble Lords most dread—“It is not my intention today to make a long speech”. I intend only a short intervention to express concerns about the proposed treatment of Lord Janner by the child abuse inquiry and to associate myself in that regard with the comments made by the noble Lord, Lord Campbell-Savours.

My opening observation is that what we have learned in the past few years about the prevalence of child abuse is deeply shocking. We have learned that all sorts of institutions covered up the behaviour in order to avoid embarrassment, and that was shameful. I have always thought that it was highly unlikely that the behaviour—both the abuse and the cover-up—that was so prevalent in society would be absent from political institutions, so I vigorously support an independent inquiry. I also note that, as Parliament is one of the institutions being inquired into, the inquiry will wish to maintain a robust attitude to our criticisms and to insist that it is better placed to make judgments than people in this House.

I knew Lord Janner, I know and love his family, and I accept that this means that I do not have the independence that the inquiry claims for itself. Yet, while accepting that, I hope that the inquiry will prove able and willing to listen to legitimate concerns, politely put. My concern is that the decision to hold a separate strand on Lord Janner—the one strand on a person—is very odd indeed. The inquiry suggests that it will not relitigate criminal or civil proceedings and that it has

no power to determine criminal or civil liability. Does this mean that allegations will be aired as if they were true, without subjecting them to question? The inquiry insists that it has made no assumption of guilt, but let us not be naive. The danger of a separate strand is obvious; we can all see it. I can certainly see it—I am a newspaper journalist, after all.

If the inquiry simply airs allegations without cross-examination it will give the impression of guilt. It will put on the record charges without proper regard to whether they are true—and I cannot think that is fair or right. Of course Lord Janner must not be treated better than other people, but we are discussing the fact that he is being treated worse than other people. I completely appreciate the importance of the rights of victims, and the right of victims to be heard, but the inquiry has to make sure not just that it is listening to victims—and in some cases it may not be—but that it is listening to victims of Lord Janner, and it cannot know that unless it inquires into facts that it says it will not inquire into and is obviously taking as read. This cannot be done casually or lazily. Nor can it be done, as I fear it is, by assumption. So I hope that the inquiry will be able to reassure those of us who worry about this.

I have a third point to make before I sit down. The inquiry must take care not to think that, as Lord Janner is dead, it matters less what is said about him. He has a family; they loved him and his reputation matters to them. He belonged to a community who much admired him, and his reputation matters to his community. He was a parliamentarian and he thrived here, and his reputation matters to Parliament—and it matters to me, too. So it matters what the inquiry says.

It is important to emphasise that the inquiry must tell the truth. It must do so bravely, without favour and independently of people like me and my judgment. But you know what? It must do it fairly, too.

4.10 pm

Lord Winston (Lab): My Lords, I am very grateful for permission to speak briefly in the gap. I have just come back from an overseas trip, which is why my name was not on the list. I am speaking simply because I felt that in a debate such as this it was very unlikely that somebody would speak any science, so I am intending to do that for a couple of minutes.

Some years ago we photoshopped pictures of married adults who had young children aged six into a hot air balloon. We showed them the photographs and tried to reinforce the idea that they remembered being in this balloon when they themselves were six. We had gathered pictures of them as six-year olds from the grandparents of the children whom we were studying at the time. To a man and a woman, each person who saw the photoshopped image of themselves aged six in a hot air balloon denied that they had been in one. But by the following day a number of them—quite a large proportion—remembered being in a hot air balloon. We had manipulated their memory. Moreover, those who were of a neurotic disposition tended to remember thinking that they might fall out of the balloon or hit the ground with a bump, and those who were in fact rather optimistic people on the general OCEAN scoring,

[LORD WINSTON]

which is a standard psychometric test, were happy to see the birds and the sheep in the fields and thought how lovely it was to be floating with a gas burner holding them up in the hot air balloon. This was an entirely created memory.

When we look through the scientific records, which are not particularly good, we can see that recreated memory and long-term memory is a very controversial area. Several people have looked at this. For example, one expert in Calgary in Canada points out that, while the issue of long-term memory is highly controversial in many cases, memory is open to two particular issues, one of which is contamination. It is very easy to contaminate somebody's memory, perhaps if it involves a topical issue or a famous person, or if they have a carer or well-wisher who feels that they have been badly treated and tries to reassure them that there will be justice for them and to encourage them.

That is one of the reasons why, with respect, I take slight issue with what the right reverend Prelate the Bishop of Chichester said. He talked about the courage of these individuals in coming forward. Of course they have courage, but the very fact that they are told that they have courage could actually encourage them in a memory that is in fact not substantiated. I am not for a moment suggesting that people are lying; that is not my point. The point is that I know this from my own experience at school. I was convinced that one master had ill-treated me, but when I went back to my school recently to look at the reports I found that he had already left the school by the time when I thought he had ill-treated me—and that is an easy mistake to make. By the way, I do not think that I am a depressed person or somebody who is particularly neurotic, but it is interesting that that memory stuck with me. If I were thinking about writing a memoir, I obviously would not want to write about that now, given that I have absolutely no evidence for it.

This is something that we need to consider, because in our efforts to do right we might do great harm and do wrong. Not having cross-examination, where you can look at the evidence properly, is a major flaw, and that is something that we have to understand when we take evidence in these situations.

4.14 pm

Lord Faulks (Con): My Lords, I, too, am very grateful for the opportunity to speak in the gap in this debate. I wanted to take part in the debate, but felt some inhibition about doing so for two reasons. First, I was briefly instructed on behalf of the estate of the late Greville Janner in a civil claim—all the claims have now been withdrawn. Secondly, I gave a statement and evidence to IICSA. However, having heard the right reverend Prelate, who is in a similar provision, give his account to your Lordships' House, it seemed only appropriate that I should at least briefly, without in any way compromising or suggesting any lack of independence on the part of the inquiry, give a perhaps slightly different version of what took place.

My involvement in the inquiry came about because, 20 years ago, I was counsel instructed by the insurance company in the north Wales abuse cases and, as such,

was instructed to cross-examine a number of claimants who were giving accounts of allegations and seeking damages for something that had happened 20 years before that. I gave a statement about my involvement, in so far as I could remember it. I was then subjected to some hostile cross-examination by counsel for the inquiry on the basis that my cross-examination had been too hostile and might well have upset the claimants seeking damages. I was even asked by one of those sitting with the chair whether I was aware of vulnerable witness training. I am. First, it did not apply 20 years ago and, secondly, it has never applied to civil claims for damages. So I was a little concerned by the inquiry's approach. I remain hopeful that the inquiry will achieve a potentially extremely important task and that something will emerge from it, but my experience causes me a little anxiety, and I felt that in those circumstances, I should bring that to the House's attention.

4.16 pm

Lord Paddick (LD): My Lords, I am grateful to the noble Lord, Lord Campbell-Savours for securing this debate. Its timing is to be regretted, as it has not allowed as many noble Lords to participate as would have liked to.

I do not intend to talk about the individual cases of Lord Janner, Sir Edward Heath or even Bishop Bell, but that is not to minimise the strength of feeling that we have heard this afternoon or the impact that they have had on all those touched by them. As we have heard today, there are very strong views on the subject, particularly among those close to people against whom allegations of a sexual nature have been made, especially where those people are deceased and unable to defend themselves. The same difficulty applies to those who might be mentally incapable of defending themselves in a court of law.

The Minister will be delighted to hear me mention pre-charge anonymity. Her research on the subject will now bear fruit. Noble Lords will know that I have an outstanding—by which I refer to the fact that it has not yet received a Second Reading, rather than the calibre of the legislation—Private Member's Bill on the subject of pre-charge anonymity. It was drafted by the Member of Parliament for Broxtowe, Anna Soubry, but I had more luck in the ballot than she did in the other place. The Bill is intended to prevent the media reporting the identity of someone accused of but not charged with a criminal offence.

In the course of preparing for the debate, I have worked closely with the widow of Lord Brittan, Cliff Richard and Paul Gambaccini on the issue, although Diana Brittan's case is perhaps the most relevant to the concerns expressed in your Lordships' House in recent years. I mention my involvement in those matters by way of declaring an interest in the issue. I have seen close up the devastating impact on those wrongly accused and their families. I therefore want to concentrate on this most difficult area of allegations made against those unable to defend themselves or incapable of doing so.

Some speeches in your Lordships' House have a profound impact and remain in one's memory because they are made by someone with an outstanding reputation

and unparalleled experience. Such a speech was made on 20 June 2016 in the debate instigated by the noble Lord, Lord Lexden, which he referred to, on whether there should be statutory guidelines relating to the investigation of child sex abuse. I hope the noble Lord will forgive me for not quoting him on this occasion.

Beginning at col. 1684, the noble and learned Baroness, Lady Butler-Sloss, addressed how to deal with allegations made against those who have died, some of them many years ago. She suggested that a distinction should be made between the management of allegations against a living person and those against one who is deceased. She went on to say, as other noble Lords have said this afternoon, that there is a firm commitment in English criminal law to the principle that a person is innocent until proven guilty in a criminal court. Of course someone such as Jimmy Savile, in whose case the weight of evidence was overwhelming, was never brought before a court, cannot be brought before a court, and is therefore technically not guilty according to the law. The noble and learned Baroness went on to refer to a judgment appealed to the House of Lords from the Court of Appeal, quoting the noble and learned Lord, Lord Nicholls, who said:

“The more improbable the event, the stronger must be the evidence that it did occur before, on the balance of probability, its occurrence will be established”.

The important lesson of Savile, however, is that an event should not necessarily be judged improbable because of the public reputation of the individual. I emphasise that I am not referring to anything that the noble Lord, Lord Campbell-Savours, said today about Greville Janner, the remarks of the noble Lords, Lord Hunt of Wirral and Lord Lexden, about Edward Heath, or the comments of the noble Lord, Lord Hunt, about Bishop George Bell.

The noble and learned Baroness, Lady Butler-Sloss, believed that in general, with a few people, or particularly with only one person, making the allegation, however convincing, the authority or organisation dealing with the allegation has a duty to recognise that it may well be able to get the story only from one side. She suggested that a policy or formula was needed to make it clear that it should listen to and recognise the seriousness of the allegations, and give appropriate support to the person making them, but should generally—perhaps always—resist the temptation to say that the account is convincing and to be believed.

I strongly agree with the noble and learned Baroness. The investigating authority, whether an independent inquiry or the police, should always listen to and recognise the seriousness of the allegations and give appropriate support to the person making them. They should be treated as if the allegations are true and they have suffered in the way they describe, but in cases where there are only a few complainants, or only one, and the investigating authority can hear only from one side, even on the balance of probabilities the investigating authority should resist going as far as implying that the accused is guilty. As the noble and learned Baroness went on to say, that is not to say that this did not mean that, on the balance of probabilities, the survivor should not be compensated on the basis of the civil burden of proof, rather than the criminal burden of

proof that someone is guilty, which, as we all know, is beyond reasonable doubt. I emphasise that I am talking about cases where only one side can be heard.

Survivors of child sexual exploitation need to be heard. The “truth project” element of the independent inquiry is an important part of it. Hearing their accounts is a powerful way of driving the cultural changes we need: how they were not listened to, how their allegations were dismissed out of hand, and how, in many cases, they turned out to be true. The inquiry should hear also, and is committed to hearing, from those falsely accused of child sexual exploitation and about the impact that it had on them.

The research project, which researches records and news reports, is also an important part of the inquiry. At the same time, as my own party has found, going back 65 years to a time when evidence was not collated as it should be today—when notes were made on pieces of paper, kept in different parts of an organisation and not properly archived—may say more about how badly organisations dealt with such issues then, rather than unearthing the truth about what happened. As a party, we are providing every assistance we can to the inquiry.

The public hearings project, where witnesses can be compelled to give evidence and are cross-examined, should be focused on institutional failings and how to ensure that these do not happen in the future, although individual cases will have to be examined to identify what those failings have been. This is a very difficult area—for survivors, for those accused, and for the institutions and authorities charged with establishing the truth. I believe that the Independent Inquiry into Child Sexual Abuse is acutely aware of these difficulties, but those involved would do well to listen to the words of the noble and learned Baroness, Lady Butler-Sloss.

4.26 pm

Baroness Chakrabarti (Lab): My Lords, this is a sad and delicate subject for our last substantive debate before Christmas, but the fact that it has been such a non-partisan and thoughtful debate makes it important and appropriate none the less. It also gives me a belated opportunity to welcome the Minister, the noble Baroness, Lady Barran, to her role; she has already, very quickly, discharged it with enormous distinction and thought. I look forward to hearing her remarks on this difficult subject in a moment. This is also an opportunity for me to thank my noble friend Lord Campbell-Savours for a lifetime of commitment to principles of natural justice and other human rights principles.

It is especially difficult to discuss these matters in the context of people who we have known, loved and respected. I must, for the second time today, thank the right reverend Prelate for the way in which he has handled these difficult matters, not least—if I may say it—when two of my formidable noble friends almost began a cross-examination; he showed enormous talent and fortitude.

Human rights are indivisible and, in this context, that means due process, fair trial and fair hearing rights, as well as vital human rights for the vulnerable to be protected from abuse—and who could be more

[BARONESS CHAKRABARTI]

vulnerable than children? This must be said, so that no one outside your Lordships' House thinks for a moment that your Lordships' House is trying to discourage victims of abuse from coming forward. I am sure that goes without saying here, but I want to say it in your Lordships' name. Unfortunately, that will sometimes mean coming forward a long time after the event because of the nature of childhood and so on.

All of us want of course to build a society where the presumption of innocence is real, and where it is easier for victims of all kinds of abuse to come forward in the moment through proper, open and accessible procedures, and not years later in the media. Yet we still live in a society where the presumption of innocence is not real in ordinary life, where slurs and quick, harsh judgments are made—dare I say it—in political life and in the media, where we hear “there is no smoke without fire” et cetera. This makes it very hard to make the presumption of innocence a real norm in our daily lives. It is still too difficult for victims to come forward, children especially. We must remember that when people oppose sex education and more horizontal power structures, whether in education or any other part of public life.

We must do better in the future. In the meantime, and perhaps for ever, we will be dealing with very difficult balances of rights. Most noble Lords recognised that in their contributions. The noble Lord, Lord Paddick, cited with great admiration, and humility on his own part, the wise words of others but his own speech was one that I shall remember for some time. Before he entered your Lordships' House, his contribution to fair-minded policing was enormous. We are dealing with difficult balances of rights. We must always remember that a miscarriage of justice creates an extra victim when, by accident or design, it is perpetrated.

People in public life can be more powerful than other people and have more access to power but they are also ripe targets for false accusations. That creates another enormous tension here. Members of minority communities, as was pointed out a number of times, are particularly vulnerable to slurs, especially in relation to sex offending. Rightly and understandably, sex offending is taken very seriously as one of the most terrible types of offending in our society. The noble Lord, Lord Paddick, was right to point out the importance of the conventional and normal practice of anonymity pre-charge that has been departed from of late, with very unfortunate results. I look forward to reading the Bill from the noble Lord, Lord Paddick, in due course.

Noble Lords, particularly the noble Lords, Lord Campbell-Savours and Lord Hunt, pointed out that when allegations are against the dead—who, of course, can no longer speak for themselves—it is sometimes unfair when slurs are swirling around unchecked not to conduct an inquiry to provide the possibility of vindication. Equally, it can be unfair to conduct an inquiry if it is somehow special, different, and the evidence is not handled with enormous care.

Lord Faulks: I am very grateful to the noble Baroness to allow me briefly to intervene. One of the problems is that dead people cannot sue for defamation. That may be an omission but it is an important one.

Baroness Chakrabarti: Perhaps I may come to that in a moment. I will try to make progress on account of the time. It can be an injustice one way or another and I hope that those charged with this inquiry, which we have all welcomed, will take on board comments noble Lords have made today when they come to read *Hansard*.

It has been a long-held principle of the common law that the dead cannot be defamed. As a human rights analysis it must be right, as the noble Lord, Lord Finkelstein, did, to take on board the interests of loved ones and legacies to public service that can be damaged if these decisions are made lightly or improperly. I can do no better than to end with the words of another fine journalist, if only to recognise the contribution of the noble Lord, Lord Finkelstein. These are the words of Edward Murrow, the great American journalist. He said:

“We must not confuse dissent with disloyalty. We must remember always that accusation is not proof, and that conviction depends upon evidence and due process of law ... we will not be driven by fear into an age of unreason. If we dig deep into our history and our doctrine, we will remember we are not descended from fearful men”—

or women, by the way—

“not from men who feared to write, to speak, to associate, and to defend causes that were, for the moment, unpopular”.

Happy Christmas, my Lords.

4.35 pm

Baroness Barran (Con): Before I respond to noble Lords' excellent and moving speeches, in the interests of transparency I would like the House to note that in the past I met, in her capacity as an inspector at HMIC, one of the panel members of the IICSA before she joined the panel. In the past I have also met professionally two of the members of the Victims and Survivors' Consultative Panel. On a personal level, many members of my husband's family and one of our children went to Downside School, which has obviously been subject to one of the strands of the inquiry.

I start by thanking all noble Lords for their contributions. I will do my best to address the points that they have articulated so passionately throughout the debate but, before doing so, I hope they will find it helpful if I recap on the scope, role and progress of the inquiry and then focus in more detail on the subject of the noble Lord's Motion.

Some serious questions were raised by a number of noble Lords about the approach of the inquiry, including suggestions that there was a presumption of guilt and the need for cross-examination. I remind your Lordships that the primary purpose of the inquiry is to establish the facts, and therefore it should be inquisitorial rather than adversarial in nature. I understand that that is in line with the findings of the 2014 House of Lords Select Committee's post-legislative scrutiny of the Inquiries Act 2005, which concluded that,

“an inquisitorial procedure for inquiries is greatly to be preferred to an adversarial procedure”.

It concluded that the Inquiries Act 2005 provides the right procedural framework for an inquiry to be conducted,

“efficiently, effectively and above all fairly”.

Lord Winston: I should be grateful if the noble Baroness would give way. I am not a lawyer, so I ask this in genuine innocence. I am not sure that the terms “inquisitorial” and “adversarial” are always in the best interests of justice in cases such as these. I am sure that it is possible to cross-examine somebody without necessarily being adversarial, trying instead to tease out what works and what seems to be the most likely truthful path. I do not suggest for a moment that one wants to humiliate somebody who claims to have been abused. I hope that we can try to seek the truth, using our intuitive judgment rather more successfully than we might by simply listening to an account which is not properly contested. That is a very real issue in cases such as these because many people feel that they have been very badly damaged, although the probability is that in many cases they have not been.

Baroness Barran: That makes two of us, as I am not a lawyer either. I hear the noble Lord’s concerns, but I think the approach of inquiries, as set down in the Inquiries Act 2005, has been reviewed and endorsed by your Lordships’ House. The Government do not see a need to make special provision for how inquiries into specific matters, such as child sexual abuse, are carried out.

Lord Campbell-Savours: Does the Minister think it is fair that uncontested evidence should be given in the public domain and go out in the national media?

Baroness Barran: I do not think my personal view on this is relevant. I understand the inquiry is being carried out strictly in accordance with the legislation that allows that to happen.

The Independent Inquiry into Child Sexual Abuse, as your Lordships know, was set up by the Government in March 2015 to consider the extent to which state and non-state institutions have failed in their duty to protect children from sexual abuse and exploitation, and to make recommendations to protect children from such abuse in future. As a statutory inquiry, it is underpinned by the Inquiries Act 2005 and has been given the powers it needs to expose the ways in which institutions failed in their duties to provide safe spaces for children and to get to the truth. As many noble Lords have noted, shining a light on these wrongdoings is of paramount importance, matched by the need to ensure that these failings are addressed and mitigated so that children are better safeguarded in future.

Noble Lords well know that the inquiry is independent of the Government, and rightly so. This inquiry is about people who suffered sexual abuse and exploitation as children because of the failure of state and non-state institutions and who for years have never found justice—people who believe that the state failed to listen to them in the past. That is why it is absolutely crucial that this inquiry is, and is seen to be, completely independent.

Under the Inquiries Act, the then Home Secretary agreed the terms of reference that set out the roles and responsibilities of the inquiry, and it is for the chair and panel to decide what the inquiry investigates and how. It is therefore not appropriate for me to use this

debate to comment on the investigations of the inquiry, or to be seen to influence how the inquiry has interpreted its terms of reference. However, I can use this opportunity to remind noble Lords of the progress that the inquiry, chaired by Professor Alexis Jay, has been making in getting to the truth for victims and survivors.

The inquiry has confirmed 13 strands of investigation and has set out a timetable of public hearings that takes it up to February 2020. It has rolled out its Truth Project, providing victims and survivors with the opportunity to tell the inquiry what has happened to them. The inquiry has said that almost 2,000 accounts of child sexual abuse have been shared with its Truth Project so far. Over 200 individual victims and survivors are complainant core participants in the inquiry, as well as a number of other survivor groups and institutions.

In April 2018, the inquiry published an interim report in which it confirmed that it expected to make substantial progress by 2020. The inquiry also made a series of wide-ranging recommendations for change. Yesterday, after careful consideration, the Government published their response to the interim report. I am pleased to say we will take forward the great majority of the inquiry’s recommendations, and I am particularly pleased to note that the Government will establish a scheme to ensure that former child migrants receive a payment as soon as possible in recognition of the fundamentally flawed nature of the historic child migration policy.

The noble Lord, Lord Campbell-Savours, raised concerns about whether it is too easy for those alleging abuse to receive compensation from the Criminal Injuries Compensation Scheme. The inquiry is looking at the issue of compensation in some detail—although I fear the noble Lord may not be entirely pleased. The interim report rather highlighted barriers faced by victims and survivors when applying for compensation, including concern that some eligibility criteria have an unfair impact on them. For example, the inquiry reports that those with unspent criminal convictions are excluded from claiming compensation from the scheme in most cases, yet inquiry research also shows that some victims and survivors may commit criminal offences that can be directly attributed to the abuse they suffered, perhaps because it was encouraged by a grooming abuser—I am thinking particularly of the cases of the girls in Rotherham, with which the noble Lord is familiar. The Government have announced a review to consider whether the Criminal Injuries Compensation Scheme remains fit for purpose, and will consult publicly in 2019. I understand that in the past there have been instances where there has been abuse of the scheme.

This inquiry and the progress made would not have been possible without the strength of those victims and survivors who have been affected by child sexual abuse, and have come forward to give evidence, as noted by the right reverend Prelate the Bishop of Chichester and the noble Baroness, Lady Chakrabarti. We offer our continued support and sympathies for them. We also recognise the role of Professor Alexis Jay in leading and making progress with the inquiry.

While progress is being made, as the inquiry’s timeline for public hearings highlights, there is still much work for the inquiry to do as it continues to expose what

[BARONESS BARRAN]

went wrong, but also setting out how we can provide a safer future for children. Of course, the Government acknowledge that any investigation or inquiry of this type will have an impact on individuals who are alleged to have sexually abused children, as well as their family and friends. Many noble Lords have put that case most clearly this evening. The inquiry has protocols for restriction orders and redaction of information that may identify individuals within the material it discloses to core participants and potentially to the wider public, and these are published on the inquiry's website.

On the issue of police releasing names to the media before a charge has been made, as raised by the noble Lord, Lord Paddick, this is covered by the College of Policing guidance on media relations, which has recently been updated to make it absolutely clear that it also applies to the release of names of deceased persons.

I understand that noble Lords have concerns about some aspects of the inquiry's work, yet I urge the House to note the vital work of the inquiry and how crucial its independence from government is to its success.

I now turn to the noble Lord's Motion to acknowledge the inquiry's handling of evidence and the concerns raised by many of your Lordships, since this is the largest public inquiry of its kind. The inquiry is clear on its website that,

"Written and oral evidence ... will include testimony from core participants who allege that they are the victim and survivor of sexual offences",

and who are referred to by the inquiry as complainant core participants. I appreciate that this concerns some noble Lords. However, as the Government and the inquiry have been clear throughout, the inquiry's focus is deliberately on the conduct of institutions and how any allegations were dealt with. At the risk of repeating myself, it is not for the Government to interfere with how the independent inquiry conducts its investigations.

The inquiry is receiving evidence and documentation from victims, survivors, government departments, police forces, churches, schools, local authorities and many other state and non-state institutions across England and Wales. It has held public hearings in relation to eight of its investigative strands, and has received over 158,000 documents, totalling over 1.7 million pages of A4. It is clear that the task the inquiry faces is significant. It has published on its website all the protocols it follows for the handling and publishing of documents. When the inquiry is closed down, the evidence will be transferred to the National Archives.

Several noble Lords raised the issue of false allegations and unproven allegations. False allegations are obviously an extremely serious matter, and accusers could be prosecuted for perverting the course of justice. Obviously, that would be up to the police to decide in each individual case. Where noble Lords feel that allegations are unproven, that information should be shared with the relevant police force.

In response to the points made by the noble Lord, Lord Campbell-Savours, on the single-strand aspect with regard to Lord Janner being named, I really do recognise and respect the strength not just of his

feelings on this subject but of those of many other noble Lords who have spoken. However, I again remind the House that the inquiry's focus is on the conduct of institutions and how allegations were dealt with. It is not looking into specific allegations of child abuse made against any particular person, living or dead. The position on this particular investigation into the handling of accusations about Lord Janner was revised, and refocused on the institutional failings, as was set out in the notices of determination published in April and May 2017. I understand that this position is being kept under review.

I hope I understood the point raised by my noble friend Lord Finkelstein correctly. On the timing of the public hearing of this strand, the chair has indicated that it will come after the conclusion of the criminal investigations into Leicestershire Police.

My noble friend Lord Hunt asked why the inquiry was not looking at the seven outstanding allegations in relation to Sir Edward Heath but was looking at the case of Lord Janner. I hope that I have addressed that question; indeed, I feel that the noble Lord partly addressed it himself, in clarifying the fact that the inquiry is there to examine institutional failings—and it is those failings that it plans to look at in relation to Lord Janner.

My noble friend Lord Lexden asked about the need for an investigation into the seven outstanding allegations against Sir Edward Heath. I am sure that he will not be surprised to hear that the Government's position remains unchanged from the recent debates and Questions on this subject and is set out in the letter from my right honourable friend the Home Secretary to the noble Lord, Lord Armstrong of Ilminster.

Lord Lexden: Will my noble friend kindly bear in mind what I said about the inadequacy, the undue brevity and the incompleteness of the points made in that letter?

Baroness Barran: I thank the noble Lord for asking me to clarify that. I was going to say that I am unable to confirm at this stage whether my right honourable friend the Home Secretary is preparing a letter but I confirm that, as I reported to the House earlier this week, I wrote to him with a copy of the *Hansard* of the earlier debate.

I recognise the strength of feeling of distinguished public servants regarding both the accusations they face and the approach of IICSA and other inquiries. As was said very eloquently by the noble Baroness, Lady Chakrabarti, reputation is an important and sensitive issue. I thank noble Lords for their contributions on this matter and for noting the progress of the Independent Inquiry into Child Sexual Abuse. Several noble Lords spoke about the need to speak up for those who cannot speak for themselves; your Lordships have done that today most eloquently. Equally, I trust that your Lordships recognise that the inquiry is playing a crucial role in giving a voice to victims of historical abuse, exposing institutional failings and identifying steps to protect children now and in the future. I urge this House to give the inquiry the support it deserves.

4.55 pm

Lord Campbell-Savours: My Lords, I listened closely to the debate, which begs a single question: why does IICSA insist on maintaining the Janner strand when all the evidence points to the need to scrap it? I hope that Ministers will ask IICSA that question because I hope to get an explanation.

I want to make one or two comments about some of the interventions. The noble Lord, Lord Hunt of Wirral, spoke about the remit, which is also at the heart of my problem. What evidence will fall into the public domain under the established remit? That brings us to the right reverend Prelate the Bishop of Chichester's comments. He referred repeatedly to "survivors", but a survivor is only a survivor if his or her evidence is the truth. If not, they are not a survivor. I am concerned about a procedure where there may be an absence of cross-examination. The noble Lord, Lord Lexden, expressed concern about how the police have handled such inquiries, particularly the Heath inquiry. That inquiry adequately illustrates the deficiency in policing systems. The noble Lord, Lord Finkelstein, spoke kindly about his friendship with the family; I am sure that the family members here today will appreciate his comments.

My noble friend Lord Winston drew our attention to false memory. He will probably know about the British False Memory Society; I hope that it can pick up his comments in our debate and perhaps make direct contact with him. Like me, the noble Lord, Lord Faulks, expressed concern about how the inquiry may proceed. The noble Lord, Lord Paddick, gave us notice of his Bill on anonymity. My noble friend Lady Chakrabarti brought to the discussions comments on the required balance in dealing with these cases. Although I agree with much of what was said by the noble Baroness, Lady Barran, I am concerned that she may not appreciate fully the damage done to families when accusers make accusations without being questioned closely on them in inquiries.

Finally, I want to sweep across all the cases we have dealt with in recent years: Sir Cliff Richard, Lord Leon Brittan, Lord Edwin Bramall, former Member of Parliament Harvey Proctor, TV personality Paul Gambaccini and former Prime Minister Sir Edward Heath—all prominent public figures, all named, shamed and humiliated. Their reputations were, if not destroyed, nearly destroyed. Now, we are in the eye of the storm before Greville Janner's name is cleared and his personal honour is restored. How much longer will the Government stand by and do nothing in these huge miscarriages of justice?

Motion agreed.

House of Lords: Sittings

Motion to Resolve

5 pm

Moved by Lord Adonis

That, notwithstanding the announcement by Lord Taylor of Holbeach on 4 September (HL Deb, col 1707), following the adjournment on this day the House do next sit on Wednesday 2 January.

Lord Adonis (Lab): My Lords, the practical effect of this resolution would be to bring forward the debate on the Prime Minister's Brexit deal by a week, because the debate could then start in that week—the first week of January—rather than the current proposal that it start in the second week of January with the vote in the third week. I am sure that if your Lordships were to advance their debate on the Prime Minister's deal, this would encourage the House of Commons to do the same. The House of Commons is currently scheduled to begin its debate in the week of 7 January and to vote on 15 January.

I notify your Lordships that the leader of the House of Commons, speaking in the other place earlier, would not give a categorical commitment that the House of Commons will indeed start the debate on 7 January or conclude it on 15 January. It is quite clear that, just as we had the delay and prevarication from the Prime Minister two weeks ago that led to the current impasse in which we are engaged, that will continue into the new year. That seems all the more reason why your Lordships should give a lead in the crisis that the country faces.

I make no apology whatever for suggesting that the House return in the first week of January. We have 99 days until this country leaves the European Union, 19 of which will be occupied by the Recess, which will leave 80 days, with nobody having any clear idea whatever in that time as to what will happen to all those arrangements that depend on membership of the European Union.

Your Lordships will be aware of the background: we were supposed to vote on 10 December on the meaningful vote on the Prime Minister's Brexit deal. The House of Commons was supposed to vote on 11 December, having announced until the very moment before the Prime Minister made her announcement, which contradicted it, that the vote would definitely proceed on 11 December. That vote was pulled. No indication was given as to when a further vote would take place. It has emerged only in the last 48 hours that there will be no further proceedings on the Brexit deal before the Recess that has just started in the House of Commons and that the vote is likely to take place on 15 January. That is a delay of more than a month.

This delay is not inconsequential. It has two huge impacts on the life of the country. First, it leaves unresolved the issue of the Prime Minister's Brexit deal and any further actions that will follow after that vote. Since it is the near universal belief in the political world, which we will all be familiar with, that the Prime Minister does not have a majority for her deal in the House of Commons, crucial decisions will need to be taken after her deal is defeated. The serious debate on those options cannot begin until that vote has taken place. While this is happening—this is the reason why I make no apology whatever for bringing this matter to the attention of the House—businesses and individuals up and down the country will have their lives and affairs thrown into deep uncertainty, not only causing uncertainty as to what will happen to them but incurring massive costs because they cannot plan effectively until Parliament has taken these key decisions in respect of Brexit.

[LORD ADONIS]

What reason did the Prime Minister give for delaying the votes on Brexit by more than a month? We all know the real reason, which is that she would not have won the votes and is playing for time and hoping that she can cobble together a new coalition that might vote for her deal in a month's time. Her ostensible reason was to enable further negotiations to take place to revise the treaty which she agreed with the European Union in the early part of this month, in particular to agree some new arrangement in respect of the backstop, which would effectively keep Northern Ireland within the European Union after the rest of the United Kingdom engages in Brexit. However, that argument was shot down within hours of the Prime Minister making the announcement by the firm declarations of our European partners that there would be no further negotiations. When the European Parliament met three days after the Prime Minister withdrew her vote in the House of Commons, the President of the European Commission, said:

"There is a surprise guest at the European Council, which is Brexit. I am surprised. I am surprised because we had reached an agreement ... There is no room whatsoever for renegotiation".

The day after, the Chancellor of Germany, Mrs Merkel, said to the Bundestag:

"We have no intention of changing the Brexit deal. That's the common position of the 27 member states. So there's no reason to expect any changes to come from the discussions".

The Prime Minister of the Netherlands, Mr Rutte, said on the same day that it would be,

"impossible to break open the ... withdrawal agreement ... this is the only deal ... on the table".

The pretence that there can be further negotiations is no more than that. There may be some further clarificatory words, although those of your Lordships who have read the 570 pages of the withdrawal agreement and the 30 pages of the political declaration will know that further words will not make any difference whatever to the meaning of the legal text, and there is no desire to open that. There will be nothing of substance that changes the context of our debates over the next month.

The reason this issue is so urgent is that, while Parliament is in a position of paralysis and is being kept in recess for the next 19 days, there is deep and growing alarm and frustration in the country about what is happening. It is not simply that no further decisions can be taken until after Parliament has voted on the Prime Minister's deal but, incredibly, the Prime Minister has herself raised the prospect of a no-deal Brexit as the principal alternative to her deal. She explicitly ruled out in the House of Commons this week any move towards either a different negotiated agreement, which I agree with her would be almost impossible given the statements made by our European partners, or a referendum, which many of us believe is the only way that this issue will ultimately be resolved.

Having ruled out a referendum and any further negotiations, there is indeed by process of elimination only one option remaining, which is the one that she is now running against her deal. That is no deal and leaving the European Union at the end of March with no treaty whatever, which would have a calamitous impact on the economic life of this country.

Your Lordships do not need to take any of this from me. The five key business organisations of the country, the CBI, the Institute of Directors, the British Chambers of Commerce, the Federation of Small Businesses and the manufacturing body, the EEF—which always used to be closely allied to the Conservative Party but at the moment are looking in a state of horror at what the party is doing with the affairs of the country—put out a joint statement yesterday on the current situation. This is what they said:

"Businesses have been watching in horror as politicians have focused on factional disputes rather than practical steps that business needs to move forward. The lack of progress in Westminster means that the risk of a 'no-deal' Brexit is rising. Businesses of all sizes are reaching the point of no return, with many now putting in place contingency plans that are a significant drain of time and money. Firms are pausing or diverting investment that should be boosting productivity, innovation, jobs and pay, into stockpiling goods or materials, diverting cross border trade and moving offices, factories and therefore jobs and tax revenues out of the UK... With just 100 days to go, the suggestion that 'no-deal' can be 'managed' is not a credible proposition".

That is the voice of the business community of this country on the eve of this House and Parliament going into recess for 19 days and refusing to engage with any of these issues, which are of such paramount concern to those who are responsible for our business affairs. What have the Government done in response? They have not met business, not engaged with the CBI and not sought—as they should have done if the Prime Minister were acting responsibly—to accelerate our deliberations on these issues. What the Government have done, even more incredibly, is to further intensify their planning for no deal.

In the House of Commons yesterday, in a debate on the Government's intentions in respect of no deal, the Minister for the Brexit department, Mr Chris Heaton-Harris, said:

"Let me be clear"—

I have noticed that most of the Prime Minister's statements begin "Let me be clear" and the more they begin with them, the less clear she is. However, he was in fact very clear and very explicit—

"a no-deal outcome and move to WTO terms ... would lead to disruption and potential harm to critical industries".—[*Official Report*, Commons, 19/12/18; col. 877.]

That is the Government speaking in the House of Commons yesterday.

Lord Howell of Guildford (Con): The noble Lord has explained that he does not like no deal; nor do any of us—it is obviously a horrific prospect. Then he went on to explain, very eloquently, that there is no further give from Brussels or from the EU. However, as I understand it, his own party's position is that, yes, there will indeed be more give from Brussels and a new deal will be secured. I do not quite understand how all this adds up.

Lord Adonis: My Lords, until Parliament has taken decisions on the Prime Minister's deal, it is not going to be possible to consider other options. Those other options, which we will all have to consider, including my party, will include the possibility of further negotiations—though, given the statements by the European Council and other member states, I think that unlikely—or, crucially, the option of moving towards a referendum

with the option within it of staying in the European Union. The reason it is so urgent that we do not go into recess for 19 days is precisely to meet the point of the noble Lord: until we have debated and reached the point of resolution on the Prime Minister's treaty, it is not going to be possible to debate and decide on other options which could resolve the crisis we are now in.

Lord Pannick (CB): The noble Lord says it is 19 days: what we are actually debating is whether the House should come back three working days earlier. Although I have great sympathy for the substance of the noble Lord's observations, I cannot understand why it will make any difference whatever whether we come back on the Wednesday or the following Monday.

Lord Adonis: My Lords, I have huge respect for the noble Lord, but we are talking about parliamentary weeks: it is the difference between our coming back in the first week of January or the second. If we come back in the first week of January and hold our debate and our votes in that week, which is what I believe should happen, we will accelerate by two weeks the Government's current proposal, which is that we do not debate our resolution on the Prime Minister's treaty until the second week of January, and vote in the third week. That, to my mind, is deeply irresponsible and it is our duty to seek to accelerate it. Given that we are talking about 80 remaining parliamentary days after we come back, every week that we could gain as a result of accelerating proceedings would be deeply valuable.

Of course, the reason the Government do not want to do that, as the noble Lord will be aware, having participated so fully in our debates on the EU (Withdrawal) Act, is that the backstop date is 21 January, by which, under the Act, the Government must come back with a further statement of policy after they do or do not secure their treaty. It is surely in the interest of Parliament and the people that there is a significant gap between Parliament reaching its decision on the Prime Minister's deal and that backstop of 21 January so that proper consideration can be given to the options before the country.

Lord Pannick: My Lords, I want to correct myself. I said three days. In fact, it is two days, because we do not sit on a Friday.

Lord Adonis: That does not affect the point that it is a parliamentary week. Of course, there is no reason whatever why we could not sit on a Friday. I am perfectly happy to sit on a Friday if the Government make time available and I am sure that other noble Lords would be too. Of course, we all put our duty to the country before our personal convenience. It would accelerate significantly our consideration of these important matters.

Lord Forsyth of Drumlean (Con): Might I ask the noble Lord to return to the subject of his Motion? Given the empty Benches behind him, and given his inability to persuade his own Front Bench to support his Motion, what does he think the prospects are of the House of Commons taking any notice at all of his intervention today?

Lord Adonis: My Lords, I have argued that the noble Lord and some of his colleagues might support me so I would not require the support of my Benches to carry this. Indeed, I rather suppose that is why the noble Lord is present this afternoon. I know that his own views on the Prime Minister's deal are such—I assume, unless he has changed his mind in the past few weeks—that he would wish to see it defeated. Therefore, he will be anxious, along with other noble Lords, to give the House the opportunity to move on to considering what the other options will be after we have concluded our vote on the Prime Minister's deal.

5.15 pm

Lord Hayward (Con): Can the noble Lord clarify whether he has consulted any Scottish Peers or Scottish Members of Parliament, given that 2 January is a Scottish holiday?

Lord Adonis: My Lords, we are all prepared to give up our holidays for the urgent affairs of state. I am sure that our Scottish colleagues would be more than willing to do that. My noble friend the Opposition Chief Whip always puts the country before his personal convenience. I know he will be one of the first on the plane down to London after the holidays.

I return to the no-deal preparations that are being made, because they are extremely serious.

Lord Elton (Con): I do not wish to give the noble Lord reason to extend his oration but I would like an explanation of how he feels that this House will have any effect on the executive decisions of the House of Commons, who have never listened to our arguments about this before and are unlikely to do so in the future. It seems to me that we would just be beating the earth to no purpose.

Lord Adonis: I have a very high opinion of your Lordships and their ability to persuade the House of Commons to do the right thing. There is not much point in our meeting—ever—if we take the view that the opinions we express are going to be rejected by the House of Commons. We are here in this House because we believe we do make a difference, not because we are irrelevant, although if the noble Lord and others think they are irrelevant there are options for them to avoid being a burden on the taxpayer. But that is not the view that I take.

I come back to the serious issue that we are discussing. This is what Mr Heaton-Harris said yesterday is involved in the no-deal preparations which the Cabinet yesterday agreed to intensify because of the likelihood of there being no resolution to the Brexit crisis before us. He said that,

"we have taken further steps to ensure that people and businesses are ready. That has included publishing more than 100 pages of guidance for businesses on processes and procedures at the border in a no-deal scenario; contacting 145,000 businesses that trade with the EU, telling them to start getting ready for no-deal customs procedures; advising hundreds of ports of entry, traders, pharmaceutical firms and other organisations that use the border about the disruption that they might experience so that they can get their supply chains ready; and producing a paper on citizens' rights".

It is hard to exaggerate how serious those preparations are outside wartime. The legal arrangements for a no-deal Brexit are still not fully in place. The preparations

[LORD ADONIS]

are a huge expense to the taxpayer and a massive drain on the resources of Whitehall. Mr Heaton-Harris said:

“More than 10,000 civil servants are working on Brexit with a further 5,000 in the pipeline, which will allow us to accelerate our preparation”.—[*Official Report*, Commons, 20/12/18; cols. 879-80.] I am not sure what it means to be a civil servant in the pipeline of Brexit; none the less, more than 5,000 are in that happy condition. As I say, short of being in a war situation, it is hard to conceive of a more alarming position in which the Government could place the country.

Surely our duty in Parliament is to see that this crisis is resolved as soon as possible. We have an opportunity to do so by meeting earlier rather than later in January. I believe we have a duty to do so. Therefore, I beg to move.

Lord Taylor of Holbeach (Con): My Lords, I shall not answer the proposal of the noble Lord, Lord Adonis, point by point. I think politicians delude themselves when they believe their own rhetoric, and I am afraid he is a perfect example of such a delusion. I propose to deal with the practicalities of how this House can deal with the fact that it wants to give time to deal with this most important topic.

I start with the fact that the day suggested in the noble Lord's Motion is a national bank holiday in Scotland shows, in my view, an appalling ignorance of how important it is for the United Kingdom that we recognise each other's bank holidays in this respect. I do not take that casually. I also do not take it casually that his proposal would mean that not only Peers but members of staff would have to curtail their holiday arrangements to be here to meet his requirements. I would rather concentrate on what we are planning to do.

Yesterday, we issued a *Forthcoming Business* in which there were two days of debate scheduled to deal with the take-note Motion on withdrawal. We have had to abandon one and will have to start again. As noble Lords will know, as a result of conversations in the usual channels I have agreed to extend that debate to three days. So we will be discussing these very subjects, which I appreciate that the noble Lord takes very much to heart, on 9, 10 and 14 January. I think that gives everybody proper time to absorb the situations as they exist and I hope noble Lords will appreciate the time that has been given. I cannot accept the noble Lord's Motion and I hope that the House rejects it.

Lord McAvoy (Lab): My Lords, I regret very much that my long-term and noble friend Lord Adonis did not see fit to consult or inform me on what he was doing because I would have been able to inform him then that, as a result of ongoing negotiations—some of them tense, at times, but nevertheless in the proper way of negotiations—we have the extra day. That is proportionate to the time that the Commons has and, most importantly, it allows the House of Lords to vote and therefore fulfil its constitutional duty and role of informing the House of Commons of our point of view. I very much regret that he did not do so.

During my 23 years in the other place, perennially at the time of a recess somebody would jump up, irrespective of party, and demand that we cut our allegedly long holiday short and attend to the needs of the nation, because something was in doubt and all the rest of it. This was so that they could get their image in the constituency or in the country as one who did not care about long holidays. I see various former Members agreeing with me on that. I certainly do not think that is my noble friend's ulterior motive because he has never had the difficulty or problems of being elected to public office.

Noble Lords: Oh!

Lord McAvoy: It is difficult to imagine them unless you have been. But I gently say to my noble and good friend: perhaps there is an ulterior motive, if he is thinking of pursuing a vote. There have been 119 votes this year and my noble friend has voted on 56 occasions—a 47% turnout. Maybe his ulterior motive is to boost his voting rate. I am not quite sure.

With regard to the bank holiday in Scotland, I say with much regret to the noble Lord, Lord Hayward: you stole my line. I have to say to my noble friend that to move that we meet on 2 January is typical of many of the metropolitan, London-based people who do not seem to care much about Scotland, Northern Ireland and Wales, or to consider the regions of England. It was thoughtless and that is one reason why I am opposed to this. I will be voting against the Motion. I urge my Labour colleagues—such as are here—to vote with me, and I hope the House will reject the Motion.

Lord Dykes (CB): My Lords, I was hoping that the Labour Chief Whip would be able to summon more colleagues to sit behind him to support his comments. It is not a very good illustration of what should be in order today. I shall speak very briefly, although not so much on the question of the date because the staff of this place need to be able to go to their families for Christmas and the new year with their dates secured and not disrupted by a surprise decision to change the sitting dates. I sympathise very much with them, and we should have regard to them. That is important.

However, I very much agree with the substance of what the noble Lord, Lord Adonis, said about the underlying crisis. I am sorry to sound pompous, but there has been a very frivolous reaction so far from the Government Chief Whip and the Labour Chief Whip. They seem to have no anxiety or feeling of crisis about what is going on in this country. It is an appalling situation.

If I may just reminisce very quickly—

Noble Lords: No!

Lord Dykes: Even quicker than that. Twenty-seven years in the House of Commons—

Lord Forsyth of Drumlean: You were a Tory then.

Lord Dykes: People change their party.

Lord Forsyth of Drumlean: Not as often as you.

Lord Dykes: Only once, and I am now a Cross-Bencher. The level of party politics in this country is abysmal and appalling now. I never saw such a strong lack of

agreement in the House of Commons in that whole period. I have never before seen a Government ride roughshod over everybody with a Prime Minister whose superego is stronger than that of most past Prime Ministers, so what the noble Lord, Lord Adonis, said about the nature of the crisis in this country is quite right. Serried ranks of Tory Peers have been lined up to do the necessary thing if there is a vote, which I hope will not be necessary. I hope they will take on board what has been created by their complacency in going along with the recent very foolish decisions by the Prime Minister and the Government.

On 8 June last year, when the election took place, the Prime Minister had a unique and special opportunity to say that she had lost the mandate to pursue Brexit, which was the case, and therefore she could not go on doing it and would investigate alternatives to that scenario and report back to the House of Commons and the public in due course. No such deal was done; no such statement was made. Instead, a squalid deal was done with a rather unsavoury bunch of Protestant extremists in Belfast who were against membership of the European Union, although the public in Northern Ireland voted in favour. It is a very sad state of affairs that we have reached that position in this country.

I do not necessarily agree with the noble Lord, Lord Adonis, on the dates and think we should stick to what has been agreed. I acknowledge what the Chief Whip said and the efforts he has made to achieve that. None the less, to ignore the crisis and to treat it as a frivolity is very bad in this House today.

Lord Hope of Craighead (CB): My Lords, my noble friend used the word “frivolous”, and I think that was an attack on the Chief Whip and the usual channels, of which I am not part. As I understand it, the aim, which I believe he is achieving, is that this House should express its opinion in a vote before the House of Commons expresses its opinion. He has achieved that in the timetable he has set out. Moving the date to a week earlier achieves nothing because the House of Commons will always be voting in the week it has chosen, so I fully support what the Chief Whip said. I also reject any suggestion that he or the other members of the usual channels who are in their place are being frivolous about this in any way.

5.30 pm

Lord Stoneham of Droxford (LD): My Lords, I risk my relationship with the Labour Chief Whip by saying that I have some sympathy with the noble Lord, Lord Adonis. However, I support the usual channels on this because I have a slightly different perspective. The first perspective is that it is the Commons that is the decisive decision-maker, not us—but more important is that Christmas is an important time for families, for reflection and for the renewal of hope for the future.

There are four reasons why we should not be here over Christmas. The first is that we want the younger generation talking to their elders over Christmas. That is not a problem in our family, because my Dutch mother-in-law spent the Second World War in a prisoner-of-war camp and has taught her children about the importance of international co-operation, alliances and the dangers of nationalism.

We also want a period of reflection over Christmas. I think that is very important. We are simply playing into the Government’s hands if we create the notion of panic. The Government want panic because they are trying to drive us away from no deal into their deal—and we want the opportunity to discuss alternatives. There is no parliamentary majority for no deal, and we now know that we can revoke Article 50 if we wish to do so, should we find ourselves drifting into no deal.

As people review their hopes for the new year, I recall the infamous words of the noble Lord, Lord Bridges. “Nothing is agreed until everything is agreed”, he repeatedly told us—and if public opinion continues to shift, the Commons will find it easier to reverse Brexit. That is why we should be out in the country, not talking to ourselves here.

My final reflection is that next year, in 2019, my home city of Portsmouth will be the centre of the national commemorations of the 75th anniversary of D-day, when our young men went back into France to fight tyranny and start the renewal process that has led to our prosperity, freedom and security since. I say to this House that that is an apt analogy for what we have to do in 2019. It does not need a shortened Recess to do it; we simply need the opportunity for the nation to be consulted again on Brexit. We need to win that argument after the critical decision of 14 January.

Lord Adonis: My Lords, I agree with the noble Lord, Lord Dykes, that this debate has been largely frivolous and below the level of events. It is a huge pity that, consistently throughout the crisis we have faced over the last two and a half years, Parliament has been playing catch-up with a Government who, I fear, have not been putting the best interests of the country first.

So I do not resile from anything that I have said. I believe that, if we were doing our duty, we should be here in the first week of January, not the second. From talking to individuals engaged in businesses and the public life of the country outside this House, I know they are, frankly, aghast at the situation in Parliament at the moment and the failure to take decisions in a timely fashion. The noble Lord, Lord Stoneham, said that we do not want to build up a sense of crisis. I assure noble Lords that it does not require us to build up any such sense; it is there at the moment because it is the objective reality.

I think it was right to bring this matter before the House. Although my noble friend Lord McAvoy is not sufficiently content with my voting record—I shall make great efforts to improve it and get it to a position that he regards as satisfactory—I do not think that I have been found wanting in my service to the House over my 13 years as a Member. However, as LBJ famously said, the first requirement of politics is the ability to count. Looking around the House this evening, I suspect that I am not going to win this vote by the thumping majority that I had anticipated when I came in—so I will not proceed with the Division.

Instead, in the season of good will, I will thank the Chief Whip for conceding a third day of debate. We will return to these issues in the second and third weeks of January, and I hope that the new-found spirit of accommodation that he has shown in the House today will be fully reflected in the further debates that

[LORD ADONIS]

we will no doubt need to have after the Prime Minister's deal has been decided on. Contrary to the views of the noble Lord, Lord Elton, it is my view that this House will have a substantial and important role to play in the affairs of this country, and we should not resile from that simply because people think we might be better staying in a state of perpetual Recess. On that note, I beg leave to withdraw the Motion.

Motion withdrawn.

Tributes

Motion

5.35 pm

Moved by Lord Taylor of Holbeach

That the House do now adjourn.

Lord Taylor of Holbeach (Con): My Lords, it is the custom of this House before we adjourn for the Christmas break that the usual channels have the opportunity to pay tribute to the staff who support the work of this House with such dedication, with many supporting us every day. It always seems invidious to single out particular individuals, but we can rightly pay tribute to some of the more long-serving staff who have reached the end of their careers during the course of the year.

I start with Alistair Leaper, because many noble Lords will have used the services of the Barry Room and will know that it is a room I frequently attend. Anyone who has been there will have met Alistair, because he joined the House in 1996, serving Members in the Home, Reid and Attlee Rooms until moving to the Barry Room in 2004. He was there when I arrived in this House in 2006.

He has seen a great deal of change in the service and the standard of catering in this House in that time. The Barry Room, from being Members only, as it was originally, now has House-wide—indeed, Parliament-wide—acclaim. He has continued to provide a friendly—well, sort of friendly, because he is a very friendly chap, but is very much in charge of the restaurant—welcome, with his individual style of managing the restaurant, retaining the most professional approach to his role as manager of the Barry Room. He also leads a team of staff who embody his ethos—warm and friendly with Members—for which he must be largely given credit. As a Barry Room regular, it gives me particular pleasure to wish him well in his retirement, when he will spend more time with his family and plan a little bit of travel for the future.

The next member of staff did not want a fuss when she retired, so I do not intend to stray too far from her wishes. However, we should still pay tribute to Malika Aithaj. Many noble Lords will remember her welcoming approach in the Bishops' Bar, the Peers' Guest Room and other catering outlets. She worked here for just over 16 years and retired from the House without any fuss, as she wished, in September.

I close my thanks by saying a word about the staff who support us more widely: the doorkeepers, *Hansard*, attendants, the Printed Paper Office, the Table Office and catering, night and day keeping us going, those who keep the House safe and secure, the clerks and

others who support the work of Select Committees and the day-to-day running of the domestic arrangements in the House of Lords.

Lastly, I thank my staff in the Government Whips' Office and the Leader's staff in the Leader's Office, who support us. They are a superb team. My colleagues in the Whips' Office are a team family. I know that other Members will have used their services over the past year, because they are here to serve us all. They are an invaluable team. I must also extend those thanks to those who support the other Members of the usual channels. The work of the usual channels is not an easy task, so I appreciate how teams within it support each other and work so well together. I think that noble Lords will be aware of the degree to which this House runs as it does because of that co-operation.

It has been a busy year, in and outside this place, and the beginning of next year will not see an easing of the pace. We know, from what the noble Lord, Lord Adonis, has said, the expectations that he has of what we will be doing. I think that none of us is in any doubt that the next few months will be extremely exacting. I take this opportunity to wish all noble Lords a restful—and well-earned—break over the next two weeks.

Lord McAvoy (Lab): My Lords, I echo the broad sentiments of the noble Lord the Government Chief Whip. This House is well served by staff, from the most junior of catering staff, long-serving cleaning or security staff, who ensure that we are kept fed, clean and safe, to the more senior staff who keep the Chamber business running, or the *Hansard* reporters, who have the unenviable task of making us sound more articulate than perhaps we always are. These are just examples of those to whom I pay tribute and wish well for Christmas and the new year.

It is my honour to pay tribute to two individuals who have retired from the service of your Lordships' House this year. When Chris Bolton retired in January this year, she had been working in the House of Lords for over 46 years. Chris joined the House in late 1971 and worked in what was then called the Registry, where all the procedural material and records of the then 1,200 Members were kept. She produced the first information sheets for the growing number of Members giving talks. In 1974, when computers arrived in the Lords, Chris was invited to be involved from the outset. She eventually became the computer services officer—a one-woman parliamentary digital service in addition to her day job. She balanced information, computers and office supplies until 1999, when she transferred to the Private Bill Office, where she acted as Examiner of Private Acts. By the time she had retired, Chris had signed off 46 Private Acts. Private Bill procedure is a particularly opaque aspect of parliamentary procedure. Chris became the procedural expert that everyone involved in Private Bills would turn to. Her knowledge was unsurpassed, as was her patience and understanding when offering advice and explanations to petitioners, for whom the petitioning procedure must have felt like entering the twilight zone. Since retiring, Chris has spent a good part of the year embracing the freedom to travel outside of parliamentary recesses and school holidays. This is a

first in over 60 years for her. She has also been indulging her love of craft, whether crochet, embroidery, knitting or making a Windsor armchair from scratch. She also volunteers occasionally at the Bluebell Railway in Sussex.

Christopher Nicholls—Chris to his many friends—started his House of Lords career in June 1979. He retires at the end of December this year after more than 39 years with the administration, having done lots of good for his colleagues and his employer. Chris started out in a clerical post in the House of Lords Library, later working in both the Journal Office and the then Judicial Office. Moving to what is now the House of Lords Human Resources Office in 1994, Chris's career progressed as he became the HR manager for catering and retail services at the Lords. As we all know, this is a very important department and the largest in the administration. Ultimately, Chris was promoted to the post of head of learning and development, overseeing staff training and appraisal. He became a fellow of his professional body, the Chartered Institute of Personnel and Development. Very much practising what he preached as a trainer, he then gained a degree in psychology and a master's degree in human resources management, all while working full-time.

Heading up the learning and development team, Chris saw through the administration's first electronic appraisal system. He also designed and introduced the current management development programme in the House of Lords and played his part in working together with the House of Commons service to create a parliamentary induction experience for all new staff, whether they were joining the Lords, the Commons or the Parliamentary Digital Service. Chris's colleagues will remember him for all this and as a seasoned professional in his field. But, more than that, they will remember him as a colleague of quiet wisdom and a reliable source of advice and support when they really needed it. He will be much missed by his colleagues. I am sure I speak for your Lordships' House in wishing him a well-deserved and enjoyable retirement.

I would like to echo the words of the Government Chief Whip in paying tribute to the Official Opposition staff; like the Government's staff, they have a working relationship and both work together for the good of the House. I appreciate them greatly. I wish all your Lordships a happy Christmas, Hogmanay and new year.

5.45 pm

Lord Stoneham of Droxford (LD): My Lords, I join my colleagues in the usual channels by thanking all the staff for their support this year. I have two members of staff to talk about in particular.

Maria Rojas has been a House of Lords housekeeper since April 2006. One of the first areas that she was tasked to work in was 2 Millbank House. In her early years, she was one of the floating housekeepers who were called on to cover any team absences. In her 11 years working for the House of Lords, she has been able to work in Fielden House, Victoria Tower and many of the patches in the Palace. She finishes as a housekeeper working in the Lord Speaker's residence areas and the River Room, maintaining very high

standards and reporting any issues. Maria did not show any signs of slowing down as she got closer to her retirement date and still cycled to work every day. She has had many bicycles in her time; some were unfortunately stolen, while others wore out, but that has not deterred her from her cycling. Now that she is retiring, Maria will continue with her healthy pursuits by finding more time for her Latin American dancing. She also plans to take some time out to travel to Colombia and Europe with her husband and son.

Jackie Dixon worked for Hansard for more than 30 years, retiring in March. Her rock-steady reliability, quiet humour and unstinting diligence were a great asset to the team. Jackie has a great love of the environment and the natural world, and used to fill recesses by travelling the world far and wide with her husband, birdwatching and butterfly-spotting. They even went on a walking holiday searching out rare orchids. It is a mark of her generous spirit that, when she retired, she asked for the money from her collection present to be donated to a woodland charity that plants trees worldwide. While working full-time in Hansard, Jackie also completed a degree in humanities with the Open University and travelled Europe visiting art galleries. Her impeccable standards and calm presence are greatly missed by her friends in Hansard, and we wish her well in this new chapter of her life.

I join my colleagues in wishing both these members of staff a very happy and healthy retirement and, on behalf of these Benches, I wish all your Lordships a very happy Christmas and a successful new year.

Lord Hope of Craighead (CB): My Lords, there are one or two happy occasions when, contrary to usual practice, I am counted as part of the usual channels. This is one of them, so I have the privilege of associating myself and my noble friends, on behalf of these Benches, with the well-earned tributes that have been expressed.

Of course, as the Government Chief Whip has been explaining, we could not have achieved what we have achieved without the many members of staff who have supported us in so many ways and in so many places during the past year. It is always a pleasure to hear in the maiden speeches of recently introduced Members the tributes paid to the kindness of the staff who have helped them in their introduction to the House. We know from our own experience that these words of thanks are not empty words. All these tributes are indeed sincerely meant. We really are very fortunate, and it is entirely appropriate that we should recognise what the staff do for us in our own words this afternoon.

I have been invited to pay tribute to the work done by two people: David Jones, who retired in August of this year, and Paul Bristow, who will retire in January next year.

Dave Jones worked in and around Parliament for over 25 years before he retired. He was first here as a police officer and continued for over 10 years in that capacity. Then he joined our staff as an attendant in the Department of Facilities, later rising to the position of senior attendant during his 15 years with us. His job title might seem rather unexciting, but in truth it was a remarkable occupation that found him working in parts of our estate that many of us never see. It gave

[LORD HOPE OF CRAIGHEAD]

him a fund of knowledge of how this place is laid out, which meant that he was very well equipped to act as a tour guide when his help was required in that capacity.

His main responsibility, however, was to manage our stores. The many items for which he and his team were responsible included such day-to-day items as our stationery, much used throughout the House, and printer toners, which are so important for us who use printers. If you were in search of crested stationery or prepaid envelopes or needed new toner, it was to his team you would go.

But he also had the responsibility of managing robes, and of robing Peers, for ceremonial events. This meant that he was one of the first people to meet new Peers on the day of their introduction. He was always careful to see that the robes in which they were attired were the appropriate length. I recall him helping me during the robing of the Commissions of which I was a member when the last Parliament was prorogued, and again at the start of this one when our duty was to ask Members of the House of Commons to elect their Speaker.

This was one of the extraordinary occasions when we had to wear hats as well as robes, and I recall that Dave Jones was particularly careful to see not only that our robes were not too long but that our hats were neither too small nor too large. I remember him as a very conscientious and diligent member of the attendants' team who took great pride in working for the House. He is planning to learn to play the guitar and also to paint in his spare time. We hope that he is now up to speed with these skills and we wish him well in his retirement.

Paul Bristow joined the staff of the House in November 2003. He was recruited as one of two advisers to the newly established Select Committee on the Merits of Statutory Instruments, which we now call the Secondary Legislation Scrutiny Committee. He was very well qualified for that position, as he had spent 20 years, from 1976 to 1996, as a policy civil servant in what was then known as the Department of the Environment, and was also a member of the secretariat to the Institute of Actuaries.

During his 15 years with us he has worked mainly on secondary legislation, but for three years, from 2009 to 2012, he was clerk to one of the sub-committees

of the European Union Committee—the Environment Sub-Committee as it then was. He then returned to work as a much-valued member of the advisory staff to the Secondary Legislation Scrutiny Committee. Those who are well placed to say so have assured me that his understanding and knowledge of secondary legislation is almost without rival. When he retires, he will be much missed by officials in government departments with whom he has worked, and by the officials and Members of the House who have benefited so much from his work here.

To some, a lifetime dedicated to secondary legislation might seem a little dull but there is nothing dull about Paul Bristow. He revels in puns, which he bestows on his colleagues with unbounded generosity, and he has a more serious hobby—he is an author. He has published several novels, which are the product of his interest in the politics and society of France. To call them novels is a bit of an understatement. They are better described as thrillers. Two of them are set in the time of Napoleon Bonaparte and the third is a modern political thriller set in France at the start of this century.

Perhaps I can say on his behalf that you can find out all about these books on easily researched websites. We understand that he plans in his retirement to write a fourth, set in the France of the 1850s and 1860s, during the second empire of Napoleon III. He also hopes to spend more time with his two young granddaughters in Devon and, as Voltaire might have put it, to help his wife cultivate their garden. We wish him much happiness in what promises to be a busy retirement.

Finally, I add my own thanks to all the staff who are still with us, particularly those who have helped me so much in the Convenor's Office. I wish them, and all noble Lords, a very happy Christmas and a safe and peaceful new year.

Lord Taylor of Holbeach: My Lords, I beg to move that the House do now adjourn.

The Deputy Chairman of Committees (Lord Brougham and Vaux) (Con): My Lords, before I put the Question, on behalf of the Lord Speaker and all the Deputies, we too would like to wish everybody in the Palace of Westminster a very happy Christmas.

House adjourned at 5.54 pm.

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