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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

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<b>Abbreviation</b>	<b>Party/Group</b>
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
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

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# House of Lords

Thursday 28 March 2019

11 am

Prayers—read by the Lord Bishop of Newcastle.

## Public Service Broadcasters Question

11.06 am

Tabled by *Baroness Bonham-Carter of Yarnbury*

To ask Her Majesty's Government what assessment they have made of the speech of the Chief Executive of Ofcom on 28 November 2018 in which she encouraged public service broadcasters to collaborate to compete with global giants such as Netflix and Amazon in producing high-quality original content.

**Lord Foster of Bath (LD):** My Lords, on behalf of my noble friend Lady Bonham-Carter and with her permission, I beg leave to ask the Question standing in her name on the Order Paper.

**The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Lord Ashton of Hyde) (Con):** My Lords, the Government recognise many of the issues and new challenges facing our public service broadcasters, highlighted by the Ofcom chief executive in her speech on 28 November last year. The Government are committed to supporting the PSBs to ensure that they continue to meet audience needs in future and remain at the heart of our world-class TV industry. This may mean PSBs collaborating to compete and forming new partnerships to achieve greater reach and impact. The BritBox proposal recently announced by the BBC and ITV is an example of this, and we look forward to seeing more detail on this service as it develops.

**Lord Foster of Bath:** I thank the Minister for his reply, but does he agree that in this fast-changing world—with US-based on-demand video streaming services such as Netflix, Amazon and now Apple increasingly penetrating the UK market—we need an agile regulatory regime that does not act as a brake on UK innovation? Netflix updates its platform once a week, yet it could take up to eight months for Ofcom to approve very modest changes to the BBC's iPlayer. Should we not find a quicker way to approve BBC initiatives that benefit UK audiences and new proposals—such as the joint venture proposed by ITV and the BBC for BritBox—that could provide additional investment for new British content?

**Lord Ashton of Hyde:** My Lords, I agree with the noble Lord that we should have nimble and agile PSBs and therefore a regulatory system that is capable of dealing with that. The analogy he draws is not quite correct. Netflix can change its platform overnight because it has to consider only Netflix, whereas Ofcom has to consider the whole regulatory landscape. It is therefore important that it takes into account what effect it has if the BBC changes something such as the iPlayer.

I take the point he makes about being nimble and agile and moving with the times. The chief executive of Ofcom made that point exactly when she said that it needed to be,

“a forward-looking regulator that supports the future success of UK TV, firmly rooted in the online world”.

**Baroness Chisholm of Owlpen (Con):** My Lords, collaboration obviously brings opportunities, but will my noble friend comment on the importance of ensuring, and indeed what is being done to ensure, that PSBs carry on making programmes that the UK viewer wants to watch—as opposed, perhaps, to what the American viewer wants to watch?

**Lord Ashton of Hyde:** My noble friend is absolutely right. This is one problem with US subscription services. They spend a huge amount on content. Netflix spent £4.6 billion on content in 2017 and Amazon spent £3.4 billion, but only £150 million of that was UK-made TV, whereas the public service broadcasters spent £2.6 billion on UK content.

**Lord Griffiths of Burry Port (Lab):** My Lords, I welcome the Minister's replies to questions thus far put, but in the speech that occasioned the Question the Ofcom commissioner talked about competition and collaboration between the public service broadcasters and the great platforms that we are talking about—the FANGs. In other words, this is not just about competition between public service broadcasters and these various bodies; collaboration needs to happen between them. She points to certain instances such as “King Lear” and “Dracula” that are evidence of such collaboration already taking place.

I must not outlast my welcome, but I have one tiny thing to finish. Apart from BritBox—this thing that is coming between ITV and the BBC—I have recently been made aware of other boxes that are the result of piracy and people taking the market away from all the bodies that we have thus far discussed. What kind of eye are we keeping on such activities in this ever-emerging field?

**Lord Ashton of Hyde:** The noble Lord is right that there has already been a lot of collaboration. Collaboration exists between Netflix and other subscription video on demand services and the public service broadcasters. That will continue and is being encouraged. Illegal boxes are illegal. They will be prosecuted within the law because they take away the benefits that public service broadcasting brings to ordinary citizens and consumers in this country.

**Lord McNally (LD):** My Lords, one protection for public service broadcasters in the 2003 Act was prominence in the listings, yet now both the FANGs that have been described and the manufacturers are calculatingly getting around the listings to shunt public service broadcasting into the sidings. It will need from the Government and the regulator more than passive observation. Active action will be needed if the PSBs are to be protected.

**Lord Ashton of Hyde:** I agree with that. That is why we promised to legislate when Ofcom gives us its recommendations for the online prominence regime. If it needs legislation, the Secretary of State says that we will do that.

**Lord Foulkes of Cumnoek (Lab Co-op):** My Lords, does the Minister recall that Ofcom found that RT had breached the regulations seven times? Is he concerned that the appeal by RT is taking a very long time? Meanwhile, it is continuing to pump out Putin's propaganda all over the United Kingdom, with polemic programmes fronted by people such as George Galloway and Alex Salmond.

**Lord Ashton of Hyde:** One difference between this country and Russia is that there is a rule of law. The legal process is being followed, which includes regulation that Parliament has given to Ofcom, independent of government. That will be followed, and I trust that something useful will happen from it.

**Lord Hain (Lab):** My Lords, will BritBox be available to British holidaymakers in Spain, France and so on, and to British expats who are resident there? I ask because I was approached on holiday in Spain some years ago by a local provider of British television who wanted to negotiate a legitimate fee-paying service with freeview suppliers, including the BBC and ITV. But when he approached the heads of the BBC and ITV, they were not interested. That does not seem sensible.

**Lord Ashton of Hyde:** The difference with BritBox is that it is a commercial service and therefore that it will be in its interest to get as many people to pay as possible. It already exists in America. I cannot answer precisely on whether it will be available in Europe, but there will be different motivations for the BBC and ITV, as this is a commercial service and they will want as many subscribers as they can get.

## Economy: Productivity Measurement

### Question

11.14 am

Asked by *Lord Haskel*

To ask Her Majesty's Government what steps they are taking to modernise the way productivity is measured in the economy.

**Lord Young of Cookham (Con):** My Lords, the independent Office for National Statistics measures productivity and has increased the volume and timeliness of productivity data, which can now be accessed by region, with detailed breakdowns of region by industry. We are the only country in the world to produce quarterly, rather than annual, multifactor productivity reports, which take account of capital. We now also have the UK's first official estimates of aggregate infrastructure and intangible assets, such as research and development.

**Lord Haskel (Lab):** I thank the Minister for that reply. However, it is not the quantum of data that we need but up-to-date data. The Government's industrial strategy—if noble Lords remember that—is directed towards raising our productivity by developing the so-called intangible economy and the digital economy. Yet the way we measure productivity is still biased towards traditional industry. It is the same with GDP.

As they say, what gets measured gets done. Will the Government show some urgency and speed up, encourage, publicise and conclude the work of modernising these measurements so that we may get a better understanding of exactly what is going on in our economy today?

**Lord Young of Cookham:** The noble Lord has a long-standing interest in productivity data, perhaps inspired by the book *Capitalism Without Capital* by Professor Jonathan Haskel, with whom he has a relationship that is statistically significant. The noble Lord is quite right that intangible assets such as software, research and development and intellectual capital are now just as important as tangible assets. In fact, the annual investment in each is about the same. The ONS regularly engages with leading academics and government departments to ensure that its work meets their needs; there is an annual productivity user forum. Over the next two years, the ONS is investing in improving information, particularly on public service productivity, and I will ensure that it takes the noble Lord's injunctions on board tomorrow morning.

**Lord Cormack (Con):** My Lords, would it be a good idea if the good Professor Haskel turned his attention to productivity in your Lordships' House, and compared it with productivity in what is fast becoming the House of Chaos at the other end of the Corridor?

**Lord Young of Cookham:** It is certainly the case that cost per Member is much lower in your Lordships' House than in another place, although of course there are reasons for this. So far as productivity in your Lordships' House is concerned, one possible measure would be the number of questions we get through in 30 minutes adjusted for quality.

**Lord Fox (LD):** My Lords, without bringing the analysis down, it is a fraction; it comes down to that in the end. The denominator is something that the Government like to talk about a lot. Employment levels are high and that is a good thing. However, the numerator is GDP. Last year, we saw GDP grow at only 1.4%—the worst performance since 2009—and the ONS predicts that the figure this year will be 1.2%. Clearly, the chaos we are seeing is driving down GDP growth. How can we ever have the productivity levels that the Government aspire to when the chaos around us prevents investment and confidence in business?

**Lord Young of Cookham:** The noble Lord goes back to an issue raised by the noble Lord, Lord Haskel, which is the industrial strategy. Its main thrusts were driving up productivity, backing businesses with high-quality and well-paid jobs, and investing in skills, growth industries and infrastructure. Investment in infrastructure is up 3%. Private sector investment totalled over £358 billion in 2018, combined with public sector investment. We also have long-term partnerships in 10 key sectors, so we are making progress. One reason that productivity has not been as good as it might have been is that, after the downturn, industry tended to keep people on, but at the same time, investment fell. Of course, that had an impact on productivity.

**Lord Stevenson of Balmacara (Lab):** My Lords, it is always a pleasure to see the noble Lord in his place, particularly when he is straying off-piste. He mentioned some of the issues raised in Professor Haskel's book but he did not touch on the key point raised by my noble friend Lord Haskel, which is that the new technologies do not rely on physical goods but on a different type of trading, which involves platforms, brands and algorithms. What work is being done to try to make sure that that aspect of the new technologies is being caught? The second point made in that excellent book is that people measuring productivity seem to ignore the productivity of which we in this country are very proud of, in making real progress in education and health. Those things are not even counted in GDP.

**Lord Young of Cookham:** The noble Lord is quite right to say that productivity in education and health has gone up. Over the past few years, productivity growth in the public sector, which had been 0.2% for the past 19 years, grew to 1.4% in 2016. We have had six successive years of improving productivity in the public sector, and health and education lead the field. The noble Lord is quite right in his other point about intangible assets. We are putting a lot of work into measuring intangible assets. This has a key impact on productivity, for example, in the information and communications sector and in the science sector. Along with investment in software and R&D, intellectual capital training is also an important intangible. It is one of the most important ones, followed by organisational capital.

**Lord Tyrie (Non-Affl):** My Lords, I declare a statistically very significant interest as chairman of the Competition and Markets Authority. If productivity and competition levels in the British economy are in decline—and there is a good deal of evidence to support that—it probably follows that competition policy is not robust enough at the moment and needs a shot in the arm, so does the Minister support the proposals designed to achieve that which I sent to Ministers last month?

**Lord Young of Cookham:** The noble Lord, whom I have known for 35 years, brings to your Lordships' House his ability to propose and then drive through major economic reform. The proposals he refers to are indeed detailed, trenchant and robust, and they will inform the competition policy that the Government are working on. Not only can it benefit consumers by promoting better-quality goods and services at lower prices but it can help the economy by promoting innovation and productivity. The Government welcome his report and will be consulting on the competition review shortly, including his proposals.

## Meat: Ritual Slaughter and Religious Freedom Question

11.22 am

Asked by **Baroness Ludford**

To ask Her Majesty's Government, in the light of developments including the judgment of the Court of Justice of the European Union of 26 February *Œuvre d'assistance aux bêtes d'abattoirs v Ministre de l'Agriculture et de l'Alimentation* (C-497/17) that

meat prepared according to the rules of religious slaughter cannot be classed as organic, what plans they have to encourage a wider debate about the space for practice in accordance with religious rights that respects human rights and equalities laws.

**The Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office (Lord Bourne of Aberystwyth) (Con):** My Lords, the Government note the judgment that EU law does not authorise the placing of the EU organic production logo on products derived from animals that have been slaughtered in accordance with religious rites without first being stunned. The ruling will apply in the UK but, in any event, since January all UK organic control bodies ceased to certify meat from non-stunned animals as organic.

**Baroness Ludford (LD):** I thank the Minister for that Answer. This ECJ judgment effectively means that those in the Jewish and Muslim communities who wish to purchase kosher or halal meat legally slaughtered without pre-stunning will be unable to buy products with the organic label. I am secular, but I think it is important that religious communities have the right to practise their religion, not just the right to religious belief, as long as human rights and equalities laws are respected. We are seeing not only attacks on places of worship but on matters of dress, male circumcision and time off for religious observance as well as animal slaughter. Room for religious practice is being squeezed. How will the Government promote an honest, open debate in our society about where this is going and where a reasonable settlement lies?

**Lord Bourne of Aberystwyth:** The first point I make to the noble Baroness, which I made in my Answer, is that prior to the judgment it was already not possible to buy organic halal or kosher meat from un-stunned animals. That was the practice from January. On her general point about religious freedoms, in this country we have some of the best protections in the world with the Equality Act and the convention on human rights. It is something of which we can be justly proud.

**Lord Forsyth of Drumlean (Con):** My Lords, I draw the noble Baroness's attention to yesterday's *Hansard*, where the noble Lord, Lord Hannay, is reported as saying that,

"if the Prime Minister's deal goes through ... rulings of the European Court of Justice will be directly applicable in this country ... So we had better get used to it".—[*Official Report*, 27/3/19; col. 1854.]

**Lord Bourne of Aberystwyth:** My Lords, my noble friend has already drawn the noble Baroness's attention to that point. As I have said, this was the pre-existing practice in this country anyway, and there is no proposal to change the law in this regard.

**Lord Trees (CB):** My Lords, in the UK a substantial amount of meat and meat products from animals killed without stunning and meant for the consumption of certain religious groups finds its way into the general food chain. What are the Government doing to prevent that or to ensure that there is adequate labelling of meat and meat products so that consumers can make an informed choice about what to eat?

**Lord Bourne of Aberystwyth:** My Lords, the Department for Environment, Food and Rural Affairs has indicated that it will look at labelling in the round to ensure that we take account of consumer demand. Therefore, that is something that we can ensure. It has been perfectly legal to sell kosher and halal meat since the 1930s and that position remains unchanged. The only change is that since January this year—this is not to do with the judgment—it has not been possible for it to be classified in this country as organic.

**Lord Polak (Con):** My Lords, I would like to register an interest in that I eat only kosher meat. I understood that labelling meat as organic is about how the animal is reared or fed, not about how it is killed. However, does the Minister agree that mechanical stunning methods are not fool-proof? Why does he think that campaigners often concentrate on shechita, for example? According to Defra, mis-stunning, which can cause an animal distress, affects about 1% of the total poultry slaughtered per annum—9.5 million—when the total number of poultry for the kosher market is just 1 million a year.

**Lord Bourne of Aberystwyth:** My Lords, I note what my noble friend says and he is absolutely right: the number of mis-stunning incidents in abattoirs is very low, and that has been the case over a period of time. As I said, there is a delicate balance to be struck here between what might be desirable from an animal sentience point of view and what is desirable from a religious rights point of view. It is a very delicate balance but I think that we have it right in this country. Certainly, my department has had very few representations on this issue; I do not think that it is a major issue with the public.

**The Lord Bishop of Worcester:** My Lords, the noble Baroness's Question is about much more than meat. It was Lord Acton who wrote that religious freedoms are the foundation of political freedoms. Is it not true that the debate for which the noble Baroness is calling is very relevant, despite the record to which the Minister has drawn attention and of which we can be proud? Religious groups are feeling caught between the views of the majority in all sorts of situations and their own religious observance and conviction.

**Lord Bourne of Aberystwyth:** My Lords, the right reverend Prelate makes a relevant point about the general issue and about having a debate. A debate may well be something that we should have, although I find it difficult to have it on a question of this nature. I draw the right reverend Prelate's attention to the report of the Equality and Human Rights Commission in 2015—some three years ago—which indicated a general satisfaction with the balance that we have at the moment. However, I accept that there are issues to be addressed and I personally would welcome such a debate.

**Lord Palmer of Childs Hill (LD):** My Lords, the organic farming of animals has nothing to do with religious slaughter. I take on board what the Minister has said but, when he goes round mosques and synagogues, how will he explain to the worshippers that this Government and this country have agreed with European legislation that is both illogical and unfair?

**Lord Bourne of Aberystwyth:** My Lords, the noble Lord knows that I have the utmost respect for him, but I have already made the point that this judgment does not alter practice in this country; that was altered in January when the last organic body indicated that it would not certify as organic products that were not pre-stunned. I have to say to the noble Lord that I have been to hundreds of synagogues and mosques over the last three years and this has not been raised once.

## Cyclone Idai Question

11.29 am

Asked by **Baroness Hayman**

To ask Her Majesty's Government what assessment they have made of the current humanitarian situation in the countries affected by Cyclone Idai.

**The Minister of State, Department for International Development (Lord Bates) (Con):** My Lords, Cyclone Idai is one of the most severe cyclones ever to hit southern Africa. Approximately 129,000 people have been displaced in Mozambique, 87,000 in Malawi and 4,000 in Zimbabwe. Some 2.6 million people have been affected across the three countries.

**Baroness Hayman (CB):** I am grateful for that response and for all that the department has already done, including UK Aid Match, which has helped the Disasters Emergency Committee appeal reach over £21 million in less than a week. I remind the House of my interest as a trustee, and that the appeal is still very much open for those who have yet to donate. Does the Minister agree that the scale and effect of this disaster is devastating and still unfolding with, as he said, more than 2.5 million people in need of urgent humanitarian assistance and the threat of a secondary emergency from diseases such as cholera and malaria? Could he tell the House of the department's longer-term plans to help these countries recover and what the Government are doing to encourage other countries to match this country's generosity, both private and public?

**Lord Bates:** I pay tribute to the noble Baroness's work with the Disasters Emergency Committee. The amount of money raised—£21 million—is phenomenal, thanks to the generosity of the British people. The UK Government contribution is some £22 million so far. The appeal launched by the UN is for some \$289 million. The UK contribution, from overseas development assistance alone, is way ahead of that of any other country. The next nearest is the United States at \$10.8 million and then Germany at \$3.5 million. Rightly, the Secretary of State for International Development and the Minister for Africa have been putting great emphasis on getting other countries to step up to the mark and realise the severity of the situation faced by these people.

**Lord McConnell of Glenscorrodale (Lab):** My Lords, I was struck even at the time of the last significant flooding that there were no preparations in place to try to avoid a similar catastrophe affecting so many communities in the future. Will the Government, as part

of these international discussions and through our own ODA, look to build better disaster resilience facilities and mechanisms for the future in Malawi and Mozambique in particular, including early warning systems and the construction of homes and facilities that can withstand some of these extreme weather events?

**Lord Bates:** Absolutely—I am happy to give that commitment. The UK Met Office has a significant relationship in Mozambique as far as that is concerned. We have commitments already on the ground there from previous instances of providing resilience support. We have a £150 million DfID package of programmes which is supporting building resilience, and we will build that up further as we move to the UN climate summit in September.

**Lord Howell of Guildford (Con):** As we are chair-in-office of the Commonwealth, will my noble friend the Minister encourage the Government to encourage the richer Commonwealth countries to work closely together now and rally round to help a stricken member of the Commonwealth family?

**Lord Bates:** I am happy to do that in relation to Mozambique and Malawi. Canada has contributed some \$2 million, but the scale and response internationally is just not meeting the level of crisis that we are seeing on the ground.

**Lord Alton of Liverpool (CB):** My Lords, can I return the Minister to the Question that the noble Baroness, Lady Hayman, asked him in connection with the spread of cholera? Did he see that the first reported cases of cholera were confirmed overnight in Mozambique? Did he see the comment of Ussene Isse from the Mozambique Health Ministry, who said:

“When you have one case”,  
of cholera,  
“you have to expect more cases in the community”—  
and that health workers are already battling 2,700 cases of acute diarrhoea, which could be a symptom of cholera? Given that the World Health Organization has said that it will deliver some 900,000 oral cholera vaccines, can the Minister tell us when they are likely to arrive?

**Lord Bates:** Yes, I can give the noble Lord an update from the situation report that I received just an hour before coming to the House today. Five cases were confirmed at a laboratory in Beira. There is a high risk of an outbreak. Vaccinations are already under way but this is a very worrying situation, which is another reason why the scale of the response and facilities from the international community needs to be stepped up.

**Baroness Sheehan (LD):** My Lords, in response to my Oral Question yesterday, we heard the extent to which the Government in the UK support the export of fossil-fuel infrastructure. Shockingly, 40% of those exports go to developing countries. Does the Minister recognise the policy incoherence between, on the one hand, support for fossil fuels and, on the other, the millions that DfID is deploying to alleviate the awful suffering caused by extreme weather events such as Cyclone Idai?

**Lord Bates:** On the co-ordination that we are responsible for, we have committed some £5.8 billion to international climate finance. We are taking a leading role in resilience, ensuring that the ambitions set out in Paris are actually met and putting resources behind that. So we are doing all that, but this is a complex situation and international co-operation is needed to address it.

**Baroness Tonge (Non-Aff):** My Lords, the Minister may recall that some 20 years ago there were images in our newspapers of a woman giving birth to a baby in a tree in Mozambique. The disaster then was made worse by a shortage of helicopters and large Antonov aeroplanes that could get helicopters to the area. Has this been corrected? Are there enough helicopters to help people in south-east Africa at the moment?

**Lord Bates:** We could not say that there were enough, but what the international organisations are doing is quite remarkable. The Office for the Co-ordination of Humanitarian Affairs at the UN, led by Sir Mark Lowcock, formerly of DfID, has been doing an incredible amount of work in this area. The UNFPA is dealing with that particular point but so is the WFP, the IOM and UNICEF. They are all working to ensure that people get the help that they need.

## Liaison Committee Report

### *Motion to Agree*

11.37 am

*Moved by The Senior Deputy Speaker*

That the Report from the Committee *New special inquiry committees 2019-20* (4th Report, HL Paper 309) be agreed to.

**The Senior Deputy Speaker (Lord McFall of Alcluith):** My Lords, the ad hoc committees that the House set up last spring have now started to report. In anticipation, last autumn I invited Members of the House to put forward proposals for what we are now calling special inquiry committees.

I am once again very grateful to all the Members of the House who put forward proposals for special inquiry committees in the next Session. The Liaison Committee has had an excellent range of topics to choose from, and the proposals underline the range and breadth of expertise that is in your Lordships' House. The committee always has a difficult task in choosing which committees to recommend and, with 27 proposals to choose from, this year was no exception. I hope noble Lords will all agree that the committee's recommendations cover a wide range of subjects that will make excellent use of Members' talents and contribute to debate and policy-making in a range of topical and cross-cutting areas.

We agreed the following proposals for special inquiry committees: democracy and digital technologies, proposed by the noble Lord, Lord Lipsey, and the noble Baroness, Lady O'Neill of Bengarve; food, poverty, health and the environment, proposed by the noble Lord, Lord Krebs, and the noble Baroness, Lady Boycott; and the social

[LORD McFALL OF ALCLUITH]  
and economic consequences of the gambling industry, proposed by the right reverend Prelate the Bishop of St Albans.

As the report states, food, poverty, health and the environment all intersect. That inquiry would examine key issues, including how food can be made both sustainable and affordable. The gambling inquiry would be a wide-ranging study of both the social and economic consequences of this industry, bearing in mind that, with the rise of the internet, gambling is much more accessible than was the case 20 or so years ago.

On the proposed inquiry into democracy and digital technologies, the Political Polling and Digital Media Committee, which reported in April 2018, recommended that a further committee be established to scrutinise issues around digital media and politics that it had not had the opportunity to undertake in detail. Establishing this special inquiry is a response to that recommendation, as well as to the growing prominence of debates around democracy and digital technologies.

Since the appointment of the first House of Lords post-legislative scrutiny committee in May 2012, the House has established a strong reputation for this relatively new aspect of its work. Therefore, we agreed to recommend a post-legislative scrutiny committee to consider the Electoral Registration and Administration Act 2013.

We considered all the proposals we received against our published set of four criteria, namely: making best use of the knowledge and experience of Members of the House; complementing the work of Commons departmental Select Committees; addressing areas of policy that cross departmental boundaries; and, lastly, whether the inquiry proposed could be confined to one Session. The committee took care and time in coming to its conclusions. I hope the House will agree that our recommendations will provide a timely and manageable set of inquiries for the coming year.

I end on a note of gratitude for the work of all our committees. The enthusiasm with which Members from all sides of the House approach this aspect of our work is exemplary. We should all be proud of the work. I beg to move.

**Baroness Deech (CB):** My Lords, Members might recall that this time a year ago anxieties were aired in this House, not so much about the subjects chosen, which seemed interesting, but about too much government control over membership and a lack of input from Members of the House over the subjects chosen. Indeed, I believe reform of the method of selection of members and subjects was aired; I think I gave evidence. Could the Senior Deputy Speaker tell us whether any reforms have taken place?

**Lord Campbell-Savours (Lab):** My Lords, I welcome the noble Baroness's comments. Indeed, I recall her intervention last year.

I need to place on record once again, on behalf of colleagues, our concern and regret that the decisions taken by the committee did not include an inquiry into national identity cards. This is certainly the third year, perhaps even the fourth, that this committee has refused

to entertain the idea of such an inquiry. It has been blocked again by the usual coalition of Liberal Democrats, who historically have opposed the introduction of national identity cards, and Conservative members of the committee. When the coalition was running the country, the Conservatives were forced by the Liberal Democrats to back down and abolish Labour's programme.

I am also told that members of the committee are advised—indeed, I think it is some members' view—that it is not necessary for Members to indicate the scale of support in the House for inquiries that they are suggesting. I challenge that; I believe that is quite wrong. I believe it is for Members, when submitting subjects for inquiry, to be able to indicate the scale of support. In the case of national identity cards, support came from right across the political spectrum, from left to right. It came from those with more liberal views on social issues as against those of a more conservative disposition. It came from Brexiteers and remainers. Brexiteers were particularly interested as they see ID cards as important in conditions of restrictions on free movement and management of entitlements, which are at the heart of much of the Brexit debate. Equally, remainers call in aid experience of the benefits of the introduction of these cards in other European states. The stats are very interesting. Of a European population of 742 million across 28 states, only four states have resisted their introduction: Switzerland with 8.5 million, Denmark with 6 million, Liechtenstein with 37,000 and the United Kingdom with 66 million, a total resistance of just over 10% throughout Europe.

Next year, we will try again, but I do not live in hope any more. Persistence simply is not paying, and it is very hard to know how to proceed. Right across this House, people often ask me when we will get this inquiry. This political resistance within the committee—which is now obvious to everybody—requires the reforms suggested by the noble Baroness, Lady Deech.

11.45 am

**Lord Alton of Liverpool (CB):** My Lords, although it is perfectly natural for anyone who submitted an application to the committee—as I did on the issue of genocide—to feel disappointed if it does not succeed, I would like to say a word in support of what my noble friend Lady Deech said about the process itself.

I have very high regard for the Chairman of Committees and the members of the committee. This is no criticism of them. It is a positive suggestion about how we might deal with applications in the future. It would add to the life of the House if we had a hustings. People could argue their particular proposals, if they have made it to the shortlist—there would have to be a sifting process in advance. Why could Members of the House not then have the opportunity to vote on that shortlist? Certainly, there is proper debate and a vote taken with my noble friends on the Cross Benches in deciding what issues we place before the House. That is a very good precedent. This is something which engages the House, which is a merit in itself—that these are subjects we care about and want to see looked at properly by committees. The fair way to do that would be to look at the process itself. Therefore, can the noble Lord say whether it would be possible



for the committee to look at ways to engage the House more widely, after the sifting for the shortlist, in choosing the topics that then go forward for inquiry by Select Committee?

**Lord Hope of Craighead (CB):** I assure the noble Lord, Lord Campbell-Savours, that although I am a member of the committee I am not a political member at all. When I look at the subjects, politics simply does not come into my choosing. I confess that I did my best for him to enable the subject to get some kind of an airing—in a way that he did not accept—by trying to put it into post-legislative scrutiny. It was very much second best, but I was trying my best in the atmosphere I was party to. Politics did not come into it. If you look at the successful candidates, they were of very high merit. I am afraid that the problem is that it is always a competition. There may be other ways of handling that competition but, in the end, no subject has priority over the others: they compete according to the rules set out by the Senior Deputy Speaker.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, it may not have escaped the notice of some Members of this House that I can be awkward from time to time. I am a member of the Liaison Committee and I ask some awkward questions sometimes, as I am sure the noble and learned Lord, Lord Hope, can confirm. However, I think that the Senior Deputy Speaker has conducted this whole exercise in an impeccable way, has always been willing to look at changes, and I am sure will be willing to consider the suggestion from the noble Lord, Lord Alton. I certainly want to look at it. We changed the system this year to allow wider consideration and more input from Members. The staff carried out a very detailed scoping exercise in a very professional and fair way to make reports to us.

My noble friend Lord Campbell-Savours knows that I, personally, support his proposal. However, the committee had 27 different proposals and they were all very good, including that from the noble Lord, Lord Alton. My noble friend Lord Williams also put forward a good proposal, which I supported. At the end of the day, we had to come down on three on them and it was a very difficult decision. If my noble friend Lord Campbell-Savours puts his proposal forward again next year, I will again support it. But I hope that he and others will understand that this is not an easy exercise and accept a view from a member of the awkward squad: that a member of the establishment, namely the Senior Deputy Speaker, did a very difficult job in an exemplary manner on this occasion.

**Lord Lang of Monkton (Con):** My Lords, it has been my instinct over 40 years in both Houses that whenever the noble Lord, Lord Foulkes, rises to his feet I stand up and disagree with him. However, I am also a member of the Liaison Committee and I agree with every word that he has said, which is so surprising that I find myself on my feet again. I emphasise to the House, and particularly to the noble Lord, Lord Campbell-Savours, that—largely thanks to the noble Lord, Lord Foulkes—his case was carefully, extensively and thoroughly considered in committee. It had to be considered against the quality of all the other submissions that the committee had. I have heard nobody criticise the quality of the

submissions that have been chosen and recommended in the report and, on that basis, I hope that the House will be content to support the Senior Deputy Speaker on this Motion.

**Lord Jopling (Con):** My Lords, it is almost 55 years since I was first elected to work in this building, and one of the biggest changes over those years has been the rise of the Select Committees. I did the original negotiations through the usual channels on the setting up of the departmental Select Committees in another place, way back in 1979-80. They have become a much more important part of the work which Members do in both Houses. I suggest to the Senior Deputy Speaker that his committee might look at whether having just three of these sessional committees is enough. Listening to the noble Lord, Lord Campbell-Savours, talking about identity cards, I cannot see why we could not have an extra committee or even more than that. I cannot help feeling that three is not enough. While I have never been on the committee, I sometimes wonder whether the staff are not too much of an influence in the decisions of these committees.

I also point out that the European Union committees have an uncertain future. How long they will last we do not know, but there are a large number of noble Lords on the European Union Committee and its sub-committees. I hope that if those European committees come to be fewer and fewer, if at all, then something will be done to replace the work which they do; obviously, it would not be to do with the European Union but in other ways. I hope that the Liaison Committee will look at the prospect of expanding the work of Select Committees, as we have in the situation now and as it would be if the European Union committees came towards the end of their lives.

**Lord Pearson of Rannoch (UKIP):** My Lords, perhaps I may support what the noble Lord has just said and go a little further. Given that these committees are perhaps your Lordships' House's most valuable contribution to life in modern Britain, it is disappointing to see that we can afford to have only three of them. Following what the noble Lord, Lord Jopling, has just said, dare we hope that if Brexit ever happens we will no longer need seven EU committees? As noble Lords know, I regard them as largely a waste of time anyway, because Brussels has never listened to anything that they have put forward.

**The Earl of Erroll (CB):** My Lords, before everyone gets carried away about ID cards, perhaps we should remember why we burnt them a few years after the Second World War.

**Lord Low of Dalston (CB):** My Lords, I, too, am a member of the Liaison Committee and want to echo what other noble Lords have said in tribute to the work of the members of staff who support the committee. They do so in an extraordinarily professional way. The scoping reports that they produce on the various suggestions that have been made are of an exemplarily objective character. I get no sense of any attempt to lead the committee. If one gets any sense from reading the briefing papers in advance of the committee that their reports tend in a particular direction, I can only

[LORD LOW OF DALSTON]

say that it is not uncommon to be disabused of any initial impressions one might have gathered from reading the papers as soon as one turns up to the committee. There is very lively debate on the proposals made and the supporting reports produced by the members of staff, which often leads to a change of view. We should not worry on any account that the staff have any undue influence over the conclusions that the committee reaches.

**The Senior Deputy Speaker:** My Lords, I thank all noble Lords for their contributions today. If any Member is exercised by this, it is me, because I am always conscious that from however many submissions there are—be it 27, 35 or whatever—I can select only three, so I leave the vast majority of people disappointed as a result.

The points made have been very constructive. I say to the noble and learned Lord, Lord Hope, and the noble Lord, Lord Foulkes, and others that politics did not come into this in any remote way—I can assure the noble Lord, Lord Campbell-Savours, on that. Indeed, at the end of it, Members may recall that I specifically asked whether everyone had been content with the process, and everyone agreed that they were. The staff do a fantastic job of engaging on this and the members take it very seriously. We are unanimous in our approach.

Reform is important—the noble Lord, Lord Alton, and the noble Baroness, Lady Deech, made that point. I am exercised by that as well. Other members of the committee will be able to tell you of my desire to increase Member engagement. At the moment, we are undertaking a review of committees. It has been extensive to date, but I am happy for it to be more so. I would like there to be not just more Member engagement but more Member submissions. We could achieve that with the review of committees. It is the first review for 25 years. Therefore, we have an obligation not only to understand the environment we are in but to ensure that the reputation of the House of Lords is enhanced. There is no better way of doing that than through the work of our committees. We are at one on that. If the noble Baroness, Lady Deech, the noble Lord, Lord Alton, or any noble Lord wishes to engage with me on that point, I am happy to do so at any time; my door is open.

Noon

**Lord Campbell-Savours:** Does the noble Lord the Deputy Speaker really believe that 11 people, some of whom are taking political positions—that is certainly the case with the Liberal Democrats and the government representatives on the committee, which I have always objected to—should take decisions on their own which command so much of the resource of this place? Why does the committee resist seeing lists of people in support of particular recommendations when it knows that those lists reflect views right across the House? Those views will surely influence decisions taken by the committee on the subjects that they pick.

**The Senior Deputy Speaker:** The noble Lord and I are at variance on this. He is, in fact, at variance with every other member of the committee too. I will go over the noble Lord's case because it is an important aspect. The committee and I were very mindful of the proposal

for national identity cards and we were careful in our consideration of it. As the noble Lord knows, his proposal did not make it on to the shortlist, but it was considered for post-legislative scrutiny as part of the Electoral Registration and Administration Act 2013. I know that when that was conveyed to the noble Lord he was almost immediately not content with it and expressed his lack of support for it in subsequent discussions with officials.

The scoping note was prepared for the committee and therefore focused principally on the Electoral Registration and Administration Act 2013. As an alternative, the noble Lord proposed post-legislative scrutiny of the Identity Cards Act 2006, which is no longer in force. The committee considered that alternative proposal and agreed not to recommend it, on the basis that the Act itself was no longer on the statute book and that, in this instance, scrutiny would be further hampered by the fact that some records had been destroyed shortly after the repeal of the Act.

The Identity Documents Act 2010 introduced a range of measures which provided for the repeal of the Identity Cards Act 2006, the cancellation of all existing ID cards and prohibition of issuing any further ones on or after the date on which the Act was passed, and the destruction of information contained within the national identity register within two months from the date on which the Act was passed. So a lot of that information was no longer available. The Act was repealed and the committee said it was not worth pursuing the matter. When I conveyed that decision to the committee, the noble Lord, Lord Foulkes, asked me whether, in these circumstances, we would consider the identity card proposal from the noble Lord, Lord Campbell-Savours. We had 27 submissions and eliminated all but eight. However, the entire committee and I accepted the request from the noble Lord, Lord Foulkes. So, rather than a short list of eight, we had a short list of nine. The submission from the noble Lord, Lord Campbell-Savours, went to the final hurdle as one of the nine, but it failed at that point because the majority of the committee was not in favour of that inquiry.

I agree that we need to reform. The review of committees is there; I am happy to take things forward. With the will of the House, we can change this; we can have more submissions. That is for the longer term; I appreciate the constructive comments that have been made today and am willing to listen to more Members' comments so that we have greater engagement.

**Lord Pearson of Rannoch:** May I press the noble Lord on the point I put to him? If Brexit ever happens we really will not go on needing seven EU committees: much resource is available there. Will he address the fact that Brussels has never paid the slightest attention to any of our suggestions, because the EU is designed precisely to ignore the views of national Parliaments? Is there not a resource waiting to be used if we ever get Brexit?

**The Senior Deputy Speaker:** I have to say that all my problems are concerned with this House and my vision does not extend to Brussels. With that, I beg to move.

*Motion agreed.*

**Forestry and Land Management  
(Scotland) Act 2018 (Consequential  
Provisions and Modifications) Order 2019**  
*Motion to Approve*

12.05 pm

*Moved by Lord Duncan of Springbank*

That the draft Order laid before the House on 11 February be approved.

**The Parliamentary Under-Secretary of State, Northern Ireland Office and Scotland Office (Lord Duncan of Springbank) (Con):** My Lords, this order is necessary as a consequence of the Forestry and Land Management (Scotland) Act 2018, which received Royal Assent on 1 May 2018, having been passed by the Scottish Parliament on 20 March 2018. I will refer to this as the 2018 Act. Section 104 of the Scotland Act 1998 allows for “necessary or expedient” legislative provision in consequence of an Act of the Scottish Parliament. In this case, a Section 104 order is required in consequence of the 2018 Act. Both the UK and Scottish Governments have agreed to this order being taken forward, following an initial request from the Scottish Government.

The 2018 Act is the final stage in a programme of work to devolve responsibility for the management of forestry, which started with the Scotland Act 1998. The 2018 Act, which will commence on 1 April, provides for the powers and duties that are held by the forestry commissioners, in so far as they relate to Scotland, to be transferred to Scottish Ministers. Two orders must be laid by the Government following the 2018 Act to transfer the relevant powers. One order is subject to the negative procedure, and was made under Sections 90 and 93 of the Scotland Act 1998. The order we discuss today has been made under Section 104 of the Scotland Act 1998 and is subject to the affirmative procedure.

**Lord Foulkes of Cumnock (Lab Co-op):** As the Minister knows, we have devolved other powers to the Scottish Government and Parliament, particularly over welfare. Having demanded these powers, and we having spent time considering and delegating them, they are not exercising them. They have said, “No, we cannot do it; we cannot carry out these powers because we just do not have the facilities or the ability to do it”. They have wasted our time, disillusioned the Scottish people and created tremendous problems. Can the Minister give us an assurance that the Scottish Parliament and Government are ready to deal with these forestry powers, because they certainly were not ready to deal with the welfare powers that we devolved to them?

**Lord Duncan of Springbank:** The noble Lord makes a point of some interest regarding the Scottish Government. One might almost say they could not see the wood for the trees—sorry, it has been a long day. I will come back to some related points once I have completed my opening speech.

Some functions will continue to operate across Great Britain in relation to forestry science and research, tree health, and common codes and standards. When the 2018 Act comes into force, the forestry commissioners

will no longer have a role in Scotland. Management of forestry will instead become the sole responsibility of the Scottish Government. This order enables the 2018 Act to be implemented in full. It provides new powers to Scottish Ministers and makes several consequential amendments to UK legislation, with a particular focus on the Forestry Act 1967.

Articles 3 and 4, along with similar provision in the Section 90 order, will enable cross-border arrangements to be entered into between the Scottish Ministers, the forestry commissioners and various other bodies. While forestry functions and management of the national forest estate will be fully devolved, the order will allow Scottish Ministers to enter into arrangements with the other bodies so that each may deliver certain functions on the other’s behalf.

Article 5 will confer powers upon Scottish Ministers to promote, develop, construct and operate installations for or in connection with the generation, transmission, distribution and supply of electricity produced from renewable sources and to use electricity produced by virtue of those powers. These powers are currently exercisable by the Forestry Commission in Scotland. When the Forestry Act 1967 is repealed as it relates to Scotland, it will be necessary to transfer these functions to the Scottish Ministers to ensure they have the same powers as the forestry commissioners have under the current arrangements.

Finally, the order makes a number of consequential amendments to the Forestry Act 1967, related statutory instruments and other primary legislation to reflect the removal of the forestry commissioners’ functions in or as regards Scotland.

We have worked closely with the Scottish Government at all levels to ensure that this order makes the necessary amendments to relevant UK legislation in consequence of the 2018 Act. It represents the final stage of devolving forestry to the Scottish Government. I commend the order to the House, and I beg to move.

**Lord Addington (LD):** My Lords, I will ask the Minister a few brief questions. First, what would be an example of practical co-operation on cross-border matters such as plant health or infection? What would be the practical steps? The Minister mentioned that steps would be taken for administrative connection—I think this was covered in the Commons. Could the Minister provide a little more clarity on the powers on electricity generation? There was also some discussion of this in the Commons, but exactly what sort of wood production or forestry by-products will be used in this generation? There was discussion about biomass; a little bit of clarification there would not hurt. Other than that, there is not much else to be said. The Commons took 21 minutes on this—let us see whether we can shave a moment off that.

**The Earl of Kinnoull (CB):** My Lords, I thank the Minister for his clear explanation, and I declare my interests as set out on the register. In particular, I am chairman of the UK Squirrel Accord, a body of 35 entities—the four Governments, the four nature agencies and the principal voluntary and private sector bodies—that are trying to deal with the problem of grey squirrels killing broad-leaved trees. The problem

[THE EARL OF KINNOULL]

is extremely serious and is preventing commercial forestry planting such trees at the moment in large tracts of our country.

I have two questions for the Minister, arising from the Explanatory Memorandum. First, to follow on from the noble Lord, Lord Addington, I note that paragraph 7.1 says:

“Selected functions continue to operate across Great Britain including functions relating to forestry science and research, tree health and common codes and standards”.

Where squirrels and tree diseases are concerned, a line in an atlas makes no difference at all to the problems; it is vital that things continue to be co-ordinated across the border. I think that sentence means, “Great Britain and Northern Ireland”, not just “Great Britain”. Could the Minister confirm that? Also, does it mean that various functions will remain at the UK level? That would be very helpful, given the necessity of moving forward on a co-ordinated basis, particularly in science.

My second question is on paragraph 7.3, which refers to Articles 3 and 4. It talks about maintaining, “a coordinated approach to issues such as the management of plant-based pests and diseases”.

Does the Minister agree it is vital to make sure that takes place? No individual bit of Great Britain has all of the intellectual power or money—or even necessarily a research institute—to do these vital things. It is so important that things remain co-ordinated. There is pretty much chaos at the moment, and staff morale is not good in some of the new bodies which will replace the current arrangements. If I have a fear, it is this: if the ball is dropped, the net result will be a big problem in plant health and broad-leaved trees.

12.15 pm

**Lord Davidson of Glen Clova (Lab):** My Lords, the forestry sector is a significant contributor to the Scottish economy, to the extent of some £1 billion. It also imposes opportunity costs resulting from the tax treatment of forestry and from the externalisation of costs pursuant to the effects on the rural road network during harvesting. So an important responsibility is given to Scottish Ministers and, as my noble friend Lord Foulkes observed, it is important that this is exercised sensibly.

Article 3 deals with Scottish Ministers and cross-border arrangements. Given that there will be mixed responsibilities where, for example, a single forestry unit straddles the border, will the Minister identify the extent and distribution of responsibilities between Scottish Ministers and their English counterparts? As the noble Earl, Lord Kinnoull, identified, this may also affect other matters such as squirrels. I understand that a memorandum of understanding is envisaged, but what is to be the guiding principle for the division of responsibilities, and how would any differences between the authorities be resolved? One notes the reference to arrangements as between Scottish Ministers, Welsh Ministers and the Natural Resources Body for Wales. What is to be regarded as the content of any such arrangements, and how will arrangements with Northern Ireland be governed? There is already an allusion to that point.

In Article 4, on forestry commissioners and the cross-border arrangements, what is envisaged as being the new relationship between Scottish Ministers and the forestry commissioners? Specifically, what arrangements are envisaged? Given that the forestry commissioners’ functions will no longer be exercisable in Scotland, this may be a significant issue.

In Article 5, on renewable energy installations, the Scottish Ministers’ functions will extend to promoting electricity produced from renewable sources. There is concern in Scotland that biomass energy, which was originally hoped to be substantially dependent on forestry thinnings, has now become dependent on using mature trees as the raw material for pelletisation. Beyond the order, will there be any guidance or control that Scottish Ministers may deploy to discourage this practice? In the same context, will recently expressed concerns over the health effects of wood smoke be subject to Scottish Ministers’ guidance, so far as the Minister is aware?

**Lord Duncan of Springbank:** My Lords, I am very grateful for the detailed questions that have been asked today, and I will do my best to do justice to them.

I will start with the noble Lord, Lord Addington. On the question of what practical co-operation and co-ordination will look like—this also touches on the comments made by the noble Earl, Lord Kinnoull—the purpose here is not to undo established relationships, particularly at the research level and where the co-operation is based on intellectual engagement with the various challenges facing either the health of the forest or indeed the welfare of the forest inhabitants. There are established relationships, and it is not anticipated that these will be interrupted or disturbed. They will reach not just between—to be frank—the current commissioners and Scotland but also where information can be shared between Wales, Scotland and England. The noble Earl, Lord Kinnoull, asked whether this applies to Northern Ireland, and I have been told that the answer is no, it does not. It focuses only on Great Britain in that context.

The issue around renewables is important. The current powers exercised by the commissioners will transfer as they are. The noble and learned Lord, Lord Davidson, asked about guidance, particularly with reference to mature trees. I believe that he and I share exactly the same view—that we should not in any way be looking at mature trees for renewable electricity generation. Again, I hope that the current guidance will be operated in exactly the same fashion: namely, that mature trees should not form the basis of wood chips or wood pellets to create renewable electricity. That would defeat the purpose of the overall ambition. The guidance exists, and I hope that it will continue to be applied in that wider context.

The noble Earl, Lord Kinnoull, asked an important question about squirrels. I know that he is a passionate advocate of the red squirrel—I am fully aware that I come from a part of the country, in Perthshire, around Alyth, which has a well-established red squirrel population. The noble and learned Lord, Lord Hope of Craighead, knows what I am talking about—he knows the squirrels

of Perthshire. Again, it is important that we recognise that we have established information about the squirrel communities, and we cannot lose that simply because we create different separations of powers. There needs to be a sharing of our understanding around squirrel movements, and we need to do that at the level of the island of Great Britain as a whole: that will remain absolutely essential to moving forward here.

We must be cautious—this touches on the points raised by the noble Lord, Lord Foulkes—that, as we move toward a new arrangement, it cannot be a diminution of where we are now: it must be an improvement, or certainly no worse. We must be cognisant of and attentive to each aspect, particularly where sharing relates to plant or tree health and where we have pests and various types of wood-borne disease. We cannot take any chances: our forestry estate is too important. Noble Lords will be fully aware of the challenges experienced just now with regard to ash trees, and the wider issue of contamination—how quickly it can spread if we are not careful. We must continue to co-ordinate and collaborate at a UK-wide level, because our forestry estate is too important not to.

The noble and learned Lord, Lord Davidson, touched on the issue of the rural road network. That is integral and the Scottish Government have the responsibility to take this matter forward sensitively and carefully. I hope that they will continue to do that, because it is critical to the well-being of often remote areas.

There is one block of forestry which straddles the border. It is currently managed as a block by Forest Enterprise England on behalf of Forest Enterprise Scotland, and it has been agreed that this block will continue to be managed by Forest Enterprise England on behalf of Forestry and Land Scotland—so the current arrangements will roll forward.

**Lord Foulkes of Cumnock:** Before the Minister concludes, I wonder whether he can help me. I should know the answer to this and apologise if it has been made public and I have missed it. What is happening to the staff in the Forestry Commission building in Corstophine and what is happening to the building itself? As I understand it, it has been the headquarters of the Forestry Commission for the whole of the United Kingdom, run from Corstophine in Edinburgh by some excellent staff. As I said, perhaps I should have known this or asked about it earlier, but I want to make sure that they are being looked after and that something sensible is being done with the building.

**Lord Duncan of Springbank:** The noble Lord speaks of Silvan House. He is absolutely right about the value of the work undertaken by the staff of the Forestry Commission in Scotland, and I understand that this will have no material effect on their well-being or conditions. I do not know about the building itself, but if the noble Lord will permit, I shall write to him once I have an answer, because I am not familiar with the situation there.

**Baroness O'Neill of Bengarve (CB):** Before the Minister sits down, I want to ask him a little more about treating Northern Ireland separately from the rest of

the United Kingdom in these matters. It is surely one thing to treat the Irish Sea as an effective border for the movement of animals, but that has not proved true for the movement of plant pathogens. When one looks at the map of the distribution of both ash dieback and phytophthora ramorum across the island of Ireland, one sees that it would be a fiction to regard Northern Ireland as separate from the rest of the UK.

**Lord Duncan of Springbank:** The noble Baroness makes an important point. It would be very difficult for us to look at the islands of the British Isles as a whole as anything other than one biogeographic unit. We cannot lose sight of that: the borders themselves are broadly meaningless, including the sea borders. I suspect, however, that that question requires a more detailed answer than I can give just now. If the noble Baroness will permit me, I will commit to writing with a very detailed answer to her question.

I am conscious that my opening remarks were slightly waylaid by the noble Lord, Lord Foulkes, asking a very sensible question: are the Scottish Government ready to exercise these powers? We have assurances that they are, but this House and the other place must be vigilant in our scrutiny of this: we cannot take our eye off it for a moment. We must make sure that there is no diminution whatever in the way that we treat our forestry estate and our forestry more widely. I am conscious that the noble Lord will remain vigilant, and we can rest assured that he will not let anything slip by. On that basis, I hope that noble Lords will allow this to move forward.

*Motion agreed.*

## Households Below Average Incomes Statistics Statement

12.24 pm

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Buscombe) (Con):** My Lords, with the leave of the House I shall now repeat a Statement made in another place by my right honourable friend the Secretary of State for Work and Pensions, Amber Rudd. The Statement is as follows:

“Mr Speaker, with your permission, I would like to make a Statement on the poverty statistics published today. These statistics cover a range of poverty indicators. In a year where inflation was relatively high, average incomes were flat but still remain at a record high. These numbers show that between 2016-17 and 2017-18, relative poverty, after housing costs, decreased by one percentage point; absolute poverty, after housing costs, was unchanged in percentage terms; and absolute poverty and relative poverty, before housing costs, increased by one percentage point.

Since we entered government in 2010, income inequality has fallen and we have lifted a total of 400,000 people out of absolute poverty, but no one in government wants to see poverty rise. After all, we all came into politics to help people plot a path to a better life. That has driven me since I entered this place in 2010, in the midst of a national economic crisis, because I know

[BARONESS BUSCOMBE]

that it is vital that government supports its citizens and provides them with the opportunities they need to succeed. I sit in a department that has huge power to do this. I have seen what a force for good universal credit can be—and will continue to be when we roll it out further. I know how committed my jobcentre colleagues are up and down the country, having had the privilege of visiting so many of them over recent months. They truly change lives for the better, no matter what the party opposite may say.

Colleagues on this side of the House are rightly proud that this Government have cleared up Labour's economic mess and helped more than 3.5 million people into work since 2010. Behind every employment statistic is a person or family whose mental health, well-being and life chances are improved by being in the workplace and having the security of a regular pay packet. It means that 665,000 fewer children will grow up in workless households, providing them with the support of an income, meaning that they are less likely to grow up in poverty and giving them a role model in work. It means that this Government have supported almost 1 million more disabled people into work; I want to be more ambitious to support even more disabled people into work. It means that millions more receive a well-earned pay increase, with wages now growing at the fastest rate in a decade.

This is the record of a Conservative Government who provide opportunities for all, rather than trapping people on welfare. Remember, every Labour Government have left office with unemployment higher than they inherited. Under the last Labour Government, 1.4 million people spent most of the previous decade trapped in out-of-work benefits, meaning that spending spiralled out of control, with benefits increasing by 65% in real terms. Trapping people on benefits does not help them; it holds them back and it costs those dearest to them, who do the right thing: get up early and go to work. Every household paid an extra £3,000 a year to cover Labour's welfare splurge, including the lowest earners, who were paying income tax. It was vital that, in these circumstances, the Government brought spending under control.

Colleagues know that our careful management of the economy means that we continue to improve our support for the poorest and the lowest paid. Today's statistics capture household incomes up to April 2018. Since then we have had nearly a year of real wage growth. This Government have made significant changes to increase the incomes of the poorest since then, injecting £4.5 billion into universal credit alone in the 2018 Autumn Budget.

Next month these changes begin to take effect. We will also give the country's lowest earners the biggest pay rise in 20 years. From this April we will be increasing work allowances by £1,000 for families with children and disabled people; increasing the national living wage, which will rise to £8.21 an hour from next week; and increasing the personal allowance to £12,500, taking millions of the lowest paid out of paying income tax altogether. But I know we can do even more and I want to do more.

Since coming into post, I have been determined to deliver a compassionate welfare system that supports the most vulnerable. In January I announced that we will no longer be extending the two-child policy to apply to children born before 6 April 2017, costing £250 million and helping 15,000 families a year. We will trial supporting upfront childcare costs with the flexible support fund, allowing parents to start work before paying for childcare through universal credit. We committed to building an online system to enable private landlords to request that a UC tenant's rent is paid directly to them, supporting the most vulnerable to manage their money. We are looking at how we can ensure that it is the main carer in the household, usually a woman, who receives the UC payment.

This month I further pledged to scrap PIP—personal independence payment—reassessments for 280,000 disabled pensioners; to introduce a personalised and streamlined assessment service to improve the experience for people claiming health-related benefits; to pilot a single assessment for UC and PIP; and to consider how we can best reduce the number of claimants who appeal decisions on PIP and WCA, by ensuring we do more to make the right decision first time around. In addition, the Chancellor has already announced our aspiration to end low pay, starting with a new review into the future of the national living wage.

I will continue to work with colleagues across the House to further improve our support for those on the lowest incomes, because I know that no one in Britain should have their future determined by the circumstances they are born into. Every single boy and girl born in this country should be able to reach their maximum potential, escape any societal constraints, dream big and reach the highest heights. Every single man and woman should be able to go into the workplace knowing that a better future awaits them and their family, and that endless possibilities and ambitions are within their grasp. Every town and city in this country needs to know that this Government are on their side, that we match their aspirations and that by working together we will make every community a better one to live in. These are ideals that are at the heart of this Government and at the heart of the work I do every day. We will not stop until we have completed this mission. I am determined to tackle poverty, in particular child poverty, and I will look at what more can be done in the spending review.

This is what it means to be a compassionate Government who support work, let dreams become reality and help those in need. We will work tirelessly to deliver this. We will act to support the lowest paid and the most vulnerable. We will deliver a country that works for all. I commend this Statement to the House”.

12.34 pm

**Baroness Sherlock (Lab):** My Lords, I thank the Minister for repeating that Statement and for advance sight of it, but, not for the first time, I rather wish Lords Ministers were allowed to make their own Statements. I do not blame the Minister for the rather partisan nature of that; I suspect it may be aimed more at the Secretary of State's Back-Benchers than at this House. None the less, since she has had to put that on the record, I am now obliged to repudiate it before

we can get on to talking about poverty figures. Bear with me while I do that briefly, then we can talk about what was actually in the Statement.

Since the Secretary of State chose to attack what she called “Labour’s welfare splurge” and what we called lifting children out of poverty, I have to put to rest once and for all that old canard that the Government were forced to cut spending on the poor because of Labour’s record. A detailed study, by Ruth Lupton et al, of the coalition Government found that,

“the poor bore the brunt of its changes to direct taxes, tax credits and benefits”.

Meanwhile, with the exception of the richest 5%, those in the top half of the distribution were net gainers from the changes.

“Perhaps surprisingly, overall the ‘welfare’ cuts and more generous tax allowances balanced each other out, contributing nothing to deficit reduction”.

Those coalition austerity cuts were not needed to reduce the deficit or to do anything about Labour’s spending in the past; they were to pay for tax cuts. The benefits of those tax cuts are felt primarily by higher earners. If you increase the personal allowance, someone earning £80,000 a year benefits from all of it. A single mum working 35 hours a week during term time at the minimum wage does not earn enough to benefit at all.

I have now taken a deep breath and will move on to today’s Statement. One thing that the HBAI—households by average income—does is to give us an interesting sense of perspective, and I want to remind us of that today. It tells us that, to lie in the top half of the income distribution, a single individual last year needed a net income over £17,700. A single individual with an annual net household income of over £34,900 would be in the top decile. In other words, he or she would have an income higher than 90% of the population. We all tend to assume that other people earn similar amounts to us and that is a really good reminder that, if that is what the average is, think what the poor are living on.

The Minister mentioned relative poverty today. Normally, Ministers in this Government end up talking about absolute poverty because it is the only figure they can find that does not appear to be rising. Under these figures, they have not looked at the international measure, which is relative poverty, but even today’s figures show that the number of children living in absolute poverty before housing costs increased by 300,000 and after housing costs by 200,000. It is staggering to see absolute poverty rising in our country.

But that is inevitable. Ministers may not wish to come into politics to make people poorer, but I am afraid that if one wills the ends one must will the means. It is inevitable that, if you keep cutting benefits to children, families with children will get poorer. The benefit freeze alone will now save the Government some £4.4 billion a year. That is £4.4 billion that has gone into the Treasury and come from the pockets of some of the poorest families in our country. That means that the Government have cut the value of all the main means-tested working age benefits—all the classic ways in which people keep body and soul together, including personal allowance, income support, jobseeker’s allowance, ESA, housing benefit, universal credit, lower disabled

child addition—I could go on. According to the Joseph Rowntree Foundation, the effect of the benefit freeze carrying on for yet another year next year means that families will lose another £560 a year on average.

Perhaps even more surprising is that these figures show that the number of pensioners living in poverty actually rose by 100,000 last year, which means that it has increased by 400,000 since 2010. What are the Government planning to do about that?

I have three questions for the Minister. The last Labour Government set out to reduce and eventually eliminate child poverty. They had a clear strategy. What is now the Government’s strategy? Do they aim to reduce child poverty? If so, by how much, by when and on what measure? Or do they think it acceptable that 30% of British children are growing up below the poverty line, half of whom are under five?

Secondly, given that the Government repeatedly stress the importance of people being in work, what will they do about the fact that the proportion of poor children who are in working families has risen again, to 70%?

Finally, will the Government please rethink the benefit freeze? If they would invest just enough to stop it now and not continue it for another year, that could make a real difference to some of the poorest families. These families have suffered enough. When food bank use is at record levels and we keep reading about teachers having to bring in food and clothes to schools simply to help children be well enough, clothed enough and fed enough to learn, surely something has to be done. Please will the Government act?

**Baroness Thomas of Winchester (LD):** My Lords, I am afraid that I am a very inadequate substitute for my noble friend Lord Kirkwood of Kirkhope, who is unavoidably absent today. I am a very poor stand-in—or rather, sit-in.

Today’s figures come as a result of a deadly combination of high inflation, weak pay growth and big cuts in benefit support for working-age households, as we have heard. The most shocking figure is that there are 200,000 more children in absolute poverty. I echo the noble Baroness, Lady Sherlock, in asking the Government to use the upcoming spending review to restore the remaining £1.3 billion taken out of universal credit work allowances in 2015 and consider introducing a work allowance for second earners to help get both parents into work.

As for getting more disabled people into work, which was mentioned in the Statement, the National Audit Office report which is out today is pretty critical of the department, saying that it cannot assess, for example, whether disabled people receive a consistent service between jobcentres or over time. It also says that the department underspends its budgets by overestimating the take-up rate of some of its programmes. Will the Minister say whether the department will undertake to look seriously at the recommendations from the National Audit Office?

Finally, disabled people themselves are very keen to help the Government to get this right. There are a lot of brilliant disabled people who would be very keen to engage with the department on employment.

**Baroness Buscombe:** My Lords, I will do my best to respond to the noble Baronesses, Lady Sherlock and Lady Thomas of Winchester, without repeating what I have already said in the Statement. It is important to make clear that these statistics focus on household income only, and are based on a survey of households which took place in 2017-18. It is important to recognise that the vast majority of people who were part of this survey were trapped on legacy benefits at that time, as only 10% of the universal credit programme had been rolled out. I make that point because it is important to recognise that we believe that one of the most important ways of lifting people out of poverty is through the universal credit system, which is encouraging many more people to go into full-time work.

It is true that many of those trapped in poverty are the lowest paid or are part-time paid, and those on very low, self-employed incomes. I want to make that clear. Unfortunately, inflation was also high in 2017; it was 2.8% but that has now come down. Lone parents were not incentivised to work full-time due to the 16 and 30-hour cliff edges on legacy benefits. In other words, the tax credits were a disincentive to work, and there was no incentive to work more than a 16 or 30-hour week. Universal credit is changing all of that. Indeed, in 2017-18, there was also stagnant wage growth following the financial crisis.

It is important for me to articulate to your Lordships' House, to the best of my ability, where we are now. We believe we are in a better place: it is getting better and we want to make it even better. The taper rate is being reduced; work allowances are being increased by £1,000 next week; we have the run-on of housing benefit for those transferring to universal credit; transitional protection has been budgeted for next year; and our fiscal position has improved. We are looking to reduce fraud and error—hugely important to affordability and our ability to inject more into the welfare system—which costs more than £3 billion at the moment. I reassure all noble Lords that an amazing team in the Department of Work and Pensions is improving the way we can track it, with the support of amazing technology, so that will make a real difference.

Money has been reinvested elsewhere in the system. It is important that we look at the bigger picture. Much of overall public spending is not included in these stats. For example, we are now spending more than £6 billion a year on childcare; we have had enormous additional investment in the NHS; we have free healthcare; and we have a free education system. None of that is reflected in these poverty stats. It is also important to recognise that the poorest households receive 70% more in public spending than the richest households. Income distribution is not just about benefits; it is also about the labour market. We now have record employment figures. It is about wages—we need to look more at low wages—taxes and the housing market. Other support across government needs to be considered as part of the jigsaw.

I say to the noble Baroness, Lady Thomas of Winchester, that the Chancellor has injected £10 billion into the universal credit system since 2016—I think the figure she used was rather less than that. The noble Baroness, Lady Sherlock, referred to the Joseph Rowntree

Foundation. Its analysis shows that universal credit will reduce the number of people in working families in poverty by 300,000.

There is much to say. From next month, we will start to inject £4.5 billion into universal credit to give the country's lowest earners a pay rise. We want to help the vulnerable through world-class public services, and we want to deliver a sustainable, long-term solution to poverty. We need a strong economy and a welfare system that works with the tax system and the labour market to support employment and higher pay, and we will continue to reform the system so that it supports work. We know that a child in a household where all the adults work is five times less likely to be in relative poverty, hence my reference to part-time workers. We need to encourage more people into work. A household where everybody works makes a huge difference.

On the NAO report, we are committed to improving employment outcomes for disabled people and those with long-term health conditions. We have seen 930,000 more disabled people in work over the five years to the fourth quarter of 2018. The disability employment rate increased by one percentage point over the same period. In 2017-18, that number rose, and then the disability employment rate increased by a percentage point over the same period to 51.5%. However, we want to be more ambitious. That is our response to the NAO report. We can be more ambitious if we set our hearts on it, and we are working incredibly hard at the department to do as the noble Baroness asked and deliver a consistent system for universal credit across the UK. Our work coaches and case managers do fantastic work.

I say to the noble Baroness, Lady Sherlock, that we have gone further than previous Governments to support those on low incomes. Income inequality has fallen under this Government. The national living wage is expected to benefit up to 2.4 million people. With the rise this April, a full-time worker's annual pay will have increased by over £2,750 since it was introduced. However, we need to do more and we are absolutely on course. Noble Lords will have heard what my right honourable friend in another place has said—that it is our ambition to further reduce the number of those in poverty. We take this issue incredibly seriously and our reforms have made sure that our welfare system encourages people into work and is fair for taxpayers and sustainable for the future. Tackling poverty will always be a priority for this Government.

*12.50 pm*

**The Earl of Listowel (CB):** My Lords, I welcome the Statement and much of what the Minister said regarding achieving high rates of employment, with its benefits to mental health and the importance of children having the role model of parents in work. However, I am very concerned at the rise in the number of children in poverty where the parents work. I highlight the two reports of the All-Party Parliamentary Group for Children on the funding of children's services in local authorities. Cuts to local authority funding have reduced early intervention to support vulnerable families, and I hope that the Minister will take that into account when considering the pressures that these families are under.



I particularly welcome the reference in the Statement to a new review of the future of the national living wage. What is the likely timescale for that? When will it start and when might it end? Might there be an interim report? The Low Pay Commission has been asked to produce recommendations on the national living wage and the national minimum wage in October 2019, and it will clearly need the report from that review well before then to be able to make good recommendations. I look forward to the Minister perhaps writing to me on those points if she cannot answer in detail now.

**Baroness Buscombe:** My Lords, in many ways we are approaching our support and the welfare system slightly differently from how we did it in the past in terms of where the money goes. We do not necessarily agree that just reinjecting into the system money that might have been saved is the right thing to do. Obviously we want to support people to the best of our ability, but part of that should be practical support. Therefore, although we are putting money into the welfare system with the £1.7 billion a year boost announced in the last Budget, enabling 2.4 million households to keep more of what they earn, our focus is on how much more we can do to help children out of poverty.

As I said, children in workless households are around five times more likely to be in poverty than those in working households. We are supporting people into full-time work where possible—for example, by offering 30 hours of free childcare to parents of three and four year-olds. However, importantly, in addition we are trying to deal with the practical barriers. For example, following a speech in January by my right honourable friend the Secretary of State for Work and Pensions, we will trial paying mothers their first childcare costs up front so that they can start work with their children looked after. Importantly, we want to be more practical in our support but, as the economy has continued to grow, we have been able to share the proceeds of growth to support some of the most vulnerable in society. We have seen increases to the income tax threshold, which will reach £12,500 this year, taking 4 million of the lowest earners out of paying any income tax at all, and that will of course help children. Whereas spending on children was £4 billion in 2010, it will be £6 billion by 2020, which is a 50% increase in the last nine years. However, more can be done.

On the national living wage, this is an important review. We must be careful in increasing the national living wage to ensure that jobs are still sustainable. This review will be very much a cross-government task. I take the risk of saying at the Dispatch Box that I suspect it will be led by the Treasury, which the noble Earl will not be surprised to hear. That is quite right, because we have to balance the degree to which we can increase wages, which is crucial, while keeping people in jobs. We are very proud of our employment rate and we want to keep it. Of course, low wages are across the piece—not only in the private sector but in other sectors.

**Lord McKenzie of Luton (Lab):** My Lords, might the Minister apply herself succinctly to the points raised? We are using up all this valuable time.

**Lord Liddle (Lab):** My Lords, instead of talking about “welfare splurge” at the end of the last Labour Government, the Minister should have given credit to the enormous success of that Government in tackling child poverty. I thought that we had established a national consensus in 2010 that we were all striving to overcome child poverty. Does she now accept that there are deep flaws in this Government’s approach and that, when then Chancellor George Osborne said that the way to deal with child poverty was to increase minimum wages while cutting government spending on welfare, this led to a crisis for poor families?

It is no good just talking about reductions in worklessness, which I acknowledge the Government have achieved. The real problem is that the lives of poor working families have got a lot more difficult. Do the Government acknowledge this failure, and that it should be a central objective of their policy in future to correct that failure?

**Baroness Buscombe:** My Lords, of course nobody wants to see poverty rising, and we take these statistics extremely seriously. But I hope the noble Lord heard me when I made it very clear that the statistics relate to two years ago. The reality is that we have done a huge amount to inject more money into the system as well as making a great difference in practical support terms. We do not want people trapped on legacy benefits, which have been a disincentive to their working full-time to support their families and give them life chances. We are looking across the piece on how we can help families out of poverty. The best ways are through work and a good education system for all children. My department is an important part of the jigsaw, but we want as a Government to be much more joined up in how we approach poverty.

**Lord Howell of Guildford (Con):** My Lords, there is much to commend in the Statement but the Government say they want to do more. Is it not time to recognise—and this applies to the thinking in both political parties—that the whole process of new wealth creation produces benefits that go almost exclusively to those who already have savings and wealth, and to people who are personally accumulating capital on a scale they could never conceivably use, whereas the vast majority of households do not gain at all? They must rely only on wages income or, in the case of the poorest households, on income from welfare in the way that my noble friend has described. Is it not time to think of ways in which we can get more dignity and status from the ownership of resources and capital to millions of households who presently struggle with no benefit from the growth of wealth in the economy? Is it not time that our own party and the party opposite thought much more about ways in which wider ownership of capital and resources could be spread to millions of households, so that they benefit from the new wealth rather than see it grow among fewer and fewer people—in a tiny number of hands—creating social tension and denying the vast majority of people any benefit from the growth in capital and wealth that our system can now produce?

**Baroness Buscombe:** I entirely agree with my noble friend. Of course this is very important. It is why I welcome a review of low wages. That is why I want to

[BARONESS BUSCOMBE]

talk about the big picture; we talk in silos, across different departments, about what each department is trying to do to support those who need support, but the reality is that we can do this only if we take time to stand back and talk across the piece. Obviously, much of this rests with the Treasury, which has an incredibly difficult job to do in deciding who receives what from each budget, but the reality is that we need to turn this on its head rather than just trying to increase by increment what people receive to lift them out of poverty.

Attacking the key causes of poverty is terribly important through a good education system and a welfare system that gives people sufficient support so that they can focus on improving their lives, rather than on getting by week to week. All the evidence shows us that the universal credit system will help; indeed, it is already helping—look at the record reduction in unemployment. Under the last Labour Government one-fifth of all UK households in the UK were entirely workless, but we have brought that down to somewhere below 13.9%, although I do not have the latest figure.

The reality is that we believe in having households where people are working and children are in school, and which have the right support systems in place. Focusing on those who are unable to work is of course hugely important, but we are spending more than £100 billion a year on benefits for people of working age. Think what we could be doing with much of that if we could lift those people out of the need to turn to support. My noble friend is right: it is a tough challenge.

**Baroness Boycott (CB):** My Lords, I wish I could believe all the things that the Minister has claimed the Government are doing about poverty at the moment. I declare an interest as a trustee of Feeding Britain and of the Food Foundation. I do not know how many people saw the recent ONS figures about life expectancy, which are completely up to date. They show that the gap between the richest and the poorest in terms of years of life lived with health has widened yet again. In fact, if a woman in this country is poor, she will have 18.4 years of ill health. The richer the person, the longer they will live with health.

Is there any reason for that? Right now—not two years ago or whenever—the poorest 10% of UK households have to spend 74% of their disposable income after rent to afford the Government’s “eatwell plate”. That is not even up to the level of the House of Lords canteen; it is very basic food. If you do not have that food, you are 2.2 times more likely to be obese by the time you are five, and that gets worse. Recent material has shown that children who are badly fed, who get so little, are actually a centimetre shorter. We are sentencing a generation of children, the poorest 20%—one in five of our kids—to a lifetime in which they will not thrive or be equal unless we deal with some of the underlying causes.

I believe there are things that the Government could do. For instance, we could allow universal, free, healthy school meals to all children. We could also bring back meals on wheels for seniors who are struggling. I ask the Minister to think about this.

**Baroness Buscombe:** My Lords, I reassure the noble Baroness that we spend hours and hours crafting what we will say at the Dispatch Box because it is hugely important that what we say is accurate. I can confirm to the best of my ability that the noble Baroness should believe what I have said, because I can say categorically that life is tough if we get it wrong.

The noble Baroness is right, of course, that we need to do more to ensure that people are able to feed themselves well and live a full life in terms of their life chances, their life expectancy and their health and welfare. That is exactly what we are focused on, and it is why we are running all sorts of programmes within the department relating to healthy lives, along with work programmes to encourage people who have not felt able to join the workforce. We want not only to give people the right financial support but to see that they have dignity and the ability to live their lives fully and reach their full potential. It is important to say that we absolutely believe in helping the vulnerable through our world-class public services, and we are injecting more and more money so that we can help disadvantaged pupils in schools, help people through the NHS system and help people through what we do at the Department for Work and Pensions.

**Lord McKenzie of Luton:** My Lords, what does the Minister consider to be the veracity of the statement that the previous Government just dumped people on inactive benefits and required nothing from them? Is the case not actually the reverse—that it was Mrs Thatcher’s Government who moved people from unemployment benefit on to incapacity benefit in order to massage the unemployment figures? Was it not the Labour Government who introduced proactive programmes such as New Deal that required conditionality and engagement for people to get them into work, which were successful? We cannot allow that rewriting of history to continue any longer.

**Baroness Buscombe:** My Lords, I remember well, when I was a shadow Minister, sitting where the noble Baroness, Lady Sherlock, sits, listening to history being written on an almost daily basis. I respect the noble Lord’s question but I have to say to him: if that is the case, why were 20% of all households in this country entirely workless back in 2010? I think that is a disgraceful figure, and we are doing everything that we can to bring it down.

**Baroness Wyld (Con):** My Lords, could I press my noble friend on her points about childcare? I welcome the Government’s support package but I worry about the practicalities. I declare an interest in that my own children have benefited from free hours in nursery, and I am fortunate in that clearly I do not have any money worries. It does not take a massive leap of imagination to realise that if you are trying to get into work and you go through what is actually quite a complicated and baffling system to work out the different ways through the patchwork of services, that is not conducive to an easy transition back into work. So my first question is on guiding people through that. Secondly, my noble friend mentioned up-front costs. Is that to all mothers, and will it be immediate?

**Baroness Buscombe:** I thank my noble friend for that question. Funnily enough, this was one of main reasons why I came into politics in the first place. I thought it was appalling that for women wanting to work and support their households, but also needing to consider caring responsibilities, childcare was the big stumbling block. I could not get anyone in government to understand that so I came into politics myself. I have since discovered how difficult that is to change, but we are making changes.

With both the current Secretary of State and the immediately preceding one, Esther McVey, we have been focusing a lot on this issue and looking at the practicalities, as I referenced earlier. We are committed to helping mothers into jobs that fit around their caring responsibilities. There are now more than 1.2 million lone parents in work. To support parents into work we need to have the right fiscal support in place, so we are spending £6 billion on childcare each year, which, as I said earlier, is not reflected in these stats. We are doubling free childcare to 30 hours a week for nearly 400,000 working parents of three and four year-olds. We are introducing tax-free childcare worth up to £2,000 per child per year. With universal credit, parents can claim back up to 85% of their childcare costs, compared with 70% under the legacy benefits system.

The important thing is that we are piloting a more flexible approach to claimants reporting childcare costs, which will allow people to be reimbursed for childcare when they are not able to provide evidence within their assessment period. In cases where people need to pay for childcare up front, work coaches can use the Flexible Support Fund to meet these costs—because, of course, how can you start work if you do not have childcare in place, and how can you have childcare in place unless you can be confident that you can pay for it? We are looking at some of these things with great care at the moment. By the way, this childcare can be claimed up to a month before starting a job. For families with two children, this could be worth up to £13,000 a year.

To answer my noble friend's question about how we approach the system, work coaches in jobcentres are there to support and explain. We are training and have trained our work coaches and our case managers to support mothers and fathers who want to make sure they can go out to work, knowing that their children are properly looked after and that they can afford it.

## **Employment Rights (Miscellaneous Amendments) Regulations 2019**

*Motion to Approve*

1.10 pm

*Moved by Lord Henley*

That the draft Regulations laid before the House on 17 December 2018 be approved.

*Relevant document: 12th Report from the Secondary Legislation Scrutiny Committee (Sub-Committee A)*

**The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Henley) (Con):** My Lords, as well as the Employment Rights

(Miscellaneous Amendments) Regulations 2019, I will also speak to the Agency Workers (Amendment) Regulations 2019 and the Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2019. These three statutory instruments contain five measures to clarify and extend workers' rights, taking forward the *Good Work Plan*—the biggest boost to workers' rights in over 20 years.

The Employment Rights (Miscellaneous Amendments) Regulations contain three measures. First, they extend the right to a written statement of employment particulars to workers. Currently, only an employee is entitled to a written statement, and only after a month with the same employer. In his report, Matthew Taylor recommended greater transparency by extending the right to a written statement to workers. We agree that all workers should have the same clarity of information that employees currently benefit from.

The second measure amends the Information and Consultation of Employees Regulations 2004, lowering the threshold for a request to set up information and consultation arrangements in the workplace from 10% to 2% of the total employees. The Government agree with Taylor that voice and engagement is key to good work. Therefore, we are making it easier for workforces to request that employers be more open about what is happening in their workplace. It is important to note that this statutory instrument does not change the important rights that information and consultation representatives have, including paid time off and protection against detriment, the number of employers in scope of the regulations, which is staying at those with 50 or more employees, or the minimum of 15 employees required for a request to set up information and consultation arrangements. Good employers engage regularly with their workforce. To quote Taylor:

“Well-run companies recognise the importance of the people who work for them. They invest time and effort in good management relationships”.

The third measure increases the maximum penalty available to employment tribunals where there has been an aggravated breach of workers' rights. From 6 April, a maximum penalty of £20,000 will be available, quadrupling the current amount. The current maximum penalty of £5,000 does not always reflect the higher value awards. The new maximum aligns with the current maximum penalty per worker for non-payment of the national minimum wage. It is important that all parties are aware of this penalty. We are providing guidance to increase awareness and highlight how tribunals can make use of these powers. This measure is targeted at businesses that breach the law in ways that are deliberate or malicious. Compliant businesses will welcome this deterrent against anyone seeking advantage by exploiting workers.

The second statutory instrument—the Agency Workers (Amendment) Regulations 2019—abolishes the “Swedish derogation”. At present, agency workers can opt out of the entitlement to equal pay in return for pay between assignments through a Swedish derogation contract. Taylor highlighted that Swedish derogation contracts can be exploitative, and workers sometimes do not receive the equal pay they are entitled to. Our consultation and earlier BEIS research uncovered cases where pay between assignments was not given. We concluded that

[LORD HENLEY]

agency workers are not benefiting from the Swedish derogation and we are therefore taking action. I think that this reform has been welcomed across parties.

1.15 pm

The Joint Committee on Statutory Instruments drew the special attention of both Houses to this instrument on the ground that it required elucidation in one respect. The department provided elucidation to the committee. The instrument relies on powers in Section 2(2) of the European Communities Act 1972. The committee asked how the instrument would survive exit day, given that Section 2(1) of the European Union (Withdrawal) Act 2018 saves legislation made under Section 2(2) of the 1972 Act,

“as it has effect in domestic law immediately before exit day”, and this instrument does not come into force until April 2020. The answer is that this instrument would be on the statute book immediately before exit day, and due to come into force in April 2020. The effect is preserved by Section 2(1) of the withdrawal Act so that the instrument will still come into force as intended. The committee accepted that this is one possible interpretation. It is the Government’s clear view that instruments such as this will come into force as intended. This can also be seen from the explanatory notes to the withdrawal Act, which confirmed that the legislation referred to in Section 2(1) of that Act includes legislation that has been passed or made but is not yet in force.

The repeal of the Swedish derogation will make a significant, positive difference to agency workers in the UK. We have listened to agency workers’ concerns and are taking firm action in response.

Finally, the Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations introduce a “key facts page” for agency workers signing with an employment business. The Taylor review identified transparency of information as an issue in the engagement of agency workers. Different payment processes are often confusing, and Taylor noted the risk of exploitation. These regulations therefore introduce a key facts page, giving agency workers more clarity over pay and other key facts before signing with an employment business. Unions, businesses and workers alike welcomed this in our consultation. From April 2020, employment businesses will give all agency workers signing up a key facts page, containing a number of largely pay-related facts presented in a clear manner. If an agency worker is paid through a third-party umbrella company, the key facts page will reflect this, including information about any deductions the umbrella may make and how these are calculated. Agency workers will have more information about who is responsible for paying them and what they will receive for an assignment, enabling better-informed decisions before agreeing to take on work.

With the exception of the quadrupled aggravated breach penalty, the measures I have outlined take effect from April 2020. This gives time for employers to adapt their systems, and individuals to understand the increased transparency and rights. I commend the regulations to the House, and I beg to move.

**Baroness Burt of Solihull (LD):** My Lords, I am grateful to the Minister for outlining the main provisions in this suite of SIs. I have to say, it is a great pleasure

not to be talking about Brexit, and to be talking about improvements in employment rights following the Taylor report. I record my thanks to the TUC for its briefing, although I do not necessarily agree with all its conclusions and comments.

It is very important that we move with the times, ironing out some of the unintended consequences of previous legislation and adapting to some of the issues developing through changes in the ways that we work. The Swedish derogation is one of the unintended consequences. I well remember introducing the Agency Workers Regulations 2010 when I was in another place. We introduced the right for agency workers to receive the same employment and working conditions as permanent staff after 12 weeks of service. The Agency Workers (Amendment) Regulations seek to remedy this loophole, which meant that some employers were getting out of giving full employment rights to agency workers by using Regulations 10 and 11 to waive the right to the same pay as a permanent worker if they signed a “pay between assignments”, also known as the Swedish derogation, which promised to pay in between assignments. Some employers were abusing this regulation, not paying material pay between assignments by keeping their staff on artificial, minimum hours contracts or deducting their “between assignments” pay from their “on assignment” pay. This Swedish derogation is to be revoked on 6 April 2020. Nothing good is lost—businesses will still be able to contract to pay agency workers between assignments after revocation. However, workers will not be able to opt out of equal pay rights after 12 weeks, which is a welcome protection for potentially vulnerable agency workers—so all good there.

The Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2019 introduce the welcome reform that employment agencies must give the worker information before a contract is agreed—on pay, benefits, costs, deductions and fees. It must also include the minimum rate of remuneration payable to the work seeker and the nature and amount of any deductions made to their remuneration. It must also include a worked example of a payslip. The first payslip often comes as a bit of a shock to employees, let alone an agency worker, when they see all the deductions. This key information sheet should improve transparency around pay arrangements; it is very welcome.

The final, and also very welcome, SI is the Employment Rights (Miscellaneous Amendments) Regulations 2019. These increase the maximum level of penalty available for,

“aggravated breach of a workers employment rights”, from £5,000 to £20,000. I am not entirely sure what “aggravated breach” would entail. In his remarks, the Minister talked about the minimum wage. Is it wider than that? I understand that it would persistently be breaching employment law, but how many breaches would there need to be before it becomes aggravated? This opens up the question of how many breaches are happening at the moment. The Explanatory Memorandum says that, since introducing the penalty for aggravated breach, 31 penalties have been issued. Can the Minister confirm that this 31 relates to total time since the Employment Tribunals Act 1996? That would indicate to me that there must have been more persistent breaches of employment law than that. I think

it is absolutely fair to raise the limit of fine for an aggravated breach, but this will not be much of a deterrent to an employer if there is very little risk of detection. The Minister may not have the figures relating to how many companies have been inspected since 1996 and what that constitutes as a proportion of the total number of companies, but would he be so very kind as to write to me with the statistics that the Government collect regarding inspections and prosecutions for non-aggravated penalties issued since 1996, or whichever is the correct date of the legislation coming in?

A second welcome part of this SI is the extension of the right to a written statement to “dependent contractors” as well as employees. Here I would appreciate some clarification from by the Minister. I am taking “dependent contractor” to include individuals in the gig economy, but I was hoping for a little more in the explanatory notes. I would be grateful if he could write to me, or point me in the right direction, to help me understand a little better the issues facing dependent contractors. I do understand that the Government are consulting on employment status, and that there has certainly been a lot of controversy over the employment status of employees in the gig economy. Could the Minister inform the House what progress is being made on this?

The third provision was to lower the percentage requirement for a valid employee request for the employer to negotiate an agreement on informing and consulting employees, from 10% to 2% of the total. In his remarks, the Minister said that it was important to consult. I agree, but can he give a little bit of context on this, please? I am not sure if this is a very minor issue or, potentially, a big one. Could he give any examples of what employees might need to be informed and consulted on which they are not at present? The 2004 regulations, which originally imposed this application, related to employers with at least 50 employees. I presume that the same threshold number of employees would apply to this amendment. Can the Minister confirm this?

In conclusion, although the TUC felt that many more protections and issues should have been covered in these SIs, I think there is some good stuff in here. There is always a balance to be drawn between all the partners in any enterprise. More can always be done, and, as the economy develops, more will be needed, but I believe we are at least headed in the right direction.

**Baroness Gardner of Parkes (Con):** My Lords, I raised the issue of care agencies earlier, regarding carers who do one hour in one place, one hour in the next and so on, all of them potentially quite far apart. There was a court decision, at a very high level, that they must be paid for their time travelling between places. I have followed this up, and have been told that, in general, they are not being paid. It is local authorities that pay for carers, but they do not seem to be paying them for this, which is very wrong, as there has been a court decision. Where in these regulations will this be covered? It seems highly relevant. I have had a great deal to do with the people who are not getting this money; when they point it out, their companies say they have no intention whatever of paying it. This is wrong since there has been a trial case. I hope the Minister can tell me where it will be covered in these regulations.

**Lord Monks (Lab):** My Lords, the noble Baroness, Lady Gardner, raises an important point. I look forward to the Government’s response to her very pertinent question.

I give a qualified welcome to these regulations. They certainly aim to alleviate, or eliminate, some weaknesses in British employment law. I particularly draw attention to the proposed end to the so-called Swedish derogation in the agency workers’ directive. This has been a long-standing loophole, allowing employers not to provide equal pay to agency workers if the workers agree to a lower rate of pay when the agency cannot find them work. I am usually an admirer of the Swedish labour market, but I wish we had not taken this import from what is normally a very advanced country on employment rights.

Agency working is now a major feature of the British labour market and is being abused in some cases. I do not want to overstate the case—there are plenty of areas where it works well—but European law designed to regulate this area has been built up over a period. We used to refer to agency workers, and temporary workers in general, as atypical workers. We do not use that term any more, because now agency working is typical; in many parts of the country, it is the main offering. It is a rather insecure method of working, a method which I do not think too many people like. Some it suits, but many it does not. The EU certainly sought to bring atypical workers’ conditions in line with those of regularly employed people, and for them to receive equal treatment. That was a long-standing theme of European employment legislation. It is important that unscrupulous employers do not use agency working to undercut the terms and conditions of regularly employed workers.

The Swedish derogation is one weakness—I repeat that I welcome the action that the Government have taken on it—but one other loophole remains, which these regulations do not cover. An agency worker must work for 12 weeks before they become entitled to pay equal to that of a directly employed worker. There are many agency workers whose assignments never reach 12 weeks, and some employers who make sure they never do by rolling them on to a new assignment and a new contract. I ask the Government to re-examine this weakness in the regulations.

*1.30 pm*

I turn briefly to another point concerning agency workers and the proposal to provide more information to the individual worker, so that they know their entitlements and their obligations. The extra information to be provided is welcome but it should not come out in dribs and drabs, in separate bits of paper and so on. At the moment, agency workers can be signposted to other sources of relevant information. The aim should be to put it concisely, perhaps on two sides of a sheet of paper, so that it is readily available without too many references at the bottom of the page to various websites and so on.

The regulations contain improvements to employment rights, too, which are certainly useful as far as they go. I draw particular attention to the changes in the information and consultation regulations. The 10% support threshold has proved a formidable barrier to workers and unions

[LORD MONKS]

trying to use this European-derived law. No other country in the EU implemented it in such a restrictive way, making the process of information and consultation so difficult to achieve. It should be a universal practice: it is good practice that employers inform workers about change, consult them and seek their views on it before the change is effected. It should be standard practice but it has been a minority practice in this country and is nothing like prevalent enough.

These regulations are a step in the right direction and make it easier but there is also a missed opportunity in them. Could the Government not have been a bit more ambitious in extending the coverage to all workers, as recommended in the Taylor review? At the moment, agency and casual workers are excluded. Could there not be a provision for employers to agree collective and independent consultation arrangements when requested by a recognised union or, say, five workers in a non-union workplace? If we believe in employers informing and consulting workers about proposed change—I trust that we are all getting to that position now—we should make it a very easy and simple process by strengthening the obligations on employers.

In sum, these provisions are steps in the right direction and no doubt reflect the widespread concern in this country about what is termed the gig economy because, for too many workers, employment can be nasty, brutish and short. It seems that with pay levels languishing ever since the financial crash in 2008, more attention needs to be paid to the people at the bottom of the income ladder struggling to make ends meet—the kind of people the noble Baroness, Lady Gardner, referred to so well. The result is that inequality continues to rise as the top echelons of executives pay themselves even larger dollops of cash and benefits. It is high time that we develop countervailing pressures, which involve strengthening unions as well as giving workers more legal rights, so that we can at least get a better balance in the labour market in Britain.

The Government's good work agenda is, I recognise, a modest step in seeking to do that. These changes are certainly a step in the right direction but no substitute for participation in the European social and legal programmes. I hope that the Government will commit, when and if we leave the EU, to keep our rights in alignment with developments there. Much remains to be done.

**Baroness Donaghy (Lab):** My Lords, I will be very brief. I want to raise three points. The Minister mentioned in his opening remarks that this was the most significant set of changes in employment relations in 20 years. I am quite happy for him to exercise that kind of poetic licence but there will be something really worth celebrating on Monday, because that is the 20th anniversary of the introduction of the statutory national minimum wage. To compare these regulations with that sort of development is, as I say, poetic licence but let us be generous on the last day of the week.

My second point is that when I worked at ACAS, which is of course now quite a long time ago, the helpline used to receive calls which were mainly from employees but also from employers. They showed a very different picture in the real world from what

regulations and the law said. I still think that the situation has deteriorated, if anything, simply because—as my noble friend Lord Monks said, and I agreed with his every word—it is sometimes a very different picture on the ground and people are grateful for the small mercies they get. We need to remind ourselves that any change in regulation has to be monitored and any fines implemented. The picture of a whole generation of younger people with very little expectation of a permanent contract, an occupational pension or real maternity leave rights—given the extent to which women are sacked because they apply for it, even though we know that is illegal—is such that if the Government mean business, they will have to take seriously how they promote the existing law and ensure that it is enforced.

That brings me on to my point about employment tribunals and fines. One of the biggest problems was that the employers did not pay the fines, so it is all very well increasing the amount but it would be useful to know from the Minister what the situation is now. What is the proportion of employers who refuse to pay the awards made by the tribunals?

Finally, I accept that a very good step forward has been made regarding written statements, which was one of the biggest issues on the ACAS helpline. People were not being given their statements or, as my noble friend Lord Monks said, they were fed in dribs and drabs so that they would not have a complete picture. For example, an important reference to their rights would consist of, “Please look up the employer's website”. That is an extremely important move and it would be useful if we could monitor what improvements are made as a direct result of this statutory instrument.

**Baroness Drake (Lab):** My Lords, I too welcome the strengthening of workers' rights contained in these regulations as a work in progress that begins to address—to use the Government's words in their own *Good Work Plan*—the fact that,

“some businesses have transferred too much business risk to the individual, sometimes at the detriment of their financial security and personal wellbeing”.

These regulations, however, are introduced in the context of concerns about the consequences of the UK's departure from the European Union, when workers will no longer have access to the enforcement mechanisms and decisions that they currently enjoy. Nor will they benefit from future decisions of the Court of Justice of the European Union or from ensuring that UK workers will not fall behind in the development of rights in the EU.

Yes, these regulations will increase the maximum penalty from £5,000 to £20,000 where there has been an aggravated breach of a worker's employee rights, to act as both punishment and deterrent for poor employer behaviour, although that penalty is capped at 50% of any compensation award. But enhanced rights, as captured in these regulations, will be of limited value if workers do not have access to justice when they are breached. If workers cannot enforce their rights, they are rendered meaningless.

We saw a staggering fall of 70% in the number claims brought to employment tribunals when fees were introduced and a disproportionate impact of that fell on women, particularly low-paid and pregnant women.

The Government have not ruled out the reintroduction of fees, observing only that there will be a consultation exercise if they are reintroduced. UNISON's legal challenge to their original introduction resulted in the Supreme Court ruling that the Government had acted unlawfully. Reintroducing fees would undermine again the reforms set out in these regulations. Can the Minister update us on the Government's current intentions with regard to tribunal fees?

The Government recognised the scale of non-compliance with basic employment rights in their own Statement on the *Good Work Plan*, when they referred to the Government considering,

“the case for creating a new single labour market enforcement agency”.—[*Official Report*, Commons, 17/12/18; col. 573.]

Again, can the Minister update us as to the current state of the Government's thinking on such an agency?

These regulations, while welcome, are not sufficient to tackle the insecurity that many workers face through less job security, the decline in the quality of the employment contract and volatility of earnings. The Government frequently refer to the headline increase in the numbers in employment, but refer less to the changing pattern of employment growth underlying that headline—for example, the distinction between employee and non-employee workers, with the latter missing out on key employment protections applying to employees. Workers who are non-employees are entitled only to a lower tier of employment rights which excludes protection against unfair dismissal, entitlement to statutory redundancy pay or minimum periods of notice on dismissal. They have far less security.

The Labour Force Survey, which the impact assessment relies on to reference atypical work, does not explicitly collect data on the issue of employee and non-employee workers. The Government admit in the impact assessment that they have not established robust figures for the number of workers with the less secure status of non-employee worker.

We have also seen an increase in self-employment, particularly lower-paid self-employment, which now accounts for more than 15% of the labour force, and a rise in the number of zero-hours contracts and other characteristics of the gig economy. Only a minority of the net new jobs created over the recent three-month period measured—November to January—were more traditional, full-time jobs; the others included mostly part-time jobs and full and part-time self-employment.

More than 60% of private sector workers in the UK now work for SMEs, with some 12 million working for small employers. A recent report from the Resolution Foundation revealed the extent of volatility of earnings experienced by workers in today's world, impacting both low and middle-income earners and challenging the assumption of the steady monthly wage. Two in five workers experience persistent volatility, with significant changes in monthly pay at least six times a year. Of course, extending the right to a written statement of terms and conditions of employment to all workers is very welcome, but those statements will not be sufficient to address the transfer of too much business risk to the individual, to their detriment, when the underlying

rights and security remain weak. Much more needs to be done to adapt to the realities of a changing UK labour market.

1.45 pm

Turning to the amendments to the Information and Consultation of Employees Regulations, I am not overly confident that lowering the threshold for a request to trigger the negotiation of information and consultation arrangements from 10% to 2% of employees will be a sufficient policy lever to deliver the desired step change in employee engagement in the workplace. None the less, I welcome them as a move in the right direction. I hope that my reticence will be proved wrong and that we will see the step change aspired to, but, as my noble friend Lord Monks said, the amendments lack ambition when lack of employee engagement is such a challenging issue.

Given the extension of the right to a written statement on employment terms to non-employee workers because it,

“would help to improve the situation of a cohort of workers often seen as vulnerable”,

I fail to comprehend why the information and consultation regulations are not extended to all workers, as Matthew Taylor recommended—surely the logic applies both to the written statement and to the consultation. I see no clear line of reasoning from the Government as to why they would not extend it to all workers. Similarly, given that some 12 million workers are now employed in small companies, maintaining a threshold of 15 employees before these regulations apply will exclude a lot of workers from that drive for greater employee engagement.

Finally, I stress that strengthening the rights of agency workers to earn the same pay as permanent staff and to be given information on their work assignments and other important matters is very welcome. Improving the rights of agency workers has been a lengthy campaign—in my previous life, I was part of it—and, ironically, the impetus of an EU directive assisted that progress. However, as many have instanced, we have already witnessed market abuse of the Swedish derogation contracts to sustain unequal pay and we may see the emergence of other creative market behaviour to undermine the intent of these regulations—which, I stress, are welcome and positive. How will the Government monitor and report on the effectiveness of these regulations in practice so that we do not see such suboptimal creative market behaviours, which would undermine the good intent of the regulations before us?

**Lord McNicol of West Kilbride (Lab):** My Lords, I thank the Minister for his introduction to these SIs. Many of the points that I intended to make have already been made by the noble Baronesses, Lady Burt and Lady Gardner, and my noble friends Lady Donaghy, Lady Drake and Lord Monks. The House will be pleased to hear that I shall therefore not repeat everything that has been said as well as the many questions that have been asked. However, there are a couple of issues that I want to highlight and reinforce, and a couple of questions I want to ask.

The greatest concern on this side of the House is that these regulations do not do justice to the, admittedly limited, Taylor report. When first published,

[LORD McNICOL OF WEST KILBRIDE]

my honourable friends in the other place warned that its recommendations did not go far enough, yet it seems that the Government are failing to meet even those basic suggestions.

There is also the issue of the considerable delay. After years of consultation and press releases, what has eventually been published amounts only to some minor tweaks and limited changes to employment laws. Ultimately, this is only further evidence of the Government's failure to address the growing inequality in the quality of work, and increasing insecurity and low pay, across the UK. It will soon be three years since the review was first commissioned. Before I move on to the specific instruments at hand, can the Minister confirm that all 53 of its recommendations will finally be implemented by that milestone?

The crux of the Employment Rights (Miscellaneous Amendments) Regulations 2019 is to ensure that workers, rather than employees, are given a written statement of certain information relating to their position. The fact that a written statement will be given is welcome, but it is disappointing that that information is contained in separate negatives. Why has it been decided that this information would not be in this instrument? It is also questionable what a statement will achieve without the necessary routes to challenge the information given in the document. Regarding that, what exact mechanisms will exist for workers to challenge the information given in the statements, if they had understood the particulars to be different?

My noble friend Lord Monks has already touched on information and consultation. I support his points on that.

The Agency Workers (Amendment) Regulations 2019 seek to amend the loophole in the regulations which has meant that agency workers employed on permanent contracts with recruitment agencies can miss out on the right to equal pay, in return for a promise of pay when the agency cannot find them work. As the House has heard, these are known as payments between assignment contracts, or Swedish derogation contracts. The removal of the Swedish derogation is welcomed by this side of the House. The TUC has previously found that, as a result of this loophole, workers have been earning up to £4 an hour less than directly employed staff, even though they may carry out exactly the same work. Unfortunately, the changes will not come into force until 6 April 2020. Why will workers have to wait another year before they receive equal pay?

As a result of these regulations, there will be a significant burden on the EAS to enforce the changes. Can the Minister confirm that the inspectorate will be fully equipped to ensure that all businesses which exploit agency workers will be taken to task?

As my noble friend Lord Monks said, there is also the issue of other loopholes in the legislation, which could lead to the original purpose of the regulations being undermined. Have the Government considered fully removing the 12-week qualifying period, as that would help remove one of them?

Finally, I come to the conduct of employment agencies regulations. In a similar vein to the other regulations, this SI sets out new provisions in the conduct regulations,

meaning that agency workers will be entitled to further key information about their assignments. It ensures that employment agencies provide agency workers with a key information document before signing the terms of employment. Any attempt to address issues of pay confusion are, and will be, welcomed, but it is unclear whether this new document will be in the most appropriate format. Will guidance be given to businesses on how the document should be formatted? In common with the other regulations debated today, it is important that provisions of enforcement have been considered. Unless enforcement is properly resourced, even the limited proposals announced will amount to very little. How does the Minister envisage enforcement taking place?

In conclusion, the limited regulations debated today are welcome and have qualified support, as my noble friend Lord Monks said. The issues that have been raised show that the problems lie largely with the fact that they are too timid. If the Government were serious about improving the lives of workers, they would be implementing a far more transformative set of policies rather than these tweaks, especially in the light of the recent prime ministerial statement attempting to woo the trade unions and Labour MPs to support her deal on Brexit. Are her offers of strengthening workers' rights now gone, with her threat to resign? If not, how do the Prime Minister's interventions fit with today's SIs?

**Lord Henley:** My Lords, I thank all noble Lords who have spoken for their generally fairly positive response to the regulations. I will start by correcting myself, and trying to assist the noble Baroness, Lady Donaghy, who accused me of poetic licence in describing these as the most significant change in 20 years. I must make clear that I was not saying that these regulations were, in themselves, the most significant change; it was our *Good Work Plan* that was. I offer a small correction to her and say 19 years and 360 days, to allow her her 20th anniversary of the minimum wage, which the coalition Government and this one have continued. I think all parties agree that the national minimum wage, and the national living wage introduced by the Conservative Government, have made a great difference. The Taylor report was commissioned by this Government, and my right honourable friend came up with the *Good Work Plan* after it. The noble Baroness will be familiar with it; she will have gone through all the recommendations and noticed the large number for which the response is "Accept, accept, accept", or "We will consult", or "We will do this or that". We have a good record and I will amend the 20 years to 19 years and 360 days. That obviously makes her happy.

It is important to remember that these are just one small part of that package. The *Good Work Plan* sets out a very ambitious programme of work to do, some of which will require primary legislation, some no legislation at all, and some secondary legislation of this sort. We are committed to bringing forward further legislation. The noble Baroness, Lady Drake, and others will obviously have to wait until we get that. We will continue in that vein.

The noble Baroness, Lady Drake, expressed her concern that we were going to fall behind Europe. As I have made clear on other occasions—she knows my views—we are well ahead of European provisions in



many areas. One has to look only at paternity pay, which was introduced by this Government, and at where we are on maternity pay. I could go on, but will not because we are debating only these three sets of regulations at the moment. There is a proud tradition, in all parts of the House, of getting workers' rights right. We regularly surpass UK standards and are leading the way internationally in tackling challenges to modernise the labour market, at a time when it is, necessarily, changing because technology and the way we work change.

2 pm

I shall deal with some more of the points raised, but on some issues I may have to write in further detail. The noble Baroness, Lady Burt, may be looking forward to a long letter, but I hope that I can deal with some of the issues. She asked what "aggravated" means. I do not know how many lawyers are in the Chamber at the moment—there are usually quite a few—but it is a word familiar in law and can assist the courts in dealing with serious things. I do not foresee any problems there. She asked about penalties since 1996 and how many companies have been inspected. I shall write to her in further detail on that and on the definition of "dependent contractor" in the written statements. I agree with her that employment status is a very difficult matter and more work needs to be done in this area. It has always been difficult to define who is employed and self-employed, as well as the difference between an employee and a worker, and it will no doubt come forward in primary legislation.

I turn to the information and consultation part of the first instrument. The noble Baronesses, Lady Burt and Lady Drake, and the noble Lords, Lord Monks and Lord McNicol, had concerns about lowering the request threshold from 10% to 2%. The noble Baroness, Lady Drake, was sceptical as to whether that would make a difference, but I believe that it will make it easier for workers to request better ICE arrangements. As we all do, I think that strengthening the workers' voice in the workplace will improve workplace relations and allow employees to discuss issues that affect them, raise concerns and influence strategic issues. We will keep that under review and can come back to it: we will deal with it here in a statutory instrument and in due course we can look at it again. I hope that the noble Baroness, Lady Drake, will be patient until we see what effect reducing the threshold from 10% to 2% will have.

I think there was general agreement that it was a good thing that the Swedish derogation is going. We agree that it is not genuinely benefiting agency workers and that there is very limited evidence of agency workers ever receiving true pay and assignments. The noble Lord, Lord McNicol, and others asked us to move faster on this. We think that April 2020 is about right, because businesses need time to change, so we will stick to that date next year.

My noble friend Lady Gardner asked a question I think she has asked before—not, on this occasion, about letting of domestic property—about agency workers and whether they are paid the minimum wage between assignments. My noble friend will remember that I dealt with this in answer to a Question not so

long ago. I am trying to remember whose Question it was. The principal problem here is one of enforcement. As I said then, we are quite clear about where the law is. They should be paid and it is a matter of making sure the law is enforced. I am grateful to my noble friend for raising the issue.

The third regulation relates to key facts. Matthew Taylor identified paid transparency as a particular concern, and we believe that greater transparency over pay will help agency workers make better-informed decisions about what contract to accept. The easily understandable key information document will ensure that agency workers have greater clarity over their pay before deciding whether to sign on with an employment business. As the noble Lord, Lord McNicol, made clear, it is important that we get this right and we will work with businesses and other stakeholders to produce guidance on the format for that key information document. We intend that businesses should be able to present the information they are required to give their workers in the most effective way possible, providing the appropriate clarity.

I think that I have covered most of the points that I said I would write to the noble Baroness, Lady Burt, about. I will make sure that a copy of my letter goes to the noble Lord, Lord McNicol, and I will place a copy in the Library. I think I have dealt with all the questions.

*Motion agreed.*

### **Agency Workers (Amendment) Regulations 2019**

*Motion to Approve*

2.06 pm

*Moved by Lord Henley*

That the draft Regulations laid before the House on 17 December 2018 be approved.

*Special attention drawn to the instrument by the Joint Committee on Statutory Instruments, 46th Report. 12th Report from the Secondary Legislation Scrutiny Committee (Sub-Committee A).*

*Motion agreed.*

### **Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2019**

*Motion to Approve*

2.07 pm

*Moved by Lord Henley*

That the draft Regulations laid before the House on 17 December 2018 be approved.

*Relevant document: 16th Report from the Secondary Legislation Scrutiny Committee (Sub-Committee B)*

*Motion agreed.*

## Commonwealth

### *Motion to Take Note*

2.07 pm

*Moved by Baroness Goldie*

To move that this House takes note of the continuing and evolving role of the Commonwealth and the United Kingdom's relationship with it.

**Baroness Goldie (Con):** My Lords, I am pleased to see so many noble Lords in their places for this important debate. The Government felt that, ahead of the 70th anniversary of the modern Commonwealth and nearly halfway through the UK's term as chair-in-office, this would be a timely opportunity to update the House on the progress made since the Commonwealth Heads of Government Meeting in London last year. To celebrate this positive anniversary of such an important global organisation, with which we have such a special relationship, is surely an uplifting parliamentary occasion in these somewhat sombre times.

Unfortunately, the timing of today's debate has conspired against my noble friend the Minister for the Commonwealth, who had intended to move this Motion himself. He sends his sincere apologies to your Lordships for not being able to take part. He is en route to New York—indeed, he may already have arrived—to represent the United Kingdom at the United Nations, but I know he will read today's exchanges with keen interest.

Seventy years on from the London declaration, the Commonwealth has continued to adapt, evolve and respond to our changing world. It has grown into a global institution, representing more than 2.4 billion people in 53 countries, large and small, rich and poor, developed and developing. Significantly, the fact that it continues to attract new and former members to its ranks attests to its continuing relevance and importance. This time of year is traditionally a moment of celebration for the Commonwealth, but this year, together with our fellow Commonwealth family members, we also celebrate 70 years since the signing of the London declaration and the birth of the modern Commonwealth. We celebrate the bonds between people, organisations and Governments across these 53 countries under the theme of "A Connected Commonwealth". Celebrations of these unique connections have been taking place across the world this month. As we open today's debate, I will give a flavour of some of them.

Here in the UK, Her Majesty the Queen attended a Commonwealth Day service of celebration in Westminster Abbey. Her Majesty was joined by His Royal Highness the Prince of Wales, Her Royal Highness the Duchess of Cornwall, many other members of the Royal Family, representatives from all Commonwealth countries, the Prime Minister, Members of Parliament, representatives from Commonwealth organisations and over 700 schoolchildren.

Councils across the United Kingdom—from Dorset to Newport to Glasgow; this is global reach—raised the Commonwealth flag, building connections across the Commonwealth at community level. Noble Lords will recall the flags of the 53 nations of the Commonwealth flying on Parliament Square. The flag of the

Commonwealth flew at 10 Downing Street, at the Treasury and along Whitehall as a symbol of the UK's enduring commitment.

Across our diplomatic network, British high commissions and embassies have been celebrating with a variety of events that reflect the diversity of our Commonwealth. In Singapore, our high commission co-hosted with the Royal Commonwealth Society a fashion show that showcased recycled materials. In Zambia, our high commission co-hosted with the Commonwealth Games association a day of activities for schoolchildren. The children took part in a tree-planting exercise and were allocated a tree to take care of. Even embassies in non-Commonwealth countries such as Brazil have been celebrating, by bringing together Commonwealth colleagues to discuss shared values.

These celebrations demonstrate the enduring appeal and attraction of the Commonwealth in its 70th year. It is an organisation like no other. It is rich in diversity but connected by important themes: a common language, common history and common values. Its great diversity and global reach—spanning a third of the world's population—invests the Commonwealth with enormous opportunity and responsibility.

Commonwealth leaders rightly recognised that responsibility at the last Commonwealth Heads of Government Meeting, here in London last year. They agreed that the Commonwealth could use its significant influence as a force for good to tackle some of the global challenges of our age, including climate change, plastic pollution and the threat of cyberattack. They agreed that member states should work together to build a world that is more prosperous, more fair, more secure and more sustainable. As chair-in-office and a committed member of the Commonwealth family, we are working hard to achieve those ambitions.

Our approach can be summarised in four words: delivery, voice, solidarity and reform. Delivery means working with the three pillars of the Commonwealth—our 52 fellow member states, the Commonwealth Secretariat, and its organisations and networks—to implement the ambitious commitments made at CHOGM. This work is being supported by over £500 million-worth of projects that enable member states to implement key elements of the Commonwealth blue charter, the cyber declaration, and the connectivity agenda for trade and investment.

I turn to the necessary and important issue of reform. To deliver all these initiatives effectively, the Commonwealth's unique structures must work in harmony. We are working through all three pillars of the Commonwealth to support improved collaboration, including refreshing the governance of the secretariat so that it is in the best shape possible to meet the needs of its member states as they address the challenges of the 21st century.

On solidarity, our third means of increasing the impact of the Commonwealth, we have strengthened collaboration between member states in international organisations. For example, we have increased information sharing on candidacies in international elections and on issues being discussed in other multilateral organisations.

On voice, not only are we co-ordinating more intensively in international organisations, we are working to ensure that the voice of the Commonwealth is

heard in these fora. Aside from the United Nations, no other international body encompasses such a diverse range of nations. When we speak as one, we send a strong message to the rest of the global community about the things we stand for and care about.

These are just some of the ways in which this Government are working to deliver a rejuvenated, dynamic and modern Commonwealth. I look forward to a stimulating debate as we explore these issues in more detail, and to offering the House further information in my closing remarks.

2.15 pm

**Lord Boateng (Lab):** My Lords, this is indeed an important debate, and the Chamber is currently peopled by folk who love the Commonwealth and who, on all sides of the House, see themselves as part of what the Minister has described—we will undoubtedly hear this phrase a number of times in the debate—as the “Commonwealth family”.

Having said that, and having appreciated the upbeat, jolly and positive tone of the Minister—that is how she always addresses the House and we are grateful for it—it is important that we strike a note of realism in this debate. The reality of good families is not how they have a jolly good party, although those are important, but how they cope with disasters. That is how you judge whether or not a family is working well. What happens when you have to deal with something unpleasant? What happens when you have to face unacceptable truths within your own family? How the family reacts to that forms the basis of the judgment you make about its current state of health.

I want to draw the House’s attention to two disasters. One is a natural disaster—albeit clearly the result of climate change, in which man has had a hand—in south and eastern Africa, and the other is an entirely manmade disaster in west Africa. The first is Cyclone Idai. We heard this morning during Questions a good response from the Minister, the noble Lord, Lord Bates, as to how the UK is responding to that disaster. As usual, DFID has stepped up to the plate and responded effectively and promptly, and the British people as a whole have responded with unparalleled generosity through their giving to the Disasters Emergency Committee.

Having said that, the global response has been woefully inadequate. In the face of what is now widely understood to have been the worst climate-related disaster in the history of the southern hemisphere, given the scale of the disaster there has been a remarkably tardy response from the international community as a whole. As we speak, vast areas of Mozambique are still effectively cut off from relief by the waters. There are communities which it has not been possible for the relief effort to touch. Beira has been devastated, and it will take many years to rebuild it. In Malawi, vast areas of the breadbasket of that country, which has faced food emergencies in the past, have effectively been rendered incapable of producing food for at least the next two seasons. In Zimbabwe, which is already wrestling with a major economic crisis, there has also been great devastation, both to infrastructure and to economic capacity in the affected rural areas.

The response to that has to include a concerted global effort. That has not been forthcoming, and I do not see any sign that it will be without more effort. The Minister said, rightly, that we should judge the Commonwealth by reference to four things: delivery, voice, solidarity and reform. In relation to this unparalleled disaster, which is affecting three original members of the Commonwealth—now, sadly, only two, as one is currently not a member in good order—the response of the secretariat in terms of voice has been to issue one press release. That is simply not good enough. I have not heard a Commonwealth Secretariat official say a single word to call for a concerted international response. That is simply inadequate. Questions must be raised about the effectiveness of the secretariat if that is all it can do. So there are certainly failings with regard to voice.

In the past, the Commonwealth Secretariat has spoken about natural disasters and, apparently, has done a bit more than speak. The previous Commonwealth Secretary-General spoke in response to disasters in the Pacific, and the current Secretary-General has spoken on disasters in the Caribbean, calling for a task force on natural disasters to be established,

“to assist with mobilising international assistance to provide protection and assistance with recovery from the impact of violent storms and similar emergencies”.

Whatever happened to that? Where is this task force? Where is it housed, what action followed the call for such a task force, and, if it exists, what support has it asked for and been offered by Her Majesty’s Government? That is my first question for the Minister. If it does not exist, why is that? We were told that it was being called for and that it would operate. We have never heard anything since.

For those of us who are friends of the Commonwealth—that is all of us in this Chamber—our friendship is unconditional. Looking around, I see friends of the Commonwealth whose friendship dates back very many years. I pay tribute to the noble Lord, Lord Howell of Guildford, who is chairman of the Council of Commonwealth Societies. No one has done more than him over the years, in so many different capacities, to support the Commonwealth. He deserves credit for that, and I know that all sides of the House deeply appreciate him for the work he has done here. As friends, we must be told what the Commonwealth will do about delivering this; the Minister, rightly, cited that as one of the things she was looking for.

So we want more by way of voice, and we certainly want more by way of delivery. If it takes reform, so be it. We would like to know what that reform will be, and we would like Her Majesty’s Government to make a contribution to that reform because, as we all know, reform needs resources. I do not think that anyone in this House expects there to be reform without resource—we have all been around a long time—but, frankly, we cannot apply resource unless we know that there will be reform. That would simply be wasting money, which we can ill afford to do.

Solidarity has been shown by the people and Government of the United Kingdom, and by the people and Government of South Africa, who stepped up to the plate with logistics support at a time when

[LORD BOATENG]

nothing else was forthcoming—there were no ships or helicopters, and South Africa stepped up to the plate. We hope and expect to see that solidarity shown by the United Kingdom and neighbouring African powers demonstrated in a practical way by the Commonwealth as a whole.

I turn from that natural disaster to the entirely manmade disaster in Cameroon. This House has previously addressed the history of that country, and I do not intend to go over old ground. But it is right that we should look at what is happening there now. As we speak, the United Nations has put out a call for some \$184 million to address the immediate crisis, identified by the UNHCR, of some 437,000 people who have been displaced by the situation in Cameroon. They have been driven out of house and home—in some instances into the forests and in others into the towns. As we speak, people are facing absolute disaster in their lives, not knowing where their next meal is coming from or whether they will fall victim to either the separatist insurgents or the Government's own security forces. Both sides have committed appalling atrocities over the past few years, and it has got worse.

Again, a response is called for and, again, the global response has been patchy, to put it mildly. However, there has been a response. The United Nations Security Council addressed this issue, and the United States has taken an assertive line. It addressed the Security Council on the issue, as did our own permanent representative. You hear a lot of criticism of the State Department but actually it cannot be criticised in this regard. It has been remarkably assertive in its Africa policy, and it deserves credit for that. The United States has instituted sanctions against individual military people and other members of the regime in Cameroon. Just days ago, in the UN Human Rights Council, Her Majesty's Government made, with Austria, a statement on Cameroon, supported by 39 countries in all, raising concern about the deteriorating human rights situation and calling on the Government of Cameroon to establish a credible dialogue.

Civil society has stepped up to the plate, in this country and globally. The churches have been in the forefront of the work within Cameroon to bring together people from all the faith communities—the Christian churches have worked alongside the imams on this issue. Every attempt they have made to bring people together to create a climate in which it is possible to resolve the issues has been sabotaged, either by the Government or by the separatists.

The question, then, is: what is to be done? Cameroon is a member of the Commonwealth. We have repeatedly called on the Commonwealth Secretariat and the Secretary-General to say something about this issue—voice, as the Minister rightly said—and demonstrate solidarity with a member of the family going through hell: an internal division on an unparalleled scale that threatens the whole integrity of that state and the human rights of the Anglophone community in particular. Where is the voice of the Commonwealth on the situation in Cameroon? Where is the delivery?

The Minister referred to our current position of leadership of CMAG—the Commonwealth Ministerial Action Group. It is to meet in April. Its purpose is

apparently to discuss the extent to which Commonwealth values are being upheld. That is its mandate, sole purpose and reason for existence. It is asked to take into account several things in its action. I will touch on only a couple of them. First, there is the postponement of national elections without constitutional or other reasonable justification. We know that the Cameroonian Parliament has already extended its mandate by some 12 months. A second criterion is whether the electoral process is seriously flawed. We know that the presidential elections were seriously flawed. Those are just two issues. We know that civil society is failing to have its human rights respected. All these things we know. What is being done?

I finish on this note: what is being done? Will it be raised in April? If so, under what part of the agenda will Her Majesty's Government raise it, and, if not, why not? Delivery, voice, solidarity, reform are all called for if this family we love is to work and to prosper.

2.32 pm

**Lord Chidgey (LD):** My Lords, first, I declare my interest on the register as the co-chair of the Commonwealth All-Party Parliamentary Group. I will pick up on a point made by the noble Lord, Lord Boateng, about the crisis in southern Africa. It was interesting that the Indian Navy was on hand for immediate relief—not enough, obviously, but there was some. I looked a little further into Commonwealth initiatives and found that in the Asia-Pacific region, Australia, New Zealand and a number of other Commonwealth countries are working together on humanitarian relief and aid programmes. There is definitely a case here for the Commonwealth Secretariat to take the initiative and see whether there is scope for a united Commonwealth aid package to deal with the needs throughout the Commonwealth. It may not be possible, but we should at least have a scoping study.

Just over a year ago—on 22 March, to be precise—the Minister for the Commonwealth moved the Motion:

“That this House takes note of the Commonwealth Heads of Government Meeting 2018”.

The report of that debate in *Hansard* runs to 80 pages. More recently, on 7 March this year there was a debate in Westminster Hall moved by James Duddridge MP, the chair of the executive committee of the CPA, followed by a Statement by the Minister for Africa, Harriett Baldwin MP, marking this as the 70th anniversary year of the founding of the Commonwealth.

In many ways these three documents plot the aspirations and course of the themes set out for CHOGM 2018 at the beginning of the process, and the challenges and objectives described in the CHOGM communiqué. They also, by default, highlight issues that appear to have dropped below the radar, which this debate perhaps allows us to highlight.

In introducing the debate on 22 March last year, the Minister stressed the key characteristics of the Commonwealth: it comprises one-third of the world's population, two-thirds—I billion—of whom are under 30, and one-fifth of the world's trade is within the Commonwealth. The Commonwealth is committed to values founded on democracy and the rule of law embodied in the Commonwealth charter, with members

ranging from some of the smallest to some of the largest countries in the world, with climates ranging from tropical to Arctic.

CHOGM 2018 faced the global challenges of the 21st century with an overwhelmingly young population, under the theme, “Towards a Common Future”. The CHOGM communiqué set out the Commonwealth’s priorities for the ensuing two years, coinciding with the UK’s tenure as the chair in office. It was stressed that the UK intended to play a full and active role in the important work of rejuvenating the Commonwealth, which would require collective effort for many years to come. Progress made in London would be sustained over the coming years, and member states would be supported in honouring their commitments. What was agreed at the summit would go beyond just words and be backed by meaningful commitments and financial support.

CHOGM 2018 presented a golden opportunity for the UK Parliament to be at the centre of activities to reinforce parliamentary democracy throughout the Commonwealth. Within the parliamentary forum organised by the UK CPA, 80 parliamentarians attended from 30 different countries as a feed-in to CHOGM. A proposal emerged to establish a virtual pan-Commonwealth monitoring group of parliamentarians to assess the progress of the Commonwealth towards achieving the 2018 to 2020 strategies plan and report back. The ambition was that a Commonwealth parliamentarians forum should become an invaluable feature of future biannual CHOGMs. Can the Minister advise us on progress on what I consider to be an invaluable contribution and ambition?

In March 2018, the Government confirmed that they had launched a Commonwealth education pack for schools across the United Kingdom to inform students and explain the importance of the Commonwealth. At that time, it had been shared with more than 40,000 teachers in the UK and was accessible worldwide. What measures have been taken to assess the impact of this initiative and what do the Government believe were the outcomes?

At this stage, there was talk about potential candidates to join an enlarged Commonwealth, with several cited, including the Republic of Ireland—one of the original members of the Commonwealth before, sadly, it resigned. In recent months, Ireland has become a member of the Francophonie and, bearing in mind the events surrounding Brexit—we had to have Brexit here somewhere, did we not?—does the Minister agree that an application for Commonwealth membership from Ireland is even less likely now?

In her response earlier this month, the Minister for Africa, Harriett Baldwin MP, cited the Commonwealth charter as stating that members are,

“opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds”.

Many Commonwealth countries are still dragging their feet in addressing those issues, on the basis that they are bound by 18th century laws enacted when they were colonies. We are now well into the 21st century and the age of the world wide web, with the Commonwealth making an ever more significant impact in world affairs. With members reaping the benefits of a Commonwealth

fit for purpose in this modern world, it is surely not too much to ask them to accept the commitments that they entered into in the Commonwealth charter.

I note that in her statement on Commonwealth Day, the Minister for Africa commented that the Equality and Justice Alliance was supported by UK funding in working towards creating a fairer Commonwealth. It was building capacity in civil society and offering technical assistance for legislative development in six countries. Can the Government expand on this important initiative, with details of the anticipated programme and progress by the time we reach the Rwanda CHOGM?

In a similar vein, in answer to an Oral Question on 13 March, I was advised of the supervision structure for the £212 million education programme for girls in nine Commonwealth countries, through our UK Commonwealth envoy. He is a great guy—I am sure that he is doing an excellent job—but I believe that noble Lords would like to have more detail about the conclusions contained in the reports back on the take-up of the programmes, their effectiveness and their quality.

The Minister may be aware that I have recently asked a series of questions on freedom of expression in the Commonwealth, given the commitment in the CHOGM communiqué to strengthen capacity to deliver on the right to freedom of opinion and expression. This comes in the appalling context that more than 100 journalists were killed in eight Commonwealth countries between 2006 and 2015 with impunity—not a single person has been brought to book for those offences. I understand that FCO and Cabinet Office officials have been offering advice on the principles of freedom of expression to the Commonwealth Working Group on Media and Good Governance. Can the Minister provide an update on the initiative to hold an international conference in London later this year, with the potential support of UNESCO? The Clooney Foundation for Justice is also active in this field: Mrs Amal Clooney has confirmed to me its concerns over courts increasingly being used as a tool of oppression, and that they have been in discussion with the Foreign Office. Can the Minister provide more detail on these plans?

In November last year, at the launch of the Commonwealth Secretariat’s new report—*The Global Human Rights Implementation Agenda: The Role of National Parliaments*—the Secretary-General said:

“Commonwealth Parliamentarians have a central part to play in the promotion and protection of human rights”.

She stressed their work to build the capacity of Commonwealth parliaments. The Secretary-General of the Commonwealth Parliamentary Association stressed that it was the role of parliamentarians and parliaments to act as a check and balance on Executive policies. Clearly, Parliaments need to establish mechanisms and oversight committees to do this, yet only 28% of Commonwealth parliaments have established specialised parliamentary scrutiny committees. While chair in office, is the UK giving priority, under the theme of “Building a Fairer Society”, to addressing this deficiency?

The Minister will be aware that paragraph 44 of the CHOGM 2018 communiqué, entitled “Commonwealth Renewal”, notes a request since the Malta CHOGM

[LORD CHIDGEY]

of 2015 to establish a high-level group to look at the issue. Two high-level reports, which looked at renewal and collaboration with associated and accredited organisations, were issued in late 2018. After four years, high-level reports have emerged, yet there is concern at the apparent lack of application to deepening collaboration, given the UK commitment as chair in office to a strengthened Commonwealth network, working together for the benefit of the people. What are the expectations for deeper collaboration in these reports? What progress is being made to achieve this? How will the outcomes of the high-level report be taken forward in a timely manner, given the significant delay in the start of this work recorded in the CHOGM communiqué?

Noting the importance of the Latimer House group work on the separation of powers described in paragraph 13 of the communiqué, and the funding allocated to these tasks, are the Government confident that the outcomes anticipated by the end of June will be fit for purpose and represent value for money?

2.44 pm

**Lord Howell of Guildford (Con):** My Lords, I declare my interests in the register. I am grateful to the Government for making time for this debate. I was glad to see “evolving” in the Motion on the Order Paper; it brings home to us that the Commonwealth is a vital part of our present and future. It is very much part of the platform for our future, as Her Majesty the Queen observed long ago, and not at all something belonging to the past. I am grateful to my noble friend Lady Goldie for her characteristically excellent and clear introduction on the Government’s view of what is happening in the Commonwealth and where we are going.

We should be having such a debate anyway, regardless of the dramas of Brexit—indeed, almost independently of the Brexit event. Why? We are looking at Britain’s position in a totally transformed global context and a new cycle in the history of international relations. This is most visible in east and west Asia, not just because of China but because it embraces half the Commonwealth network, including India and some of the world’s most dynamic countries, such as Bangladesh, which is completely ignored by the British press despite being one of the fastest-growing high-tech economies on earth.

Of course, the Caribbean nations—this side of Asia, as it were—are also vital. Incidentally, almost every one is much-visited by Chinese activity. Canada is a key Commonwealth member, with its great interest in CANZUK, the Canada-Australia-New Zealand-UK network on ideas for a major advance in Commonwealth trade and investment co-operation; again, it is completely ignored by the British commentary but it is vital. In fact, the change of leadership in Ottawa currently being mooted would give a stronger Commonwealth push from Canada than ever.

Then, there is the resurgent Africa, with 19 Commonwealth nations and China as its largest trading partner. It is a continent of huge hope but terrible and severe problems, about which the noble Lord, Lord Boateng, spoke so eloquently. I thank him for his kind personal remarks.

However, the rising, motivated, super-dynamic Asia—both the Asia-Pacific region and central Asia—is shaping our future here in Europe and in Britain. Many areas of the world traditionally considered in the sphere of the West are already turning eastwards and linking up with the emerging Asian system. The Gulf states, Turkey, large parts of Africa, Oman, Pakistan, Sri Lanka, Indonesia, south-east Asia and India, with its Look East policy, all spring to mind. Meanwhile, for those who doubt Asia’s arrival on our scene, we must note Italy’s new deals with China and Asian links all over central Europe. For example, Mr Xi Jinping visited Rome to sign huge new deals with Italy only last week.

Asia produces, exports, imports and consumes more than any other region on earth. It now contains several of the world’s largest economies, most of the world’s foreign exchange reserves, many of the world’s largest banks and industrial and high-technology companies, and most of the world’s biggest armies, with the obvious exception of the United States. It contains most of the world’s new giant cities, many of them with infrastructure unmatched in the West and often a hundred years ahead of anything we have here. Asia is the key to our future. Networks are the key to Asia, and the Commonwealth is by far the biggest network on the planet. A sustainable, prosperous and secure Commonwealth is utterly in our national interest, never more so than now. As chair-in-office, this year is our opportunity to contribute. Given our departure from the European Union—if it happens—and with our alliance with the USA looking increasingly wobbly, this is the clear direction in which our new role and national purpose lies.

A great deal has been done by Her Majesty’s Government, particularly by my noble friend Lord Ahmad, the Minister, who unfortunately cannot be here. He has given real momentum in government, the best he can, to many of the realities we now face, such as the importance of a sustainable, prosperous and secure Commonwealth. He has done very well indeed, and I congratulate him—but there is an enormous amount still to do.

It is not just a question of having a heads of government meeting, black Mercedes cars going here and there, government communiqués and so on. It is not just a question of fulfilling the aspirations and intentions of the communiqués, although many of them are very good. There is a whole list of new goals that we should be working towards to demonstrate and fulfil our commitment to proper engagement in the Commonwealth system: helping to build a new Commonwealth trade and investment agenda; exploiting the enormous digital wealth of the Commonwealth, which is linked to our common language, common law and common standards; fostering more exchange between the creative industries, vastly helped by our common language and part of the new pattern of the soft power age, which we do not fully recognise; making the 70th anniversary a major event, which the Minister rightly said we are getting on with, so that is good; strengthening intelligence, defence, military and naval ties, where there is enormous scope; reducing intra-Commonwealth travel obstacles, both for business—as already occurs among ASEAN businessmen: half of

Asia has completely free movement for business—and for dealing with the student situation, which is not at all satisfactory at present. We need a standing body to assess potential new members—of which there are several—and readmissions such as, one hopes, Zimbabwe one day, although clearly not at present and in its present condition. We need to review all DfID and ODA programmes to reverse the shrinking proportion going to the Commonwealth—I think the heads of DfID have grasped this point, but I am not at all sure that that message has reached over to the Foreign and Commonwealth Office. We need to move forward with our own potential and vastly important membership of the comprehensive, progressive Trans-Pacific Partnership, which already includes several key Commonwealth countries.

As with a huge iceberg, the bulk of intra-Commonwealth activity and networking today lies beneath the radar of conventional diplomacy and its media coverage. Experts and opinion-formers, accustomed to looking only at what goes on between Governments and what is fed out at official level, completely miss the new reality: that the world is moving outside the familiar interstate system and that power and influence now flow between new international bodies, networks, interests, professions, businesses, university systems and causes, regardless of national boundaries, on an unprecedented scale. As I hope my noble friend Lord Marland will remind us—he will speak later in this debate, and has done so much to invigorate Commonwealth trade—these are the great, largely non-governmental institutions of the modern Commonwealth. We must work to leave them stronger than when we took them over, when we hand over the chairmanship of the Commonwealth to Rwanda next June.

It is the flexibility and informality of the Commonwealth family that make it so much more resilient than the old, more hierarchical structures of the 20th century that we inherited. Remember that the Commonwealth has no treaties; it is not a treaty-based organisation and is entirely voluntary. This makes it the ideal system for the digital age of massive grass-roots empowerment and connectivity. Of course, all families have their inner tensions and problems, as the noble Lord, Lord Boateng, reminded us. All networks have their problem points. The modern Commonwealth needs new kinds of enlightened and sophisticated governance to guide it through these shoals. A specially appointed—and perhaps rather extravagantly named—High Level Group, of which I had the privilege to be a member, was charged last year with adapting the structures of Commonwealth governance to entirely new world conditions.

In Britain's case it is no secret that our country is struggling to adapt and redefine its role in a revolutionised world. Looking at the scene from an admittedly selfish British viewpoint, it is clear that the modern Commonwealth provides Britain both with the ideal transmission mechanism for the considerable soft power influence we have and with an excellent opportunity to make the contribution to world peace and prosperity to which the better side of the British character has always aspired. To strike a positive note, it really is heartening to see how the British establishment—

wandering for a biblical 40 years or so in search of a narrower European destiny—is now returning to the larger Commonwealth fold, re-forging old links and seeking new ties in a transformed international milieu. Let us wind back two or three decades; frankly, few expected the morning would ever come when Britain would need access to the huge new markets and swelling capital resources of key Commonwealth friends, notably the giant and dynamic new India. Yet now that morning has arrived.

Nobody planned any of this; to use the word from the Motion, it was not planned to evolve this way. There were no blueprints. On the contrary, all too many were ready to write off the Commonwealth as a relic of the past. They did not foresee that networks have their own agendas and their own capacities to mesh together, without waiting for higher instruction, official guidance or approval. They did not foresee that the swirl of communications technology would advance the interweaving process in a manner never matched before in human history, thanks to common language, common law, common standards of accountability and, above all, a great degree of that invaluable element: trust.

I know that many Commonwealth countries may well now be quizzical about the UK's newfound enthusiasm for working with them, given the sharp downgrading of UK Commonwealth interest from 1972 onwards. As we return to the fold, our policies and approaches must reflect a suitably condign attitude and a clear recognition that this is not in any way a replay of old relationships. Not only has the Commonwealth of 1949 gone, the Commonwealth of the 20th century has gone and been replaced by an assembly of countries that includes some of the world's fastest-growing economies and middle-income consumer markets. This is the network of friends and democracies with which we must now face a very uncertain future together. We need to be clear in our minds that we are re-engaging with Commonwealth countries not in some kind of post-colonial paternal role but as a key part of the United Kingdom's new economic and security strategy in a transformed world. The Commonwealth is a key channel through which to exercise our full responsibilities in today's disturbed and uncertain world conditions. I hope leaders of all parties and of all great institutions in this country have grasped that this is the path we now have to follow.

2.58 pm

**Viscount Waverley (CB):** My Lords, I thank the Minister for her introduction to this important subject and look forward to her response. In addition, I wish the Minister the noble Lord, Lord Ahmad, well in New York. It is the greatest pleasure to follow the noble Lord, Lord Howell, for—one of many reasons—there can be no greater advocate and friend of the Commonwealth.

As regards the situation in Mozambique and the point the noble Lord, Lord Boateng, raised about the need to raise large quantities of resources for that troubled land, the Government might wish to consider knocking on the door of the United States. That country potentially has large interests, and will be a

[VISCOUNT WAVERLEY]

major beneficiary of the gas extractions and LNG, in Mozambique. It really would behave the United States to come to the fore.

The noble Lord, Lord Boateng, raised the desperate situation in Cameroon. I will not comment on the detail, as I recently did so in a debate introduced by the noble Lord, but I wish to register this. I am concerned that, when considering yesteryear, our country on occasions does not have the best record. We must keep our hand in and use all best endeavours to support those who have been adversely affected at independence. The Commonwealth can offer a clear contribution in all such matters, and we might wish to consider calling on President Macron of France to work with us to map out a solution to the situation in Cameroon. France probably has more influence than us on the President in Yaoundé. It may well be that the noble Lord, Lord Ahmad, the Minister, could use some of his time at the United Nations in New York to raise that point and generally get more traction.

Standing shoulder to shoulder with our Commonwealth allies must become a necessary and major plank of British relationship building over the years to come; how the UK best contributes to those relationships will be a matter for ongoing discourse. The Commonwealth provides a platform to discuss values and interests. However, we should be sensitive in recognising that on occasions these go counter to cultures and creeds elsewhere. Discussion and implementing changing philosophies should be viewed as activity in progress, whether it be addressing the bane of corruption, advocating decent levels of human rights, the benefits of social change fit for today's world or the addressing of one of the great challenges of the age—the need for understanding and interaction in relation to religious tolerance. Whichever way one views it, the Commonwealth combines every aspect of life and is a force for good.

The complexity and scale of the interconnected world has brought benefits but also poses immense challenges. Cyber activity, in this world of obfuscation, is a worldwide phenomenon and affects us all. Given the importance of the Commonwealth in a post-Brexit world, the UK should help review the national cybersecurity capacity of Commonwealth members and improve their capabilities in providing mechanisms to monitor, detect, protect against and repel incursions, with an outcomes-based approach to governance and regulation, and in so doing build resilient digital economies. I encourage HMG to underpin action and exert influence by investing in increased Commonwealth partnerships, developing relationships to build on the levels of cybersecurity necessary to protect Commonwealth partners. Kigali's CHOGM 2020 could offer a milestone for what progress has been achieved and to further outcomes.

There are many benefits to trade in order to enable relationship building, and as the UK advances on trade relationships around the world we should consider our role as strategic partners. The UK has been the advocate and gateway to access for many Commonwealth states into the European Union. What is to become of our ability to continue effectively in this role given, for example, a determined France on the prowl? I await a

response to a Question I raised recently, in that there is disquiet in trade policy circles about a lack of co-ordination over how the Commonwealth fits in the overall constellation of EU to UK FTAs. I also seek a timeline from the Government for improving the unilateral preferences that they grant to the Commonwealth in the longer term, with more clarity on the level of access to be provided to less-developed countries. I would be grateful for clarity on this.

At this stage, I draw attention to a declared interest in that I am the architect of a digital platform, SupplyFinder.com, which has as its core providing B2B access for SMEs for cross-border markets. I naturally have the Commonwealth firmly in focus.

Putting trade into context, intra-Commonwealth trade is projected to reach \$700 billion by 2020. This will be accommodated in large part by the Intra-Commonwealth SME Association, ICSA, launched in June 2016. What should be emphasised is the imperative to enhance a trade finance facility allowing small states to access finance needed to develop trade and sustain economic and social development with SMEs failing to maximise their potential. Solutions need to be found to the challenges facing small states—Commonwealth criteria place 32 states in that category—which range from weak credit ratings to a reluctance of global providers and financiers' wariness of untested goods and services.

A plan was first mooted at the Sri Lanka CHOGM, with the support of India, Sri Lanka, Mauritius and Malta, and Malta CHOGM advanced this notion, with India placing an initial contribution of \$5 million—currently managed by Standard Chartered Bank, Baroda—to assist in a de-risking exercise, a credit guarantee scheme, that would give access to finance. So the trail is to provide credit guarantee to banks in small states who in turn can then lend to SMEs. This is an excellent initiative of the Commonwealth. However, more needs to be now done to add real teeth. Surely the City of London can see the opportunity, and if not, you would think that it would consider a degree of responsibility and rise to the challenge. If not, then a new financial centre should be devised with this objective as the goal. I am talking to one overseas organisation that has adopted British law and arbitration as the manner of things, all conducted in English.

Before ending with a thought, I draw attention to the second Intra-Commonwealth SME Association trade summit to be held in Nairobi, co-hosted by Kenya, and with expectation that the noble and learned Baroness, Lady Scotland, the Secretary-General, will participate. The main objective of the summit is to build awareness of existing global standards, as well as to encourage regional and international investments in areas where the countries have competitiveness but lack capacity. Three chapters will be hosted: high-level policy makers; sectoral B2B meetings; and a technology and innovation platform.

As an aside, in my case with SupplyFinder.com to which I have referred, I have built up a research team in Sierra Leone that has the capacity but, frankly, I face a big challenge with internet availability and cost



and impediments placed by payment providers to process remittances. With regret, I had this problem with Zimbabwe as well.

For my concluding point, I draw on my experiences in Kazakhstan as the architect of the Aktau Declaration on Joint Actions. That was all about joint ventures and local content, harmonising standards, specifications, organising a single all-purpose pre-qualification data base for suppliers and so negating the need to register multiple times with differing operators and so on. I have little doubt that something of the sort would work well within the Commonwealth and, now I think of it, I might propose that in Nairobi.

3.08 pm

**Lord Haselhurst (Con):** My Lords, in approaching the debate this afternoon through the prism of the Commonwealth Parliamentary Association I hope it will not be thought that I am being too narrow or niche. More broadly, I endorse the work being done at all levels, from the Government downwards, to strengthen our links within the Commonwealth.

But history still haunts us to some extent. From my time as chair of the United Kingdom branch of the Commonwealth Parliamentary Association, and as international chairman for three years, there is no doubt that there are still colonial resentments in parts of the Commonwealth which we have to overcome. There is also still a tendency on the part of many to refer to “the British Commonwealth”, which is unhelpful in modern times when we are celebrating 70 years of the Commonwealth. The membership of Rwanda, Cameroon and Mozambique is evidence that we are a broader organisation these days. Of course, a network is developing between and within regions which does not necessarily involve the United Kingdom at every turn.

What worries me more than anything else is the general unawareness in the population as a whole of what the Commonwealth is all about. I was shocked when I led a delegation to India in 2012—I think my noble friend Lord Popat will remember the occasion. On meeting the foreign affairs committee of the Lok Sabha, we were informed that India had no great interest in the Commonwealth. Coming from a senior parliamentary spokesman of the largest democracy in the Commonwealth, that was quite a shock. Then I thought to myself, if I went out into the street, whether in my old constituency of Saffron Walden or anywhere in London, and asked people what the Commonwealth meant to them, I would find an astonishing level of ignorance. That is truly worrying.

Despite all that, our parliamentary model is still seen as an important resource. We are always pleased to welcome delegations from other parliaments from all over the world, particularly from the Commonwealth, who wish to discuss their situations. A week ago, I met a group of distinguished Senators from Malaysia who were considering their constitutional arrangements. On behalf of the United Kingdom branch of the CPA, I explained all about our parliamentary model and the resource it was for them—even as our parliamentary model is being somewhat tested by present events. I wondered whether, when they saw the newspaper headlines the following morning, they could credit what I had said against what they read there.

In all these relationships with Commonwealth countries, I believe there is an expanding agenda for the Commonwealth Parliamentary Association. One of the things that strikes me is that it is all very well to have the Heads of Government meeting every two years, but there has been little opportunity for a relationship with what I would call the next level down in the democratic system. If it is the Executive who meet at the Heads of Government meeting, what about the legislatures? How do we build a relationship with them? That could lead to the decisions taken at CHOGM being followed, monitored and questioned in the ensuing period, with all parliaments facing continual questioning and debates about the matters on the agenda and agreed at CHOGM.

In fact, it is quite difficult to get debates. It is wonderful to have this one and there was a debate in the other place quite recently but, in the House of Commons, one has to beg for time from the Backbench Business Committee. We ought to have a major day in the parliamentary calendar when the affairs of the Commonwealth are discussed. That would send a message not only to our own people but to all our friends in the Commonwealth. CHOGM should attempt to build a structure that enables legislators to have a closer relationship with them.

Through the CPA, a women’s organisation has gradually been built up over the years and great work has been done to lift the position of women in Parliament and deal with many of the serious women’s issues that have cropped up in recent times, involving modern slavery and other matters. We have also created a network of the small jurisdictions and they now have their own chair, who becomes an officer of the association alongside the women’s chair.

What about young people? I remember that a kind of youth forum with the host Minister was held at CHOGM in 2011. Afterwards, the reaction was, “Will that be the last time we have any contact with the Heads of Government for two years?” Everyone resents being consulted one minute and then ignored for the next hour—or decade—and young people feel that in particular. They feel they have been picked up, put in a particular position and then forgotten about. We need to address that when young people represent a formidable proportion of the Commonwealth population. It is difficult to build it up, but there should be some kind of youth assembly or parliament in each of the Commonwealth countries, which would send a delegation to CHOGM. We should also have a leading person or officer for this in the Commonwealth Parliamentary Association. That would demonstrate that we are listening to the future citizens of the Commonwealth regularly and trying to involve them.

Continuity is needed. On Monday, your Lordships’ House will discuss the UK’s future relationship with the Erasmus programme in whatever situation we find ourselves with the European Union in the coming months. This is an enormously valuable programme. I do not want to see it go and deny young British people the opportunity to move to European countries. However, should we not try to do more to boost the numbers of people who go to other Commonwealth countries? It would no doubt be more expensive and more difficult

[LORD HASELHURST]

to arrange, but should that not be a main purpose if we want young people to believe in the possibilities that proper democracy can bring them in the future?

IT can make a contribution to the practical problem of bringing people from far-off places together to talk to each other. I once saw a scheme in Kenya where a school was linked with a school in South Africa and one in Southampton and they were doing the same project. Every week, they would compare how they were dealing with it. We ought to be able to set up a buddy system for young people in the Commonwealth through mobile telephony, tablets and so on. We must have these ideas if we are to have full confidence in the future.

There is one niggling matter about the Commonwealth Parliamentary Association that I should like to mention: its legal status. It is registered as a charity in the United Kingdom and that irks many of our partners in the Commonwealth. It caused particular problems for me to overcome when I was international chairman. The British Government hold the key to this and have resisted a change in status for 30 years or more. However, a proposal has been put forward to the Minister and I hope it will be dealt with more favourably and imaginatively, so that we can get rid of this irritant, which has undoubtedly affected diplomacy between parliamentarians.

As we know, and as has been mentioned in this debate, there are many great struggles in the world. The one I—and all of us, I am sure—hope we avoid is an entrenchment of a world with a rich half and a poor half. There are appalling levels of poverty in many Commonwealth countries. Within the Commonwealth, we have a framework which can help to address and overcome this danger, by helping people to engage with people, learn lessons from one another and inspire hope that solutions that have eluded them so far can still be found. It takes time, it takes money and it takes commitment. It is particularly difficult for elected politicians, who always have to be looking at those who elected them in the first place, to find the extra time and dimension to reach out across the Commonwealth, but it is one of the most worthwhile undertakings on which we could embark.

It is right that the word “Commonwealth” and the concepts of continuity and evolution are in the Motion before your Lordships’ House today, but it seems to me that we need not just continuity or evolution, but a proclamation. Above all, we must talk up the Commonwealth and make people in everyday life aware of the benefits of this great organisation and the possibilities it holds, as outlined particularly by my noble friend Lord Howell. It has the potential to be a beacon of hope for a better world, and there are many people who need a sight of that beacon.

3.20 pm

**Baroness Prashar (CB):** My Lords, I thank the noble Baroness, Lady Goldie, for introducing this debate in such a positive manner and so clearly. It is indeed welcome that, nearly a year on from a very successful CHOGM in April 2018, we are debating the continuing and evolving role of the Commonwealth and our relationship with it.

In 2019 we mark 70 years since the London declaration, and it is worth reminding ourselves that this declaration came about because India wanted to become a republic but also to stay in the Commonwealth. India accepted the King as the symbol of the free association of its independent member nations and, as such, the head of the Commonwealth. India’s first Prime Minister, the late Pandit Jawaharlal Nehru, saw the significance of the Commonwealth as bringing a touch of healing to a troubled world. Seventy years on, India is an important player in the Commonwealth and has the potential to be even more significant. Together, given their respective strengths, the UK and India can be a real force for good for the Commonwealth. It is in our interest and India’s interest to make this relationship more effective and to begin to make sure that modern India and the modern UK develop a positive relationship in the Commonwealth context.

Although the change in 1949 was presented as if it changed nothing, it in fact changed everything, but it was a smooth transition. The Commonwealth became a free association of peoples and Governments, and it is worth emphasising that the association of people came first. Those people were drawn together by history, a common language, common values, and common legal and administrative systems, and were held together by a symbolic head. The declaration provided a new role for the monarchy, independent of the Government, and Her Majesty the Queen has come to epitomise the Commonwealth. Furthermore, as for the countries in Africa, the Caribbean and the Pacific, a Commonwealth with India in it prevented it becoming a narrow organisation, and marked the birth of the modern Commonwealth of diverse societies and cultures.

For the past 70 years, the Commonwealth has continued to evolve and change. It has remained resilient and dynamic despite predictions of its demise and sometimes denigration, not least in Whitehall and Westminster. In recent years, this has begun to change, albeit very slowly. A lot more needs to be done to make the Commonwealth part of our DNA.

During CHOGM 2018, we witnessed further evolution. In my view, two things were achieved simultaneously. The 2018 CHOGM managed to demonstrate that the modern Commonwealth is truly an association of equals. It focused on some real priorities, and yet it resolved the issue of the succession to the headship without any hitch. This gave it stability and the ability to move forward. The history of the Commonwealth shows its ability to evolve and change without much upheaval.

As the noble Lord, Lord Howell, said, the Commonwealth of 1949 has gone, and that of the 20th century has also gone. It is now a network of countries which includes some of the world’s fastest growing economies and middle-income consumer markets. It has within it states with new confidence, willing to embrace new ways of working. The modern Commonwealth is massively interconnected, and countries which were not former British colonies have joined, such as Rwanda and Mozambique. Indeed, Rwanda will host the next CHOGM, and I am confident it will bring a very refreshing focus.

To make the best of this new situation, the UK, in its role as chair-in-office, has the opportunity to influence the development and evolution of the Commonwealth, revitalise its relationship with the Commonwealth, build strong links with all member states and re-order its own structures and approach. It is an opportunity to make the most of the modern and expanding Commonwealth for mutual benefit.

The focus on delivering the commitments made in 2018 is commendable. I am aware of the work which is being done to achieve results. I commend the leadership and personal commitment shown by the noble Lord, Lord Ahmad, which is extremely impressive. But the UK needs to up its game and sharpen its machinery of government to engage more effectively with the Commonwealth. It is vital that the Foreign and Commonwealth Office operates on a pan-government basis, with input from all related Whitehall departments. The Commonwealth should be part of the Government's overall strategy. We need to think and act Commonwealth; we need to ensure better understanding and knowledge of the Commonwealth.

Our re-engagement with the Commonwealth should be as an equal member of the modern Commonwealth, working to strengthen it and increase its effectiveness, at the same time ensuring that it is a key part of the UK's new economic and security strategy and a key channel through which we exercise our responsibilities in today's world. We should not see the relationship with the Commonwealth as purely transactional. The economic and security strategy needs to be underpinned by support for the non-governmental sector. It is the lifeblood of the Commonwealth and a channel for building trust and vibrant democracies, which are fundamental to developing meaningful trade relations and co-operation on security matters. While the reform of the Commonwealth Secretariat is much needed, as mooted by the high-level group, equally important is the role of the non-governmental sector in building trust and co-operation.

First and foremost, the Commonwealth is a Commonwealth of people. It is a huge mechanism for building trust and co-operation and for exchanging good practice. Contact between people is the heartbeat of the Commonwealth, and modern technology has added momentum to this, transforming connections and networks. The Commonwealth's distinct advantage is that it is made up of many networks of parliamentary, professional and civil society organisations. These bodies are an integral and indispensable part of delivering the aspirations of the Commonwealth as stated in the Commonwealth charter. Many of these organisations existed before the secretariat and before governmental meetings were instituted. It is this network of civil society organisations which will deliver what the Commonwealth will be in the future. Formal institutions must therefore reach out and work with the informal sector. There should be more emphasis on working with and embracing non-governmental organisations and networks. Supporting and strengthening non-governmental organisations should be an integral part of the UK's strategy. Investment in these institutions is extremely important.

My hope is that in its remaining time as chair-in-office, and beyond, the UK will raise its game and take steps to ensure that we think and act Commonwealth.

3.30 pm

**Baroness Redfern (Con):** My Lords, I am pleased to have the opportunity to take part in this important debate on the Commonwealth, and I thank my noble friend Lady Goldie for her introduction.

As we know, our voluntary Commonwealth is intended to bring about international co-operation and advance economies, social development and, importantly, human rights in its member countries. The Commonwealth is a 70 year-old association and consists of 53 countries. It has—it must have—a future. Its foundation is based on its history, values and common bonds, but today's Commonwealth connects all the continents, embraces 2.4 billion people and represents all the major faiths.

Its membership includes many of the fastest-growing and increasingly technologically advanced economies in the world. For the smaller nations accommodated within this structure, it is an ideal place to have a voice and to be heard. Of course, with the Queen at its helm, it is a force for good in the 21st century. It is a driver for developing trade and investment opportunities for the UK and for promoting intra-Commonwealth trade. There is a great emphasis on supporting development programmes and bilateral assistance in Commonwealth countries, to the benefit of social cohesion within British society.

The grouping of countries with a similar or the same legal system and democratic outlook means that the Commonwealth is an ideal partnership for—dare I say it?—a post-Brexit Britain. The more free trade we see within the Commonwealth, the more the UK and Commonwealth countries will gain. Although we hope to invest in post-Brexit trade options with the select group of larger Commonwealth economies, the UK strategically must make sure that smaller developing economies do not lose out.

The 53 Commonwealth countries account for one-third of the world's population, 40% of people under 30, and 14% of global GDP. It is five times as populous as the entire EU. Post Brexit, we want to see an emphasis on a more outward-looking global Britain. We have to hold a positive, optimistic stance on Britain's future relations with the rest of the world, looking eastwards in particular. These facts make it a significant future market for most competing international powers. Commonwealth members wish to continue their close ties to Britain. We can remember a time when the UK shed its responsibilities towards them when we joined the EU many years ago.

I had the opportunity last year to visit New Zealand with the CPA and to meet many representatives from the Pacific islands. I witnessed their unwavering respect for the UK, which was still undiminished. Areas of discussion obviously focused on the effect of Brexit on UK-New Zealand relations, on trade policy in New Zealand, the status of the Trans-Pacific Partnership Agreement, the trade and investment relationship between the UK and New Zealand, and the economic prospects of both countries and the Pacific islands. The larger members guarantee that even the smallest member

[BARONESS REDFERN]

countries continue to have a voice to be listened to in shaping the Commonwealth, as the noble Lord, Lord Boateng, mentioned.

However, Commonwealth countries are greatly concerned at the deteriorating health of the world's oceans, which impacts every country and in particular the Pacific islands. This poses an existential threat to many Commonwealth communities, and it was very much in evidence at the conference. Sea-level rise, acidification, biodiversity loss, overfishing and plastic pollution were raised as some of the most significant pressures requiring urgent action.

The geographical spread of the Commonwealth countries is another major advantage, covering, as they do, both hemispheres. Greater Commonwealth trade can be the jumping-off point for the expansion of British economic activity into the regions they inhabit, and that is certainly not to be underestimated.

Moving to the Commonwealth Heads of Government Meeting in April last year, the heads made ambitious commitments to build a Commonwealth that is fairer, more sustainable, more prosperous and more secure for all, with a commitment from the Government to allocate more than £500 million towards projects, as we heard from the Minister.

Finally, I will certainly not forget being part of that CPA delegation last year. It is likened to being in a club, working collectively for future trust and prosperity. It is a Commonwealth to celebrate, and long may it flourish.

3.35 pm

**Lord Bilimoria (CB):** My Lords, the Minister of State for the Commonwealth, the noble Lord, Lord Ahmad of Wimbledon, whose presence we miss today, said on Commonwealth Day on 11 March:

“The UK has an unbreakable bond with the Commonwealth; a unique network bound together with the ties between people, common values and shared history. Our common vision for the 2.4 billion people who make up this family of 53 nations is the opportunity for all citizens to thrive regardless of race, religion, gender or any other status”.

In her message, the Prime Minister referred, as did the noble Baroness, Lady Goldie, in her opening speech, to this being the 70th anniversary of the Commonwealth. The Prime Minister said, referring to the theme of a connected Commonwealth:

“In an increasingly interlinked world, the bonds between Commonwealth citizens, organisations and governments provide a uniquely valuable network for international co-operation”.

Her Majesty the Queen talks about it being the “face of the future”. As I will come to later, 60% of the Commonwealth's population of 2.4 billion are under the age of 30.

Huge thanks, credit and respect should go to Her Majesty for the part she has played over 67 years. She has seen this institution grow and develop in an extraordinarily flexible and fluid manner. The combined GDP of the Commonwealth countries is predicted to reach \$14 trillion by 2020. Intra-Commonwealth trade, which was \$525 billion in 2015, is set to double to \$1 trillion by 2020.

His Royal Highness the Prince of Wales has said that the Commonwealth is vital to the health of the world and the future of humanity. He is now of course the future head of the Commonwealth and has said that it has been the cornerstone of his life. It is serendipity that at the age of 70 he is now the head of a 70 year-old organisation of 53 countries. His Royal Highness is on a tour of the Caribbean and will visit Cuba, which will be an historic first for a member of the Royal Family. He has said that, representing a third of the world's population, the Commonwealth has real power to tackle the global challenges that impact on all of us.

At the CHOGM that we hosted here last year, the Heads of State were very worried about the risk of protectionism to the global economy, and they underlined the importance of resisting all its forms. They reaffirmed their commitment to free trade in a transparent, inclusive, fair and rules-based multilateral system. This is where intra-Commonwealth trade and investment is so significant.

We now come to the Foreign and Commonwealth Office's global Britain campaign. Building on what the noble Baroness, Lady Prashar, said, does the FCO see the Commonwealth as a high enough priority? Is it sufficiently well resourced? I do not think that it is. It could do so much more if it had more finance behind it from all its member countries, including the UK and, in particular, India. It would be able to do so much more than it does at present. It is a great organisation but it is underresourced. To be able to rejuvenate it even further, enabling it to play a role in global Britain, the Commonwealth needs to be better resourced.

On the subject of free trade, we now have the EU trade agreements that need to be rolled over. Can the Minister tell me how many of those agreements exist at the moment? About 17% of our trade is through EU free trade agreements with over 50 countries, depending on how you cluster them; 50% of our trade is with the EU; two-thirds is with or through the EU. How many of these arrangements are ready to roll over should we Brexit?

To put this into context, 50% of our trade—roughly 45% of our exports and 55% of our imports—is with the EU and, as I said, a further 17% is through the EU. Most people do not realise that the whole Commonwealth makes up less than 10% of our trade. That is the reality. It shows how little trade we do overall with the Commonwealth and how much more we could do. There is a Commonwealth advantage, where researchers found that transactions between two Commonwealth countries cost approximately 20% less than those between non-Commonwealth nations. That is of course because of the commonality of our legal systems and English as the language of business that we share.

Today the EU is negotiating trade deals with more than 80% of Commonwealth countries, including India; that has been going on for more than a decade. Deals have just been signed with Singapore and Canada. UK-Commonwealth exports were almost £50 billion with the five larger economies—Australia, Canada, Singapore, South Africa and India—accounting for

70% of our Commonwealth exports and 65% of imports. Of 53 countries, just those five make up the bulk of our Commonwealth trade.

Does the Minister agree that the Commonwealth cannot replace our relationship with the EU? This has been a con. The British people have been sold this myth: “Leave the EU and we will just trade with the Commonwealth instead”. It has never been about “instead” or “either” but always “and”. Generally, what underlines the Commonwealth charter is that it is a force for good. Historically, the accusation was that Britain left the slow-growing Commonwealth countries to join the European Community. Today, we are told that Europe is growing slowly and we should go for the faster-growing countries, many of which are in the Commonwealth, in Africa and Asia. Even if one takes those altogether, one still has to remember the 50% of our trade with the EU, versus less than 10% with the Commonwealth. However much that might grow, there is a big gap that will take a long time to fill.

We have to remember the gravity model of trade, where countries will naturally trade with larger countries close to them. That is why the EU at our doorstep—a trading bloc with 500 million people, the biggest in the world—is where we trade. The same thing goes with countries such as Australia, which are trading more in the Asia-Pacific area using their trade deal. That said, the Commonwealth has always enjoyed strong political, cultural, sporting, family and study links with the UK.

When it comes to studies, our Immigration Rules genuinely hamper our ability to do more trade with the Commonwealth. I speak as president of UKCISA, the UK Council for International Student Affairs—the noble Baroness, Lady Prashar, was my predecessor—and as co-chair of the All-Party Parliamentary Group on International Students. The APPG produced a report highlighting where we are falling down with our Immigration Rules and how, in particular, if we had reintroduced a two-year post-graduation work visa, we would be able to attract so many more of the brightest students from the Commonwealth, who are now going to Canada and Australia instead.

India of course is the giant of the Commonwealth, making up half the population. This year it will probably overtake the UK in absolute terms as the fifth-largest economy in the world. We have to be real about the position of this country. We have been at the top table of the world, and are still, through the European Union, the Commonwealth and NATO, as a permanent member of the UN Security Council and part of the G7, G8 and G20. We punch well above our weight. We are a world player. We are a global power, not a superpower. But being a member of the European Union was never an impediment to carrying on right at the heart of the Commonwealth.

Again, putting things into perspective, Belgium and Germany are bigger trading partners for India than the UK. Italy trades twice as much with Ghana as does the UK. There is a lot more we could do. Going back to history, the noble Baroness, Lady Prashar, mentioned Prime Minister Jawaharlal Nehru. He said that Commonwealth membership meant, “independence plus, not independence minus”.

It is so important that countries that belong to the Commonwealth do so voluntarily, and that there is no compulsion. Frankly, there is a queue of countries that would love to be members of the Commonwealth. It is spread over a fifth of the world’s land surface, contains a third of the world’s population and produces 15% of the world’s wealth. It is phenomenal.

I cannot resist mentioning that, in 2010, UKIP’s manifesto promised a Commonwealth free trade area that would account for,

“more than 20% of all international trade and investment”.

That would be brilliant, if it were possible. How realistic is it? Well, UKIP’s then leader Nigel Farage later described the manifesto as “drivel”, so let us move on from that. By the time the referendum came around, several prominent leavers including Boris Johnson and Daniel Hannan were happy to say that the UK “betrayed” the Commonwealth when it joined the European Community in 1973 and that now was the time to “embrace the Commonwealth”—again, this nonsense about either/or.

Australia has 1.6% of UK exports out of the 9.5%. To use a specific example of one region—one part—of the United Kingdom where we want to increase trade with the Commonwealth, what of Wales? Wales currently exports more than three times as much to France as it does to Canada, Australia, India, New Zealand, Singapore and South Africa combined. The Commonwealth is not a trading bloc; that is the reality, much as it would be great if it could be. What we have with the EU cannot ever be taken for granted.

The youth of the Commonwealth is also very important. Trade between countries such as India and the 27 other countries of the EU has tripled since 2010. At the same time, UK-India trade has not grown as much as it could and should have; I say that as a founding chair of the UK India Business Council. The Secretary-General of the Commonwealth, the noble and learned Baroness, Lady Scotland, said that,

“whether the UK was within the EU or without the EU, the Commonwealth [trade] advantage would be and is still there”.

This is what I want to stress: it is not either/or.

Kevin Rudd, the former Prime Minister of Australia, wrote an article recently on Commonwealth Day, entitled: “Think the Commonwealth can save Brexit Britain? That’s utter delusion”. It stated:

“Australians want the UK to do well. But there’s no way free trade with us or others can make up for the hit of leaving the EU”.

He goes on to analyse it in great detail. I know from the horse’s mouth that, to India, the EU-India free trade agreement that he talks about is far more important than any potential UK-India free trade agreement.

**Lord Lilley (Con):** Can the noble Lord tell us more about this EU-India free trade agreement, which I do not think exists?

**Lord Bilimoria:** The EU-India free trade agreement is what has been tried to be negotiated for over 10 years now.

**Lord Lilley:** But it does not exist.

**Lord Bilimoria:** We have been trying to do it for over a decade.

Let us look at the irony of when we joined the EU 46 years ago. The *Daily Mail* celebrated by saying: “Now we can lead Europe!” The *Sun* spoke of, “an unrepeatable opportunity for a nation that lost an empire to gain a continent”.

How things have changed.

Before concluding, I would like to touch on the Memorial Gates at Constitution Hill, the trust on which I have the privilege of chairing. We celebrate the contribution of 5 million volunteers from predominantly the Commonwealth countries to the first and second world wars. The contribution of these individuals was extraordinary and we need to acknowledge that without it we would not have our freedom today. Yet The Royal British Legion says that the treatment of Commonwealth veterans is atrocious. Hundreds of Commonwealth military veterans, who risked their lives serving in the UK Armed Forces, face spiralling debts, being forced to pay “exorbitant” visa fees to remain in the country after their discharge. The fees have gone up by 127% in five years. Since their introduction in 2003, the fees have risen by 1,441%. If the veterans cannot pay, they face deportation. That is awful considering that, looking ahead, we want to recruit more members from the Commonwealth because of recruitment shortages at the moment.

We have huge and wonderful opportunities with the Commonwealth, but they are not instead of the relationship with the European Union. I conclude with Her Majesty the Queen’s Commonwealth Day message, where she said that,

“many millions of people around the world are drawn together because of the collective values shared by the Commonwealth ... We are able to look to the future with greater confidence and optimism as a result of the links that we share, and thanks to the networks of co-operation and mutual support to which we contribute, and on which we draw”.

In the words of the Booker prize-winning author Ben Okri, as inscribed on the Memorial Gates:

“Our future is greater than our past”.

3.50 pm

**Lord Marland (Con):** My Lords, my speech will be rather brief because I always believe that in these debates most things that can be said about the Commonwealth will be said more eloquently than I possibly could. I declare an interest as a trustee of Commonwealth Walkways, a programme of walkways around cities in the Commonwealth; it is gathering great momentum, and I would like to draw it to the attention of the UK Government as something that they may wish to support—keeping the Commonwealth fit and walking. It is refreshing to be talking not about Brexit but about Brentrance, Brentry or any other phrase that you might like to use. But of course this is re-Brentry, where the UK Government start to man—or woman—themselves up to their role and responsibility within the Commonwealth, which I fear has passed them by for many years.

I also declare an interest as chair of an organisation called the Commonwealth Enterprise and Investment Council. Our mandate from the Commonwealth Heads of State is to promote trade and investment in the Commonwealth. I co-chaired the business forum with

the UK Government, as the arrangement was, and with Malta previous to that. We attracted 1,500 people, including 25 Heads of State, 25 Trade Ministers and Foreign Ministers, billionaires, multibillionaires and, of course, the Royal Family. There are very few forums that could muster that sort of engagement from such a wide range of people.

During our four and a half short years of existence, we have established six hubs across the Commonwealth—in Lagos, Malta, Kuala Lumpur, Singapore, Sri Lanka and, soon, India—and the City of London has been a marvellous strategic partner. However, we are one of the few well-funded organisations within the Commonwealth. The secretariat is under great pressure for funding, while the Royal Commonwealth Society, of which my noble friend Lord Howell has been a valiant president, is also suffering from underfunding. The UK talks about “global Britain”, “GREAT Britain” and similar mantras, but I have to say that I am yet to see that in action from the Foreign Office. When one visits one of its embassies, one finds it focused on cost-cutting and reducing its outreach because the Treasury is refusing to fund it. That, by the way, is despite the valiant efforts of those in the Commonwealth; my noble friend Lord Ahmad, the Minister, is a valiant supporter of it, and Mr Parham, the Commonwealth envoy, is doing a valiant job against the restrictions of the Treasury, which as yet has not understood the importance of global Britain for driving finance into our great international outward-looking departments to help them with their cause. I am delighted to see in her place the Minister for International Trade; that is another department that is suffering problems of investment to make us a global Britain.

The news that the UK was becoming Chair-in-Office of the Commonwealth was therefore manna in heaven for the UK. Here it was, with one-third of the world’s population at its feet and an opportunity to rebuild bridges with many Commonwealth countries, which it had destroyed when it joined the EU, and to take this matter seriously. There was an announcement of £500 million of funding over two years into various projects, but to date I am totally unaware of any Commonwealth organisation that has been vested by the UK Government to deliver these projects. How on earth are such organisations going to deliver Commonwealth-initiated projects without having the institutions to do it?

To put that into context, the British Council gets £1.16 billion of funding and the African Union gets \$416 million a year but the Commonwealth Secretariat gets about £40 million, of which £5.6 million comes from the UK. The CPA, of which the noble Lord, Lord Chidgey, is of course an excellent co-chairman, received £2 million of funding for its outreach programme. Our own organisation requests only £60,000 a year from the Government to support it but the payment of that has been delayed by nine months.

I am flattered to be able to speak on behalf of the noble Lord, Lord Puttnam, who is the Secretary-General’s appointee to the board of the Commonwealth of Learning. He has been closely involved in the decision on whether the institution should advantageously purchase a permanent site in its hometown of Vancouver. He tells me that the business case has been pored over in

tortuous detail and supported by the relevant committees and donor countries. To arrange all this in an orderly manner requires a decision to be ratified ahead of the next annual meeting in June. What is at stake here is HMG joining the major donor nations of Canada, Australia and New Zealand in displaying a firm long-term commitment to the development of education as the central plank of Commonwealth activity. Our present inability to make a decision on this issue can be interpreted in only one way: as representing a lack of conviction, in the sense that we continue to hedge our options when it comes to putting money where we claim our convictions lie. When I say “we”, I am afraid that I refer to the UK Government. I invite my noble friend the Minister to look into this to see whether we can get a decision on whether HM Treasury will fund this £100,000-plus amount to support the Commonwealth of Learning. There have been massive commitments to support it in government announcements.

I do not wish to stand up here and criticise the UK Government any more than anyone else does. They have a lot on their plate at the moment and it is not easy going for them. But unless they take the opportunity of the next year, with the sands of time running out until they pass their responsibilities on to Rwanda, and invest in the Commonwealth institutions, we can talk Commonwealth until we are blue in the face in this House and the other place, but it will not survive without vibrant institutions to deliver what everyone in this Chamber has been talking about so eloquently before I spoiled it by getting to my feet.

3.58 pm

**Lord Northbrook (Con):** My Lords, we are all grateful to Her Majesty’s Government for initiating this debate. I am sorry that my noble friend Lord Ahmad of Wimbledon is unable to be present, but I welcome his capable last-minute replacement, my noble friend Lady Goldie. I put on record that my noble friend Lord Ahmad, as other noble Lords have said, deserves our great praise for his strong support of the Commonwealth and overseas territories. I must confess to be rather a newcomer on this subject compared with many speakers, such as my noble friend Lord Howell of Guildford, who is president of the Royal Commonwealth Society, and my noble friend Lord Marland, of Odstock, who is chair of the Commonwealth Enterprise and Investment Council—both marvellous ambassadors for the association.

At the Commonwealth Heads of Government Meeting in April 2018, the Prime Minister said, “I agreed concrete steps to achieve a fairer, more secure, more prosperous future for the group’s 2.4 billion people”. As many other noble Lords have said, the themes of the meeting were environmental sustainability, fairness, security and prosperity. Among other commitments in the 12-page communiqué were agreements on the need for democratic, accountable institutions, justice for all and encouraging trade among members.

In March 2018, the noble Lord, Lord Anderson of Swansea, the former chair of the Commonwealth Parliamentary Association, talked of, “the need to distinguish between the Commonwealth of declaration and the Commonwealth of reality”.—[*Official Report*, 22/3/18; col. 438.]

So does the Commonwealth survive, according to a *Guardian* article of April 2018, due to its,

“dogged and unlikely persistence as an international grouping, for permitting the British delusion that old imperial patterns of trade can replace the present arrangements with the EU”?

Or is it, as my noble friend Lord Howell of Guildford recently stated,

“not just about governance and ... not a treaty organisation at all? Today, it is just as much a vast network of professions, civic agencies, universities, schools and every kind of professional and scientific or medical interest”.—[*Official Report*, 13/3/19; col. 1017-18.]

I will look first at a main CHOGM theme—trade. According to the ONS, in 2017 UK exports to the Commonwealth represented 9% of all UK exports. In contrast, exports to the EU were 44.5%. Thus, the UK exported nearly five times as much to the EU as to the Commonwealth that year. According to a *Financial Times* article of April 2018,

“Most of the countries involved are small; almost all of them are far from the UK ... proximity still matters in trade ... The Commonwealth ... does not function as a trading area”.

My noble friend Lord Howell of Guildford and some commentators place faith in a “CANZUK” bloc emerging, including Canada, Australia, New Zealand and the UK. I hope that they are right, but Canada’s most important trading partner by far is the USA. Its regulation and trade policy are oriented towards its southern neighbour. Australia and New Zealand are closely aligned with each other, but beyond that they are far more concerned with China and other Asian markets than English-speaking countries on the far side of the world.

The UK’s decision to join the EEC in 1973 dealt a severe blow to the likes of New Zealand, but in truth a global trading bloc anchored on the UK was already disappearing. The “sterling area” of fixed exchange rates that had facilitated trade within the British Empire had been severely weakened when the UK was forced to devalue the pound in 1967. Thereafter, the Commonwealth as a meaningful trading area began to cease to be so important. Poorer countries, especially in Africa, retain access to the UK through preferential EU trade agreements but have relatively little to sell. The UK can do little more than replicate those EU deals. The biggest non-EU economy, India, is emerging only slowly from the protectionist regime it maintained under the Congress (I) for decades since independence in 1947. It certainly dislikes signing trade deals and bilateral talks with the EU have stalled for years. Canada, apart from its NAFTA and Trans-Pacific Partnership commitments, has already signed a bilateral deal with the EU, which the UK will hope to replicate. The same is likely to be true with Australia and New Zealand, which are in the process of talk with the EU. I noted my noble friend Lord Marland’s comments in a TV interview that the UK should consider joining the Trans-Pacific Partnership. I ask my noble friend Lady Goldie whether this would be possible.

So what were the other three themes the Prime Minister talked about? The first was environmental sustainability. In a Written Answer in November 2018, the Foreign Office Minister stated:

“Twenty countries, over a third of the Commonwealth, have now signed up to the Commonwealth Clean Oceans Alliance – the Blue Charter Action Group co-chaired by the UK and Vanuatu to tackle marine plastic pollution”.

[LORD NORTHBROOK]

The Prime Minister announced that the UK would make up to an additional £5 million available to provide technical assistance to developing countries that join the initiative. She also announced a young leaders' plastic challenge badge, working in partnership with the UN—among others—to help an estimated 50,000 young leaders in Kenya and two further African countries to become leaders in raising awareness about the importance of reducing plastic consumption. Importantly, in a Written Answer last July, the Foreign Office stated that the Indian Prime Minister had announced a ban on all single use plastics from 2022. Vanuatu has also made huge progress in this area. I note that many Commonwealth African countries have been helped financially to gain access to clean water and sanitation.

With regards to the second theme—fairness, democracy, good governance and human rights—I have struggled to find much in the way of progress. I see that £212 million has been given to support nine Commonwealth member states to deliver 12 years of quality education. Can the Minister let me know what other progress and measures have been achieved or are in progress in these areas? I see that £1.8 million has been given to the Commonwealth's electoral observation programme, but I could not find much else.

On the third theme—security, unity against cybercrime and violent extremism—I note from a Written Answer from the Foreign Office last November that:

“In support of the Commonwealth Cyber Declaration, the UK has partnered with the World Bank to deliver national cyber security capacity reviews in 11 member states. With support from Oxford University's Global Cyber Security Capacity Centre and Australia's Oceania Centre, we are now well placed to meet the commitment for every Commonwealth country to voluntarily undertake reviews by CHOGM 2020”.

In total, the UK has given £37 million under the security theme, but the total amount given by the UK Government, of £500 million, as many other noble Lords have said, is absolutely minor compared to our overseas aid budget of £13 billion. The Foreign Office has a budget of over £1.3 billion. These budgets must be increased and, as other noble Lords have said, there must be more co-ordination between the Foreign and Commonwealth Office, DfID, the Department of International Trade and trade envoys, rather than all of them being in a narrow silo pursuing their own interests.

Perhaps the most significant outcome of the 2018 meeting, in terms of attendance, was the decision of the Indian Prime Minister, Narendra Modi, to attend. When I went to India in 2017 as part of an all-party delegation, we asked him what his views were on the Commonwealth. I remember his words exactly. He said: “Well, they are nice people to have a cup of tea with”—hardly a ringing endorsement. Also, as other noble Lords have said, he was very upset with the UK's attitude towards limiting numbers of international students studying in the UK—a short-sighted policy supported by almost no one in Government except the outgoing Prime Minister. Therefore, I was mightily and pleasantly surprised that he attended CHOGM. The director of the Royal Commonwealth Society said last year:

“As India cements its status as an economic superpower, it is increasingly apparent that they are starting to see the enormous potential of the Commonwealth as a ready-made soft power network”.

Professor H Pant, professor of international relations at King's College, London, has stated:

“As a rising power, India too is looking at those avenues where its status as an emerging power is recognised during this period of unprecedented global structural changes and shifts in balance-of-power equations. The Commonwealth ... provides India with a platform to engage with a wide array of states across the world with similar political cultures. ... it needs its own arenas and platforms, especially ones where China is not a member. Modi's renewed look at the Commonwealth may well be an indication that New Delhi is eyeing the organisation as a prospective forum for its power projection. To actualise this, however, New Delhi will have to invest diplomatic capital to remould the platform according to its own strategic needs. Modi's London visit, in this context, could be considered as a step in that direction”.

An Indian official put a slightly different slant on the reason for Modi's presence, saying:

“The Commonwealth is useful to us because it gives us a chance to talk to fellow Asian countries without China being in the room”.

Finally, what is the soft power aspect that is so important about the Commonwealth? UK Commonwealth envoy David Concar put it very succinctly in a 2015 interview, almost reiterating the words of my noble friend Lord Howell of Guildford. He said:

“there is no other international organisation like this. It is not a military or security organisation... It is not an economic grouping... it's a soft-power organisation, a network of countries that share the same values, have the same common law heritage. It is also unique as it is not just an inter-governmental organisation. It has very significant networks in Civil Society Networks through the Commonwealth Youth Program and others. ... The Commonwealth includes all the world's major religions and an immensely diverse range of countries. It is well placed to act as a platform to promote tolerance and respect. This can help young people in communities resist radicalisation”.

I think this is a very good summary.

4.09 pm

**Lord Loomba (CB):** My Lords, it is a pleasure to take part in this debate as the Commonwealth approaches its 70th anniversary. The Commonwealth is something we can all cherish and support and which has, especially through Her Majesty and her work, had a positive lasting impact on the lives of many people around the world. The Commonwealth is, as its name suggests, a wealth of things we have in common: things we can all nurture and sustain such as democracy, the rule of law and adherence to the upholding of human rights.

It is now almost a year since the very successful Commonwealth Heads of Government Meeting in our country. After that meeting, the Commonwealth Women's Forum issued an outcome statement outlining its achievements and the work that needs to be done to address some of the issues that are not always on the right side of our shared values and sense of common purpose. These issues, such as empowering women and girls, were addressed by the forum:

“Recognising that despite the concerted efforts to transform the subordinate position of women and girls in many societies and the progress made so far towards gender equality, the advancement of the status of women and girls has been slow and uneven”.

These issues are at the forefront of many agendas across the globe, not just in the Commonwealth; but recognising that inequality and sporadic success highlights



a growing disparity between what is needed and what is actually being achieved. It is here I have learned that one of the best ways to make progress is through education and assisting the younger generations, who can make change happen.

If we are truly to make progress, challenge cultural practices and relinquish the chains of male-dominated societies, we need to start at the beginning and ensure that education is key for the new generations; and that women of the future do not face the same issues and limitations that held back their mothers, grandmothers, great-grandmothers and so on, especially violence, subversion and coercion. These issues are extremely important in the context of the sustainable development goals and achieving 50/50 by 2030.

The Commonwealth Women's Forum also called on the Commonwealth to:

“lead the world by creating and strengthening an enabling environment for women's empowerment, for a sustainable, secure, prosperous, and fairer society—that is free from violence and coercion, focuses on actions to mainstream gender in all government programmes, policies and initiatives including gender budgeting”.

Given the UK's role as chair-in-office of the Commonwealth until the next summit in 2020, we now have the opportunity to grasp the nettle and address these various and serious issues head on, and to make some impact and progress so that all citizens of the Commonwealth feel safe and secure, whatever their standing and beliefs, especially when it comes to human rights abuses and inequality against women.

The women's forum acknowledged that women face bias along multiple identity dimensions, including gender, race, disability, sexual orientation, gender identity and age. With an estimated 2.4 billion people making up the Commonwealth, and nearly half the world's population being female, it is not hard to see that addressing many of the issues that females face and supporting women and girls will bring about enormous and beneficial change for all concerned. With small states making up 60% of the group, it is important that those countries are supported properly in addressing the aim of the Commonwealth of “a fairer future” with gender equality and inclusion at the fore.

While we all recognise the issues that women face—many of them have been debated separately in this Chamber—it is actions more than words that will help. It is here that the work of DfID could be put to better use. If our aid budget were targeted more at Commonwealth countries, we could ensure that our friends and partners gained the best support possible.

It is good to know that we are opening more diplomatic missions in Commonwealth countries to forge better and closer ties with everyone. We can use the time as chair-in-office to bring all the countries closer together, to unite and to show solidarity; indeed, other countries such as Brazil, which has just marked international Commonwealth Day, are realising the importance of the Commonwealth. At a time when there is so much uncertainty in our world, it is comforting to know that there is a group of nations that together can show leadership, express common sense and unite in a sense of purpose that may seem lost in today's fast-changing world.

I would like to ask the Minister whether it is possible to have specific, up-to-date aid spending figures for Commonwealth countries on educational projects targeted at women and girls. What is DfID doing to ensure that 50/50 by 2030 means just that for Commonwealth countries and all their citizens?

4.18 pm

**Lord Popat (Con):** My Lords, when you are one of the last speakers in such a debate, there is very little to say because everything you want to say has been said. However, having heard so many speeches, I think we can agree that the case for closer relations with the Commonwealth has rarely been so compelling.

I have always said that the Commonwealth is more than a network. The noble Lord, Lord Boateng, described it as a family; yes, it is a family of 53 nations. Like all families, we are much more than the sum of our parts. We have a duty of care to all our members; to people, to hearts and minds, and to the beautiful and diverse cultures and narratives, all of which are united by the shared bonds of history.

I am a child of the Commonwealth: born to Indian parents, raised in Uganda and educated in Britain. My story, and perhaps those of others here today, is not untypical of the journey that many Commonwealth subjects have taken. The different experiences and broad perspectives we have gained have shaped not only our values but our very identities.

It saddens me, however, that people look to the Commonwealth as a relic of a bygone era: as something that is, at best, sentimental, and, at worst, a little shameful—but mostly, as insignificant in the modern day. Such views fail to grasp the strategic importance of the Commonwealth; the incredible economic potential which can provide much comfort in uncertain times; the power of old partnerships to address new challenges; and the boundless opportunities for co-operation in some areas of life. I pay tribute to my noble friend Lord Marland and the noble Lord, Lord Howell, for their outstanding commitment to UK-Commonwealth relations. My noble friend Lord Haselhurst has been a great bridge between us and the Commonwealth for the past four decades.

As head of the Commonwealth, Britain remains an active world player, with our impressive soft power, historic relations and commitment to aid and trade. However, we have many friends within the Commonwealth who have felt let down by us. They have felt, and continue to feel, that we have turned our backs on them; that we—I am ashamed to say this—even look down on them. Try to arrange a visa for an African national to come to the UK and you will understand what I am talking about. Africans are being denied visas at a much higher rate than people from other parts of the Commonwealth. This is having a negative impact, not only on our trade relations, which we claim we want to build, and on tourism, which we claim we want to encourage, but on relations with aid agencies, the clergy, the arts and politics. The Ugandan Prime Minister was even denied a visa at one point. What sort of message are we sending out?

The noble Lord, Lord Bilimoria, and the noble Baroness, Lady Prashar, mentioned India. UK-India relations is another area that we need to promote.

[LORD POPAT]

India is the Commonwealth's biggest democracy, with 1.3 billion people, and an economic powerhouse. Britain and India could play a leading role in helping to realise the Commonwealth's wonderful potential.

Many noble Lords know that I am a trade envoy to Uganda and Rwanda. Promoting UK exports is my major line of interest, but promoting bilateral trade with these two markets has opened my eyes to the resentment that the UK's retreat from the Commonwealth platform has caused among our most natural allies. A few months ago, I hosted a business event with President Museveni of Uganda, here in the House of Lords. One of the audience members asked a question about the role of China as a dominant economic player in Africa. President Museveni's response was very telling. He said: "I do not speak Chinese. I speak English. But the Chinese are the ones who offered to build our factories. The Chinese are the ones who came in with investment. Where was Britain?" This was a powerful point that struck at the heart of the issue: the Commonwealth's shared history should be used to build shared prosperity. Britain's great history should thus be our great advantage.

Uganda is a country that has been transformed under President Museveni. It has been through revolutions, dictatorships and civil wars. Today, it is stable and ambitious. In trading terms, there are £20 billion-worth of opportunities in oil, gas and infrastructure. The UK is finally breaking ground, and the Ugandans are happy to see us back there, but there is more work to do to restore good will. If we are serious about taking the Commonwealth to the next level, or even reforming it, we need to take more responsibility. I fear that what we lack is the political will.

I turn to Africa, because I am genuinely passionate about its potential. It has 1.2 billion people and a young, fast-growing and ambitious population. Six of the 10 fastest-growing economies in the world are there. It has some of the most innovative and largest cities, 60 of which have a population of over 1 million, and is home to a third of the world's natural resources. As I have said many times in this Chamber, Africa is the new frontier for trade and investment. If you want proof that Africa is the continent to watch, look no further than Rwanda. One of the smallest countries on the continent, with one of the fastest growing economies, Rwanda has achieved success against great odds, in defiance of all predictions and in the face of unspeakable national tragedy.

Next week, I will be travelling to Rwanda with a parliamentary delegation to commemorate the 25th anniversary of the genocide. It will be a sombre and reflective occasion, but it will be a chance to see how, out of that very dark chapter, Rwanda has transformed itself in the most remarkable way. It has democracy, no corruption, a thriving business environment—it is rated 29th for ease of doing business—and modern infrastructure. It is no wonder that it has been selected to host next year's CHOGM, and I guarantee that it will be a summit to remember. I say to the Minister and to all noble Lords that if Rwanda is a glimpse of what is possible, then Africa has a wonderfully bright future ahead. What is really interesting about Rwanda is that it chose to join the Commonwealth.

It chose us—our family. Why? Because it likes us, trusts us and believes in us: Rwanda believes in Britain and in the Commonwealth, and it is time that we believed in ourselves.

For the past 46 years, we have been very insular and too continental. Brexit is an opportunity to transform the Commonwealth into a global trading body that reflects the vast opportunities on offer, but there is a lot of work to do. It is essential to have the right infrastructure in place so we can deliver UK goods to Commonwealth markets. It is on this that the UK needs to focus, and the first priority is aviation. We used to have a bridge between the UK and Africa; today, we can barely catch a direct flight to an African capital. This is problematic, because ease of access is a central consideration for exporters. In the simplest terms, if we want to encourage Britain to do business with Africa, we need to connect British businesses to Africa. British Airways used to fly to Lusaka, Entebbe, Dar es Salaam, Freetown and many other African cities. After 60 years, it will stop flying to all those places. This is problematic, because we need those flights to do more business in Africa. Since I helped RwandAir launch its London-Kigali route, I have struggled to help it secure the slots it needs at Gatwick. Capacity continues to be a major problem. There is no question that we need more runways, but, if we are genuinely outward looking, we need reinstate direct flights to Africa as a matter of urgency.

Further, we need the right financial infrastructure. We are the world's number one financial centre. Banks, like air routes, are the bridges of which I speak. We should be building bridges, not dismantling them. Further down the line, as I have previously argued, we should consider establishing a Commonwealth bank. For now, I tell noble Lords that the exodus of iconic British brands, such as Barclays and BA, does not inspire confidence in African Commonwealth countries that the UK is fully open for business. Barclays Bank is leaving Africa after nearly 100 years. Such things do not help. It is being replaced by Chinese and Indian banks.

Finally, the noble Viscount, Lord Waverley, mentioned SMEs. We have 5 million SMEs in the UK, fewer than 1% of which export. There are 30 million SMEs in the Commonwealth; again, less than 1% of these export. I am glad that my noble friend the Minister for Trade is here. One thing we can do which will cost the Treasury no money is to double UK export finance to Commonwealth countries, to encourage more trade and investment. UK Export Finance is an outstanding organisation within government and, frankly speaking, it makes a profit. Two years ago it paid £1 billion in tax, so why not lend more money to Commonwealth countries to encourage more trade and help our SMEs to export more?

I finish as I started. The Commonwealth is our family. Like all good families, it is not without its complications, challenges, differences and disagreements. But also like all good families, we must stick together and work together through the good times and the bad. This is our next great task. The Commonwealth is our past and I believe it is our future.

4.30 pm

**Lord Scriven (LD):** I thank noble Lords for giving me permission to speak during the gap. I need to do so to raise an issue that has come to light in a Commonwealth country in the past day.

Many noble Lords have spoken of the Commonwealth as a family. A family supports and nurtures its members and shows love to them, but it also sets out the acceptable values and moral framework within which those members should work. As a family of nations, the Commonwealth does that through its charter, which says that there will be a,

“pursuit of common principles and values”.

In the section on human rights, it says that no discrimination may take place on any grounds. One of the key issues in any family is what happens when one member steps out of that moral framework and does not live up to its values. How do families work to ensure that that important framework is kept?

I will talk about what has happened in Brunei in the last 24 hours. On the website of their attorney-general, a little notice has come to light that from next Wednesday, 3 April, those found guilty of practising gay sex will be stoned to death. Those found guilty of adultery will be stoned to death. This is a backward step. It is not the moral framework which we would expect a member of our family to act within. It is abhorrent, and goes against every value that we hold as a nation. As chair-in-office at the moment, we have a strong moral duty as the head of the family to ensure that everything possible is done to stop this family member going down this road.

Therefore, I ask the Minister what action the Government are taking as chair-in-office of the Commonwealth to rally the members to ensure that this abhorrent approach does not take place and that human rights will not be abused in this way. Also, what international action will the Government take? Brunei wanted to do this in 2014, but when the international community came together it was stopped.

My second question is important. If Brunei decides that it will stone to death those found guilty of practising gay sex or adultery, is that grounds enough for the Commonwealth to say that it should not be a member at the moment? Will the Government support that action if Brunei decides to murder people by stoning them for practising gay sex or adultery?

4.33 pm

**Baroness Gardner of Parkes (Con):** My Lords, I thought I had put my name down to speak, but I then discovered that I was not on the list. I was told I could speak in the gap because I was here in the first debate and for a number of other contributions that followed it. As an early Commonwealth person in this House—I have been here since 1981—I have felt as an Australian living here all this time that Britain and Australia are, and have been, so closely linked.

I will comment on the excitement when the Queen first visited Australia. People must never underestimate how important she and the Royal Family are to the Commonwealth. There is a genuine affection for them. Things got quite hysterically excited when the Queen came in, I think, 1954. There were several questions;

one was that everyone knew she had glorious skin, but the Australian sun is so bad for producing skin cancers and all sort of nasties that people wondered how she would get around it. The tradition is that her face has to be visible to anyone looking at her. If she wears a hat with a big brim, you will not be able to see her face, and if she wears one without much of a brim, the skin on her face might be quite dangerously cooked. The discussion raged. By the time she appeared at the Government House garden party in Sydney, she had come up with the clever answer of a semi-transparent, broad-brimmed hat, which kept the sun off, and on which three feathers of different bright colours were spread around. She had come up with the answer to the problem in that you could still see her face and yet she was protected.

People were so excited. In Melbourne, when the Queen first arrived—I think it was Melbourne, but I may have the wrong sequence because it was a long time ago—everybody wanted to get a view of her. I had a brother-in-law of six foot three, and when she arrived, someone put a ladder up against his back and ran up the ladder to see her over the top of the crowd. This is how excited people were. When she came to Sydney, at the Government House garden party—I was fortunate enough to be asked to it, because my family had always been very political in New South Wales: Labor, I should admit—people were hanging out of the trees in the grounds of Government House to get a view. There was such a crowd of people who wanted to see her that many could not get a view of her.

I will comment one more thing. This is a long-standing relationship. Last November, I went to the celebration of 100 years since Australia House was built on the Strand. It took five years to build, but it is quite remarkable; I had no idea that it was such an old building. The celebration was very good, and well attended, and the Prince of Wales came to it. Everyone thought that was marvellous, because part of his education was in Victoria, so it was rather good to have him there.

I followed Baroness Trumpington as the UK representative on the United Nations Commission on the Status of Women, where I heard an interesting comment from an African woman delegate. She said, “The trouble is that they send us money. They shouldn’t send us money. If they sent me soap, I could wash my children, but if they send us money, I never see it; no one sees it”. This is a very important thing, and we have to work out whether it is sustainable.

I will not speak any longer, but I was going to say that the Prince of Wales made a speech and it was the best one I had ever heard him make. Clearly, the Commonwealth means a lot to him, and I am glad that I have had the privilege of being a Commonwealth Member here since 1981.

4.38 pm

**Baroness Northover (LD):** My Lords, I thank the noble Lord, Lord Ahmad, for putting down this topic for debate, and the noble Baroness for so effectively taking on his mantle. I also thank the Minister for her willingness over this last year to involve parliamentarians in the various events surrounding CHOGM and afterwards.

[BARONESS NORTHOVER]

It was astonishing to be able, for example, to sit in a meeting of African leaders and to hear African presidents and Prime Ministers informally discussing among themselves the newly agreed free trade agreements across their continent, and much else besides.

As we have heard, the Commonwealth is currently made up of 53 countries, ranging from the largest and most populous, such as India, to some of the smallest, such as the tiny Pacific island states. It has a population of approximately 2.4 billion—more than one quarter of the world's total population—and 60% of its population is under the age of 30. That is an astonishing grouping, with much that is shared, as the noble Lord, Lord Howell, emphasised. As the noble Viscount, Lord Waverley, said, there can be no greater advocate for the Commonwealth than the noble Lord, Lord Howell, and I pay tribute to him.

The Commonwealth is indeed a potentially powerful alliance. We have heard of wide-ranging aspects of it. My noble friend Lord Chidgey, the noble Lord, Lord Haselhurst, and the noble Baroness, Lady Redfern, rightly emphasised parliamentary links. The noble Baroness, Lady Prashar, emphasised non-governmental and civil society links as being vital to the consolidation of the Commonwealth. The noble Lord, Lord Bilimoria, rightly emphasised how important it is that we continue to attract students and that visa challenges must be tackled. I love the way that he has a pile of press cuttings, journal articles and charts and gives a lucid speech despite the fact that he has 55 sheets of paper.

The Commonwealth charter, which was adopted in 2012, outlines the core values to which the Commonwealth aspires. These include democracy, human rights protection, good governance, tolerance, non-discrimination, sustainable development and environmental protection—pretty vital, and pretty comprehensive. The general aim of these values is to support,

“the development of free and democratic societies and the promotion of peace and prosperity to improve the lives of all peoples of the Commonwealth”.

And yet, as we have heard, there is a long way to go in this regard. About two-thirds of Commonwealth member states still criminalise LGBT people. These laws date back to the British colonial era and, as my noble friend Lord Scriven said, the Commonwealth charter prohibits discrimination on any grounds. Although that was an important move forward—I remember when people were arguing the case for it—it has not been properly delivered.

There have been some moves forward, which should be welcomed: for example, changes in employment law in Botswana, Seychelles and Saint Lucia; repeal of colonial era laws in Mozambique; Supreme Court judgments upholding rights in India and Pakistan; and new legal provisions in Malta. But there have also been steps backwards in some Commonwealth member states, such as the repeal of same-sex marriage legislation in Bermuda in 2018, which the noble Lord, Lord Collins—my noble friend, as I think of him—has emphasised. My noble friend Lord Scriven just flagged up some horrendous developments in Brunei. Why did the UK Government not follow through on a simple promise to publish a guide on international best practice

on sexual orientation and gender identity to coincide with CHOGM in London—although the guide was published later in the year?

On gender rights, we see some positive movement in an area in which, again, there is much to do, as the noble Lord, Lord Loomba, emphasised. The SheTrades in the Commonwealth initiative aims to increase the participation of women in international trade. That is to be welcomed. The programme is focused on women living in Kenya, Ghana, Nigeria and Bangladesh. I also welcome the Government's commitment to provide funding for good quality girls' education across nine Commonwealth countries through the Platform for Girls' Education.

It has been suggested that Commonwealth countries could link up more effectively on global issues—something of key importance now that we lack US leadership. I note the concern of the noble Lord, Lord Boateng, at the secretariat's apparent lack of engagement as disaster hits southern Africa.

The Commonwealth Secretariat attends international meetings such as the UN climate change conferences to advocate on behalf of its members. To what extent does it ensure that Commonwealth countries speak with one positive voice in such an important area? The importance of tackling climate change was a high priority for some of the countries attending CHOGM; hence the focus on oceans. The Commonwealth Clean Oceans Alliance, which the UK co-chairs, is focused on tackling marine plastic pollution. I ask, as did the noble Lord, Lord Northbrook: what specific action is now taking place? To what extent do Commonwealth countries work together through the Commonwealth structure on other international commitments, such as implementing the SDGs?

On trade, it has been argued that Commonwealth countries might make up in trade for what we lose from the EU—if we leave. As my noble friend Lord Chidgey pointed out, it should not be a case of either/or. We should strengthen our relationships with Europe and the Commonwealth; the noble Lord, Lord Bilimoria, emphasised the same point. However, although the Commonwealth is a potentially significant alliance when it comes to trade, being a member of the Commonwealth has not yet increased trade between its members. In 2017, as the noble Lords, Lord Bilimoria and Lord Northbrook, emphasised, the Commonwealth accounted for only 8.4% of the UK's total trade. That figure is small compared with our trade with the EU, as other noble Lords have noted. There is no Commonwealth trading bloc: each member state pursues its own national interests in trade. As a result, intra-Commonwealth relations seem to have had little effect on trading partnerships thus far, although I hear what the noble Viscount, Lord Waverley, and the noble Lords, Lord Howell, Lord Bilimoria and Lord Marland, hope to take forward. As far as the United Kingdom is concerned, it is notable that Germany and Belgium are both bigger trading partners for India than the UK. There seems to be little or no tangible benefit to being a Commonwealth member in terms of trade.

The EU has trade agreements with 23 Commonwealth member states. The UK's trade relations with many of them are through EU EPAs and the EU Generalised

Scheme of Preferences. In the light of Brexit, there are plans to roll over these agreements, at least in the short term, but there is little clarity on the long term. Post-Brexit mechanisms in this area are especially important for a number of developing Commonwealth countries, such as Mauritius, Fiji and Sri Lanka, which rely heavily on the United Kingdom for their exports. What plans are there for our future trading relationships in the longer term? Clearly, we need to encourage trade globally, regardless of whether we are in or out of the EU; good will is a start. Indeed, as the noble Lord, Lord Marland, emphasised, it is vital to promote the City of London as a key centre, given the strength of English law and the use of English language in commerce.

In that context, I want to mention Angola. I am the Prime Minister's trade envoy from the UK to Angola and Zambia. I pay tribute to the noble Lord, Lord Marland, for having the foresight to set up the trade envoy scheme; I also thank him for playing a part in my appointment to that scheme. I salute my fellow trade envoy, the noble Lord, Lord Papat, for all he does; he is incredibly dynamic in his markets. For example, we are both battling to get British Airways back into our respective markets.

Angola is the third-largest economy in Africa. As I am sure noble Lords will know, it came out of a long and exceptionally bloody civil war in 2002. It had been a Portuguese colony, is Portuguese-speaking and was orientated towards eastern Europe, Portugal, Cuba, Brazil and China. Since the election of a new President in 2017, there has been a tremendous amount of reform. The change has been very impressive; we certainly hope it continues. UKEF is helping with that even though it is not a Commonwealth country. Angola is now looking to the English-speaking world in trade, investment and education. The President has said that he wants Angola to join the Commonwealth, just as Rwanda and Mozambique chose to do. I realise that admission to the Commonwealth is a collective decision of all countries and is not in the UK's gift, but how do the UK Government view Angola's wish to join? I hope that the Minister will be very supportive.

The debate has been wide-ranging, as I expected, reflecting the long and diverse engagement with the Commonwealth represented here. The Minister faces a challenge in covering all the issues raised in her response, but I look forward to her reply.

4.49 pm

**Lord Collins of Highbury (Lab):** My Lords, I too thank the noble Lord, Lord Ahmad, for tabling this debate, and the noble Baroness, Lady Goldie, for her excellent introduction. As she said, this year's annual Commonwealth theme is "A Connected Commonwealth", encouraging collaboration among the people, Governments and institutions of the Commonwealth to protect natural resources and promote inclusive economic empowerment so that all people—particularly women, young people and marginalised communities—can benefit equally. I will return to that theme as I progress through my contribution.

We have heard about the size of the Commonwealth—2.3 billion people, a third of the world's population. That can obviously play a key role in supporting each

member in addressing the challenges facing the world. The themes of this year build on the goals agreed at CHOGM 2018, most notably adopting the Commonwealth Blue Charter on sustainable development and protection of the world's oceans; committing to ratify and implement the Convention on the Elimination of All Forms of Discrimination against Women; adopting the *Commonwealth Cyber Declaration* with a common commitment to an open, democratic, peaceful and secure internet; and respecting human rights and freedom of expression. All of this is complementary to the United Nations 2030 Agenda, specifically the commitment to leave no one behind.

As we have heard, the UK has the Chair-in-Office role for two years. The Foreign Secretary, Jeremy Hunt, laid a Written Statement in January updating Parliament on the Government's delivery of the goals agreed at CHOGM. He stated that the United Kingdom is determined to work closely with its partners to maintain momentum following CHOGM and to revitalise and reform the Commonwealth. The Statement included updates on supporting education programmes and sustainability projects and building a more secure and prosperous Commonwealth.

I too thank the noble Lord, Lord Ahmad, for the involvement of parliamentarians in CHOGM and the side events. I was extremely grateful to him for inviting us to a detailed briefing at the FCO updating us on the specific programmes and projects. As we have heard in this debate, and as Harriett Baldwin said in the other place on 7 March, it is "a huge agenda" with "lots more to do"; the Minister added to that. Harriett Baldwin summarised the Government's objectives in four words:

"delivery, voice, solidarity and reform".—[*Official Report*, Commons, 7/3/19; col. 1218.]

Delivery is about implementing over £500 million of projects and programmes, including £200 million for the support of girls' education in nine Commonwealth countries, as we have heard from noble Lords. In the debate in the other place, Harriett Baldwin also mentioned,

"collaboration between civil society and Commonwealth countries wishing to address legislation that discriminates on the grounds of sex, sexual orientation and gender identity".—[*Official Report*, Commons, 7/3/19; col. 1219.]

She highlighted the work of the Westminster Foundation for Democracy and paid tribute to the Commonwealth Parliamentary Association. Like the noble Lord, Lord Haselhurst, I share those sentiments wholeheartedly.

But, as the noble Baroness, Lady Prashar, said, delivery cannot be left to Governments alone. That is why we need to nurture and develop all aspects of civil society. The CPA does amazing work across the Commonwealth to advocate for and provide training to achieve more inclusive and effective Parliaments. It also reaches out beyond that and beyond formal structures, and I had the good fortune to mark Commonwealth Day by meeting young Commonwealth citizens on youth-led climate activism. They did not see the Commonwealth programme as being simply about their Governments. It was also about how they influence everyone within their society, including the private sector, which has a huge impact on things such as climate change and on other areas too. I will return to that issue.

[LORD COLLINS OF HIGHBURY]

My point is that we need to recognise that the ingredients of a thriving democracy are not limited to Parliaments and parliamentarians. Civil society, from churches to trade unions, remains an important part of democratic life and a guarantor of human rights. I echo the sentiments of my noble friend Lord Boateng in relation to Cameroon, where we have seen evidence of the importance of civil society trying to bridge communities and to ensure that the actions of the majority Government do not tread on the interests of the minority. I hope that the Minister will respond to the specific points made by my noble friend.

One thing we learned from CHOGM was that we would hear about the newly funded work of the Westminster Foundation for Democracy. I hope that the Minister will be able to tell us about how that new work on promoting democratic engagement, particularly in civil society, will engage with trade unions as well. Far too often we talk about civil society and trade unions are ignored.

As we heard in the debate, despite the Prime Minister's welcome speech at the summit, in which she apologised for the colonial imposition of anti-LGBT laws that still persist in many Commonwealth countries, there was no follow-up agreement among the attendees to do away with those laws. I am grateful to the noble Lord, Lord Scriven, for raising the case of Brunei. Brunei is a small country but incredibly wealthy. Its sovereign fund owns many luxury hotels. I wonder how many customers of those hotels realise what the owners are doing back in Brunei. Certainly, the hotels hold LGBT events. I find it amazing that we still have these horrendous penalties for simply loving somebody else. I hope that the Minister will be able to respond to that.

But, as the Minister pointed out recently in the Chamber, CHOGM was an opportunity for civil society on LGBT issues to come together. One of the good things about the four forums is that that engagement was not limited to the democracy forum. We had high attendance of LGBT activists from around the Commonwealth who certainly engaged in all four forums. I very much welcomed the United Kingdom's support for the Commonwealth Equality Network, which has representatives across the Commonwealth—local LGBT activists who are engaged not just with their Governments but with all aspects of civil society.

The Government have promised to fund and support those countries that wish to change those anti-LGBT laws and get rid of the colonial legacy, and I hope that the Minister will be able to update us on what progress has been made on those projects and whether we can anticipate more countries decriminalising homosexuality.

The noble Lord, Lord Papat, referred to the important work he is doing in Uganda. I completely support his activities. He mentioned the visit of the President of Uganda to this House. I made a public comment at the time that may have been viewed as a criticism of that engagement. I wanted to make sure that the President of Uganda fully understood our views about the increasing homophobic attitude that is leading to not just increased criminalisation but violence against people who happen to be homosexual. When CHOGM

took place, I was totally in favour of engagement, but with the support of the TUC I organised a forum on the side of the event, for African trade unionists. About 30 African trade unionists came to a meeting to talk about workplace rights, focusing particularly on diversity and LGBT rights. They may have come to that meeting with a view that it was something that they did not want to be part of, but they left with a better understanding of why equality and diversity are so important to economic success.

**Lord Papat:** I am glad the noble Lord, Lord Judd, is in his place and I hope he recalls that we went to see the Speaker and the President of Uganda during the IPU conference to speak on this subject. Every time I see President Museveni, I mention this. Quite often with African leaders, we have to mention it gradually and more or less educate them and explain to them. Same-sex marriage came up in our Parliament not long ago. Uganda is a young, small democracy and a strict Catholic country. There is no new legislation in Uganda to punish these people; the legislation is what Uganda inherited from the colonial time.

**Lord Judd (Lab):** The noble Lord will remember that our visit to Uganda together was very difficult in some ways. There was a profound feeling among British parliamentarians about the treatment of homosexuals in Uganda. We had to handle this very prominently during our visit. When we talk about common values, we must be more honest about what are common values and what are not.

**Lord Collins of Highbury:** I thank the noble Lord and my noble friend for their interventions. They might mean that my contribution will go on a little longer, so I hope I shall be forgiven for that. The point I am trying to make is that it is not a matter of us simply imposing or even saying that we are right and they are wrong. By engaging in economic activity and making the case for diversity and equality, we are saying that business will do better and people will be more productive. That is what I want to hear every time the noble Lord meets the President of Uganda or anyone else. Certainly there is a strong business case: the United Nations business case for diversity and equality. I hope all our trade envoys are making this case because we want not just the noble Lord to say it but for the private sector and investors to say it. That is when we will see proper change.

At Oral Questions on 13 March, the noble Lord, Lord Chidgey, sought assurances on whether the \$500 million spent on projects and programmes initiated since CHOGM was being spent wisely and effectively. He asked about monitoring and oversight procedures. The Minister responded:

“Each of the four thematic areas identified at CHOGM—fairness, sustainability, prosperity and security—is overseen by the UK Commonwealth envoy. Quarterly steering board meetings assess progress and beneath that is a raft of other structures”.—[*Official Report*, 13/3/19; col. 1016.]

But what of accountability? Surely we can improve on what the noble Baroness told the noble Lord, Lord Chidgey. I would hope that, as a minimum, the briefing initiated by the noble Lord, Lord Ahmad, could be put on a regular footing so that we engage

with parliamentarians of both Houses on what progress we are making in our position as chair-in-office. Seeing how we succeed will make the Commonwealth more relevant to parliamentarians.

We have heard a lot about trade, and certainly, following the EU referendum, the importance of trade within the Commonwealth has been stressed. I agree with noble Lords: trade with the Commonwealth is something that we should talk up as much as possible, irrespective of the debate about the European Union. It is a vital element for us. As the noble Lord, Lord Howell, said, member states have a “Commonwealth advantage”, where shared values, regulatory systems and language have the potential to increase intra-Commonwealth trade. Incidentally, I do not think we should talk about promoting trade simply in the context of the UK’s interests; we should talk it up more loudly.

I think the noble Viscount, Lord Waverley, referred to the fact that at Commonwealth ministerial round tables there has been an agreement to increase intra-Commonwealth trade, with a projected increase to \$1 trillion by 2020. A year ago, my noble and learned friend Lady Scotland said that the Commonwealth is likely to miss that target. She predicted a figure of around \$700 billion. What are we doing to engage on that? What is the Government’s assessment of how to overcome trade barriers facing Commonwealth countries? At CHOGM in London last year—the first since the Brexit vote—I would have liked to hear a louder declaration of that. Sadly, the noble Lord, Lord Marland, is not in his place, but at CHOGM and today, as chair-in-office of the Commonwealth Enterprise and Investment Council—I have heard his arguments many times—he talked about the barriers to trade, including abuse of the rule of law, lack of trust in trading partners and so on. He has argued today, as he has before, that we should focus on building the capacity within the Commonwealth to ensure that businesses confronted by such obstacles are supported.

No mention has been made of development and the CDC, for example. I welcome the Government’s potential increase in investment for the CDC, but that leverages more capacity in the private sector. We need to see how its activities are linked to sustainable economic growth and not just one-off investments. That is the problem with a lot of Chinese investment. I was in Zambia before Christmas and witnessed some of the impact of Chinese investment, with fridges being built entirely by Chinese labour. There was no local, sustainable employment. We can do better than that and we should be focused on it.

I conclude by making a plea. We have the anti-corruption strategy and we have had anti-corruption summits. According to the World Economic Forum, corruption is the single greatest obstacle to economic and social development around the world. Every year, \$1 trillion is paid in bribes, while an estimated \$2.6 trillion annually is stolen through corruption. That sum is equivalent to more than 5% of global GDP. We would not need ODA if we tackled corruption. We could have stronger economies in Africa. I should like to hear from the noble Baroness how we are committed to tackling tax havens and international finance policies that have resulted in developing countries hemorrhaging billions of dollars in taxable financial resources.

I am sorry to have gone on for so long but I was interrupted twice.

5.09 pm

**Baroness Goldie:** My Lords, the noble Baroness, Lady Northover, identified a logistical problem. I have notes here equivalent to *Bleak House*, although much cheerier; I will see what I can do to address the points raised.

First, this has been an uplifting and encouraging occasion. I thank all noble Lords who have contributed their knowledge, views, experience and expertise to this excellent and wide-ranging debate. I want to expand on my introductory remarks to the debate by addressing some of the salient points that have emerged. I will try to group these around the four themes of delivery, reform, solidarity and voice, as many of the contributions touched on one or other of those themes.

On delivery, my noble friend Lady Redfern raised the important issue of our oceans, which she encountered on the CPA visit last year to, I think, New Zealand. This topic was also referred to by my noble friend Lord Northbrook and the noble Baroness, Lady Northover. Various things are happening to build a more sustainable future, but 25 member states have now joined the Commonwealth Clean Oceans Alliance and are taking action to eliminate all avoidable single-use plastic waste and reduce the amount of plastic entering our oceans.

To build a more secure future, we are working with member states and international organisations such as the World Bank to help protect our people and businesses from ever-more sophisticated digital threats. The noble Viscount, Lord Waverley, raised this point. I say to him that, as we speak, the UK is hosting 19 Commonwealth African countries at a regional workshop on cyber incident response in Ghana. This work will support the development of national cybersecurity reviews, which have already been delivered in Nigeria, the Gambia, Mauritius and Lesotho. UK-funded training and events will directly benefit the cybersecurity of 37 Commonwealth countries.

Regarding a more prosperous future, I turn to the contribution of my noble friend Lord Howell, which I found cogent and compelling on the new economy. If I remember correctly, he said that Asia is key to our future and observed that the Commonwealth has a tremendous capacity to influence and participate in that new horizon. He is absolutely right to say this. We need to recognise the new economic reality, and I know his wise words will be heard.

We are working with partners to boost intra-Commonwealth trade and investment—a point raised by a number of your Lordships. Last week, the UK and South Africa co-hosted the first meeting of the Digital Cluster of the Commonwealth Connectivity Agenda in Durban. This new initiative will help more people to join the digital economy as part of our commitment to reducing poverty through trade.

To build a fairer future, we are working to promote inclusive and accountable democracies. My noble friend Lord Haselhurst spoke of the role of Parliaments. In a perverse sense, the tumult that we are experiencing so close to home is perhaps a reminder of how fortunate

[BARONESS GOLDIE]

we are to have parliaments and democracies. We may have our own opinions on how they function from time to time, but none the less they exist as one of our essential freedoms. I say to my noble friend that, last month, the UK-funded Commonwealth Partnership for Democracy hosted a two-day conference at the Malaysian Parliament in Kuala Lumpur to promote women's political leadership. As part of the same initiative, the Commonwealth Parliamentary Association's UK branch hosted the first of a series of workshops with the Commonwealth Association of Public Accounts Committees in Fiji. These workshops will enhance the capacity of Pacific Island Public Accounts Committees to scrutinise and oversee public finances.

It is clear that your Lordships take a keen and committed interest in the organisations and institutions of the Commonwealth. Noble Lords are right to do so, and may that continue. Reform was raised particularly by the noble Lords, Lord Boateng and Lord Chidgey. The UK remains a major contributor to the Commonwealth Secretariat and the Commonwealth Foundation, and is the second highest contributor to the Commonwealth of Learning.

As I have set out, the UK has actively sought to work with Commonwealth organisations as delivery partners for our many programmes, but to achieve more than the sum of their parts, those parts need to be functioning effectively in their own right as well as together. So we agree that there is room for improvement and more effective collaboration.

The Commonwealth Secretariat's board of governors recently agreed recommendations that will take us towards these goals, and we hope Ministers will approve them soon. I must pay tribute to my noble friend Lord Howell of Guildford for his significant contribution as a member of the high-level group mandated to report on these issues. His is an authoritative participation. In the same vein, I recognise my noble friend Lord Marland and the noble Lord, Lord Puttnam, who continue to make significant contributions to the Commonwealth Enterprise and Investment Council and the Commonwealth of Learning respectively.

Noble Lords will recognise the Commonwealth's long history of working with international partners to shape and drive change in response to global challenges. We have therefore sought to strengthen co-operation in international organisations. In practical terms, that has meant more frequent Commonwealth discussions ahead of WTO and Human Rights Council sessions in Geneva, and increased co-ordination at the recent International Telecommunication Union elections in Dubai.

At this point I want to mention what I thought was a very passionate contribution from the noble Lord, Lord Boateng, who spoke of the terrible ravage wrought by Cyclone Idai. It has been a desperate experience for so many countries, as he rightly said. I thank the noble Lord for his helpful remarks about the DfID response. He raised the issue of a global response, and made an important observation about the obligation on what he describes as "a family"; a term that some noble Lords have alluded to and something that we can all identify with. The obligation on the family is to speak

when other members of the family are affected and when disasters occur. That is a reasonable expectation and an aspect of solidarity. I am sure his powerful call will have been heard by all component parts of the Commonwealth. He also raised the issue of the task force. My understanding is that it is a US-led initiative. I understand that my noble friend Lord Bates is writing to Peers to provide details about the UK and international response to this international disaster, and I hope further information will be available to all your Lordships from that source.

As I said earlier, we are not only co-ordinating more intensively in international organisations but working to ensure that the voice of the Commonwealth is heard in these fora. At the United Nations General Assembly last September, my right honourable friend the Prime Minister spoke as chair-in-office on behalf of the Heads of Government of the 53 Commonwealth countries—and that is one-quarter of the United Nations membership. She spoke to reaffirm their support for the rules-based international system. Significantly, that was the first time that the Commonwealth's collective voice had been heard in that way at the General Assembly, and I think that is a very positive development. We are committed to ensuring that the Commonwealth is heard more often, clearly and decisively in international fora. The UK is well placed to advance that objective, and I think your Lordships would support such an approach.

On the matter of voice, the noble Lord, Lord Boateng, mentioned the situation in Cameroon, as did the noble Lord, Lord Collins. He mentioned the human rights situation in the anglophone regions of Cameroon. We are deeply concerned about the deteriorating situation in that region. We have raised our concerns with the Government of Cameroon; most recently, the Minister for the Commonwealth did so at the Human Rights Council on 21 March in a joint statement with Austria that was supported by 39 countries.

I look now at my stack of noble Lords' contributions, and I will try to work my way through it as best I can. If I speak very rapidly, please bear with me. The noble Lord, Lord Chidgey, raised the matter of the parliamentary forum. The UK Government were delighted to see such strong parliamentary interest in the run-up to CHOGM, to support the CPA UK parliamentarians' forum in February last year and to support the UK parliamentary delegation. We will continue to work with the CPA while we are chair-in-office, and we have encouraged Rwanda to consider how it can involve parliamentarians at its CHOGM in Kigali next year.

The noble Lord raised the issue of a free and inclusive media environment, which, it goes without saying, is extremely important. The Foreign Secretary is hosting an international conference in July and we will be encouraging Foreign Ministers of every member of the Commonwealth to attend. The UK supports the Commonwealth working group on media and good governance, as it develops Commonwealth principles on freedom of expression. We hope to see a full discussion of these principles ahead of adoption at CHOGM in 2020.



The noble Lord, Lord Chidgey, my noble friends Lord Haselhurst and Lord Northbrook, and, I think, the noble Lord, Lord Loomba, all raised the important issue of young people. Indeed, my noble friend Lord Haselhurst impressed me greatly by talking about some form of digital buddying—I did not realise that he was so down with the kids. It is a very good suggestion. I can say to your Lordships that my noble friend Lord Ahmad recently convened Commonwealth youth leaders for a roundtable discussion that was also attended by the Commonwealth youth ambassador, His Royal Highness the Duke of Sussex. We are working closely with the Commonwealth Secretariat and the Commonwealth Youth Council to realise the vision of young leaders.

The noble Lord, Lord Chidgey, raised a number of other important questions, on which I will write to him, if I may.

My noble friend Lord Haselhurst raised a very specific issue relating to the Commonwealth Parliamentary Association's request to change the status of the Commonwealth from a UK charity to an international organisation, with functional privileges and immunities. I pay tribute to my noble friend's tireless work with the Commonwealth Parliamentary Association. I commend the work it does and continues to do. We received the business case to support this charitable status change, and it is currently being reviewed by our protocol and legal teams; that is where it has got to and I am afraid there is nothing more I can add at this point.

I think it was the noble Lord, Viscount Waverley, who raised freedom of religion and belief. He will be aware that heads of the Commonwealth have recognised freedom of opinion and expression, freedom of peaceful assembly and association, and freedom of religion and belief as cornerstones of democratic societies. The UK-funded Commonwealth Partnership for Democracy is promoting freedom of religion and belief in the Commonwealth during our chair-in-office.

The noble Baroness, Lady Prashar, raised a very important point about what I think she described as a pan-Whitehall approach to the Commonwealth by the UK Government. Her concept was that this has to be woven into all the activities of government. I know that we try to do that, but I fully accept that perhaps we can do better. I shall take that suggestion back. She said, and I think that I am quoting her correctly, that, "We need to think and act Commonwealth". I agree.

The noble Lord, Lord Bilimoria, my noble friend Lord Marland, who is no longer in his place, and my noble friend Lord Northbrook raised the whole issue of funding. I will not go over the details, but your Lordships will be aware that the UK is the significant funder of the Commonwealth Secretariat. We provide approximately 33% of total assessed contributions and voluntary contributions of up to £9 million per annum for programmes. As to overall funding, I think the point being made was that there needed to be a broader reach of funding, which might be desirable but is something that only Commonwealth members can resolve, and they need to do that by debates. But I have heard the point clearly.

The noble Baroness, Lady Northover, and the noble Lord, Lord Bilimoria, specifically asked whether the UK is looking to replace EU trade with the

Commonwealth. As we are aware, approximately 9% of UK exports of goods and services go to the Commonwealth and 8% of UK imports come from there, so there is a growth potential and it is right to identify it. But it is also important to recognise that the Commonwealth is not an alternative to the EU; they are very different organisations that do different things. Many members are also part of other groupings.

The noble Lord, Lord Bilimoria, asked how many EU free trade agreements with Commonwealth countries are ready to roll over on exit. I think I would have to roll over if I tried to reply to that. I will need to find more specific information and write to him, if I may.

The noble Lord also raised an important point about what we are doing to help veterans from the Commonwealth who are living in poverty. From April 2019, UK aid will protect more than 7,000 Commonwealth veterans and widows who have served with the British Armed Forces. We will try to protect them from extreme poverty. The £18.2 million programme, working with the Royal Commonwealth Ex-Services League, will support 4,500 veterans and 2,500 widows of veterans in the countries that are eligible for official development assistance.

The noble Lord, Lord Loomba, raised the very important issue of women, as did a number of other noble Lords, not least my noble friend Lady Gardner of Parkes, who exemplified what a remarkable woman is by reference to Her Majesty the Queen—though I might say to my noble friend that it takes a remarkable woman to recognise a remarkable woman. The place of women is very important. There is a network of peer-to-peer learning for women peacebuilders across Commonwealth countries, which is supporting women to build their capacity through training and mentoring schemes to secure mediation roles internationally, and building local peace. That has recruited over 30 well-qualified members out of a target of 50 by March 2020, so progress is being made.

The noble Lord, Lord Loomba, raised the issue of UK aid to Commonwealth countries. Our bilateral aid for 2017 was £1.945 billion. In 2017, eight of the top 20 recipients of UK overseas development aid were Commonwealth countries. He wants more specific information; I shall investigate and try to provide that.

My noble friend Lord Northbrook raised the matter of Indian visas. For the last four years, over half of all skilled workers' visas issued here have been given to Indians, who provide vital and appreciated work across the UK economy. Around 19,000 student visas were granted to Indians in 2018 alone, a rise of 33% from the previous year. I do not have the exact figure, but it was a rise, so that is going in the right way.

More generally, I absolutely agree about the central importance of India in the modern Commonwealth, and it is right that we note Prime Minister Modi's visit to the UK for CHOGM as an important step. I can update my noble friend: the UK Commonwealth envoy visited New Delhi and Hyderabad in January to encourage continued Indian engagement, and we are already engaging closely with the new Indian High Commissioner, who presented her credentials to Her Majesty the Queen just yesterday.

[BARONESS GOLDIE]

My noble friend Lord Northbrook raised an issue about the Comprehensive and Progressive Agreement for Trans-Pacific Partnership; I propose to write to him about that. My noble friend Lord Popat, who is the Prime Minister's trade envoy to Uganda and Rwanda, for which I thank him, raised the important matter of intra-Commonwealth trade. As he knows, developments have taken place within the Commonwealth, with the goal of boosting intra-Commonwealth trade to \$2 trillion per annum by 2030. He also raised the question of visas, which I think I have dealt with, and of a Commonwealth bank—an idea we are aware has been circulating and which has been discussed with relevant experts at the secretariat. Our judgment is that the Commonwealth is well served by the existing range of multilateral development banks, including those focused on infrastructure.

I want to conclude by addressing the very important issues raised by the noble Baroness, Lady Northover, and the noble Lords, Lord Scriven and Lord Collins, regarding the development in Brunei relating to corporal punishment. Let me make it clear that these penalties are alien to our British values. They are a stark contravention of human rights and, of course, are banned in the UK. We regularly encourage Brunei, and many other countries, to remove corporal and capital punishment from their statutes, and we will continue to do so. Capital punishment—for any crime—

goes against our national values. It has been prohibited in the UK for decades. We are very clear in voicing our utter condemnation of capital punishment, wherever it is occurring in the broader world.

The noble Lord, Lord Collins, raised a number of important issues and I commend him for his work in relation to LGBT rights. He referred to the meeting he held, and I thought his comment that educating to understand equality can lead to economic success was very informative. We all appreciate the link between the two things, and the UK is doing what it can to encourage that work.

I seem to have run out of time and I apologise, because this has been an absolutely marvellous debate. I will look at *Hansard* and address in correspondence any points that I have not managed to deal with from the Dispatch Box. I think I can speak for us all when I say that this has been a vibrant debate full of positive thoughts and, yes, realistic concerns, as the noble Lord, Lord Boateng, said. But there has also been an awareness that we are part of something very important, which has a very positive future. We all want to work hard to make sure that that future is realised in the optimal fashion possible.

*Motion agreed.*

*House adjourned at 5.30 pm.*