

Vol. 798
No. 309



Thursday
6 June 2019

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

OFFICIAL REPORT

ORDER OF BUSINESS

Questions	
House of Lords: Gender Equality.....	171
Pakistan: Aid for Persecuted Minorities.....	173
Childcare	176
Sudan	178
Storage Period for Gametes Bill [HL]	
<i>First Reading</i>	180
Business of the House	
<i>Motion on Standing Orders</i>	180
Business of the House	
<i>Timing of Debates</i>	181
Electoral Registration and Administration Act 2013 Committee	
Social and Economic Impact of the Gambling Industry Committee	
Democracy and Digital Technologies Committee	
Food, Poverty, Health and the Environment Committee	
<i>Motions to Approve</i>	181
Victims of Domestic Violence and Abuse	
<i>Motion to Take Note</i>	182
People with Learning Disabilities	
<i>Question for Short Debate</i>	216
Employment	
<i>Motion to Take Note</i>	229
Church Representation and Ministers Measure	
<i>Motion to Direct</i>	264
Sentencing (Pre-consolidation Amendments) Bill [HL]	
<i>Motion to Refer to Second Reading Committee</i>	268

Lords wishing to be supplied with these Daily Reports should give notice to this effect to the Printed Paper Office.

No proofs of Daily Reports are provided. Corrections for the bound volume which Lords wish to suggest to the report of their speeches should be clearly indicated in a copy of the Daily Report, which, with the column numbers concerned shown on the front cover, should be sent to the Editor of Debates, House of Lords, within 14 days of the date of the Daily Report.

*This issue of the Official Report is also available on the Internet at
<https://hansard.parliament.uk/lords/2019-06-06>*

The first time a Member speaks to a new piece of parliamentary business, the following abbreviations are used to show their party affiliation:

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

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

© Parliamentary Copyright House of Lords 2019,
*this publication may be reproduced under the terms of the Open Parliament licence,
which is published at www.parliament.uk/site-information/copyright/.*

House of Lords

Thursday 6 June 2019

11 am

Prayers—read by the Lord Bishop of Leeds.

House of Lords: Gender Equality Question

11.07 am

Asked by Baroness Deech

To ask Her Majesty's Government what steps they are taking to promote gender equality in the composition of the House of Lords.

Lord Young of Cookham (Con): My Lords, in the past 20 years, the percentage of women in your Lordships' House has increased from 17% to 26.5%. In this Parliament, seven of the 17 party political appointees were women. The Prime Minister considers factors including skills, expertise, party political balance and diversity. Progress has been made, but there is still more to be done.

Baroness Deech (CB): There is much to be said on this question, as the Minister has said, but I want to focus on just one issue. As long as we have seats for hereditary Peers, women continue to be ineligible for almost all of them. Succession to the Crown has been changed to allow women to succeed equally, and we even have women bishops. To add to the unfairness, eldest daughters are specifically forbidden under the Gender Recognition Act 2004 to change sex for the purpose of succession. Will the Government back the simple Bill put forward by Philip Davies MP to remove all remaining obstacles to equality and allow daughters to seek seats here? Our composition should be based on equality and fairness. We have to set an example. Saying it is complicated is no answer to such a question. We must end the inherent androcentric nature of this House.

Lord Young of Cookham: My Lords, I understand the noble Baroness's wish to remove the barrier to women entering your Lordships' House via the hereditary by-election principle by allowing the title to pass to the eldest child. I believe there are better ways to reduce the current imbalance. The noble Baroness's solution involves, first, getting primary legislation through this House on the right of succession. The noble Lord, Lord Grocott, will tell the noble Baroness just how difficult it is to get legislation through this House that tampers with the hereditary principle. Secondly, it would then depend on a marked increase in the mortality of hereditary Peers, something which I know the noble Baroness does not want. Thirdly, it would depend on women winning the by-elections. I honestly think it is better to make progress and get more women in your Lordships' House by continuing to drive up the percentage of life peerages, rather than by going around the course I have just enunciated.

Lord Trefgarne (Con): My Lords, can I persuade the Minister to support my Private Member's Bill, which arranges for hereditary peerages to go through the female line in certain circumstances?

Lord Young of Cookham: I understand that my noble friend has been round this course before. He submitted a Bill in 2015-16, 2016-17 and again in the current Session. The main purpose appeared to be to revive and maintain peerages rather than to pursue female succession as an end in itself. The Bill received a Second Reading in the 2015-16 Session but did not in the 2016-17 or current Sessions.

Baroness Hayter of Kentish Town (Lab): My Lords, every woman in this House bar one, to whom I pay great tribute, wants to be here on the basis of our own skills, our own experience and our own political and non-political background; we do not want to be here because of our fathers, our grandfathers, our great-grandfathers or other wonderful people who have come before us. I know that the Minister tries but can he undertake to continue, with his party, to try to move on the Bill introduced by my noble friend Lord Grocott? In the meantime, can he also ensure that everything that the Government do in advising the Appointments Commission, as well as in relation to political peerages, means that we move towards a 2:1 ratio in favour of women?

Lord Young of Cookham: The Bill introduced by the noble Lord, Lord Grocott, has had more time than any other Private Member's Bill this Session, and many of us have spent enjoyable Fridays making progress on it. It is open to the noble Lord, if his appetite is unquenched, to ask my noble friend the Chief Whip for yet more time to progress with his Bill. I know that the current chair of HOLAC, the noble Lord, Lord Bew, takes this matter seriously. Since 2012, HOLAC has appointed seven women and five men.

Lord Grocott (Lab): My Lords—

Baroness Scott of Needham Market (LD): My Lords—

The Lord Privy Seal (Baroness Evans of Bowes Park) (Con): My Lords, we will hear from the Liberal Democrats and then we will hear from the noble Lord.

Baroness Scott of Needham Market: My Lords, I remind the House that I am a member of the House of Lords Appointments Commission. I am grateful that the noble Lord has highlighted that, since 2012, we have appointed seven women and five men, but is he aware that only 27.8% of the applicants to HOLAC are female? There is a real problem with women coming forward. Does he agree that we all have a role to play in encouraging suitably qualified women to put their names forward to not just HOLAC but all public bodies, and can he remind the House how the Government are doing against their target of 50% female appointments to public bodies?

Lord Young of Cookham: My Lords, yesterday I read the recently published *UK Gender-Sensitive Parliament Audit 2018*, which made the point that the noble Baroness has just made. The number of applications that HOLAC receives from men far exceeds the number from women. I agree that there is a role for all of us in driving up the number of applications from women. Perhaps I could write to her on her question about the percentage of senior appointments.

Lord Grocott: I am greatly encouraged by the Minister's suggestion that I ask the Government Chief Whip, the noble Lord, Lord Taylor, for more time. I therefore ask him for more time.

Lord Young of Cookham: I may be in some trouble with my noble friend but that was actually in my brief.

The Countess of Mar (CB): My Lords, as the last hereditary woman left standing, I ask the Minister to ask the Chief Whip to support the noble Lord, Lord Grocott, and the noble Baroness, Lady Hayter, in their requests.

Lord Young of Cookham: My Lords, my noble friend the Chief Whip will have heard both those bids and they will be discussed through the usual channels.

Baroness Berridge (Con): My Lords, the question of diversity is one commonly asked when we are speaking outside this House. It is important for the public to know more about the membership of the House. On approaching the Library, it surprised me to learn that there has been no voluntary monitoring form sent out to Members to collate information on other protected characteristics, such as geographical diversity, education and employment backgrounds. Will my noble friend ask the House authorities to send out a comprehensive monitoring form—the staff do this—so that we can tell the public more about who we are?

Lord Young of Cookham: I believe that one of the recommendations in the report I referred to was that there should be more monitoring. That would also be relevant to the House of Lords Appointments Commission, which produces an annual report that describes its progress in making appointments. It would be up to HOLAC to include more details along the lines suggested by my noble friend.

Pakistan: Aid for Persecuted Minorities *Question*

11.15 am

Asked by Lord Alton of Liverpool

To ask Her Majesty's Government how much United Kingdom aid has been given to Pakistan in the last ten years; and what assessment they have made of the extent to which this was used to support persecuted minorities in that country.

Lord Alton of Liverpool (CB): In asking my Question I should mention that I co-chair the All-Party Parliamentary Group for the Pakistani Minorities.

The Minister of State, Department for International Development (Baroness Sugg) (Con): My Lords, in the past 10 years, the UK has given £2.6 billion in aid to Pakistan, targeted towards the poorest and most excluded, who are often from minorities. We promote minority rights from grass roots to the highest levels of government. UK aid to Pakistan is declining but continues to focus on the poorest. Since 2011, UK aid has supported primary education for 10 million children, skills training for almost 250,000 people, and microfinance loans for 6.6 million people.

Lord Alton of Liverpool: I thank the Minister for that reply and welcome her to her new responsibilities. Is she able to intervene on behalf of Shagufta Kauser, an illiterate woman from one of Pakistan's beleaguered minorities, who now occupies Asia Bibi's cell in Multan and who, like her, has been sentenced to death for allegedly sending blasphemous texts in English? When two children are forced to watch a lynch mob of 1,200 burn alive their parents; when no one is brought to justice for the murder of Shahbaz Bhatti, Pakistan's Minister for Minorities; when 1,000 Hindu and Christian girls are forcibly married and converted; and when minorities are ghettoised into squalid colonies, which I have visited, and forced to clean latrines and sweep streets, is it not time that DfID re-examined its policy of refusing to specifically direct any of the £383,000 that, on average, we give every single day to Pakistan in aid for the alleviation of the suffering and destitution of these desperate minorities?

Baroness Sugg: I pay tribute to the noble Lord's long-standing involvement in this important issue. We remain deeply concerned by the misuse of blasphemy laws and the treatment of minority religious communities in Pakistan. We regularly raise these concerns with the Government of Pakistan at a senior level. I share the noble Lord's desire to ensure that our international aid funding reaches those who most need it. Currently, many Pakistanis are reluctant to declare themselves members of religious minorities because of fear of discrimination. We are working to ensure that we understand where our aid is going. I can reassure the noble Lord that we continually keep our programmes under review, and where we can better prioritise resources, we will do so.

Lord Collins of Highbury (Lab): My Lords, through the Conflict, Stability and Security Fund, ODA money funds the CAPRI programme in Pakistan. While its aim is to increase Pakistan's capacity to investigate, detain and prosecute suspected terrorists, its definition of terrorism is incredibly wide. It has also resulted in torture and 195 death sentences. Will the Minister ask her department to investigate whether the CAPRI project, supported by the CSSF, could be supporting such human rights abuses? Will she commit to publishing the overseas security and justice assistance assessment that led to this project being signed off by a Minister?

Baroness Sugg: As the noble Lord will be aware, the Government oppose the death penalty in all circumstances. We will continue to ensure that our position on that is made clear in all our dealings with partner Governments. I am afraid that I am not aware of the specific project that the noble Lord raises, but I will certainly go back to the department and write to him in detail.

Baroness Sheehan (LD): My Lords, the white stripe on the Pakistan flag signifies the rights of religious minorities, but today Pakistan has strayed a long way from the ideals of its founder, Muhammed Ali Jinnah, and its heinous blasphemy laws are feared with good reason by the same minority groups he sought to protect. I ask the Minister, at the same time as welcoming her to her new role: what safeguards does DfID put in place to ensure that religious minorities are, at the very least, not discriminated against in accessing and benefiting from DfID programmes?

Baroness Sugg: My Lords, I mentioned our response to the blasphemy laws in a previous answer. We must continue to stand up for human rights and freedom of religion and belief. The Prime Minister has appointed my noble friend Lord Ahmad as special envoy on the issue. He raises it regularly, and did so recently in February.

Lord Singh of Wimbledon (CB): My Lords, the treatment of minorities in Pakistan, particularly Christians, infringes not only the UN declaration of human rights but, ironically, also the clear teachings of the Koran, which says that the people of the book—that is, Christians and Jews—should be allowed to practise their religion unhindered. Despite this, members of the Christian community have been murdered and placed on death row for years on end for professing their faith, and it is now reported that some Christian women and young girls are being sold into slavery in China and used for the harvesting of organs. With that in mind, does the Minister agree that we should now look to the targeting of our aid and moving for Pakistan to be expelled, not for the first time, from the Commonwealth?

Baroness Sugg: My Lords, I certainly agree that we need to ensure that our international aid reaches those people who need it most. To that end, the Foreign Secretary has commissioned an independent report to fully understand the scope of the issue, and the right reverend Prelate the Bishop of Truro will be writing recommendations on how we can better address this issue.

Lord Mackay of Clashfern (Con): My Lords, I understood that human rights practice in the country in question was a factor in the allocation of aid from us. I think it is clear that, in Pakistan, freedom of religion means that if you have a certain faith, you are apt to face the death penalty, which does not strike me as in conformity with human rights or freedom of religion.

Baroness Sugg: My Lords, as I said, my department and the Foreign and Commonwealth Office work closely to ensure that we are able to protect minority

communities in Pakistan. We have seen some progress, and we welcome the commitments made by Prime Minister Khan to improve inclusion and transparency and to set Pakistan on a path to greater self-reliance. We have seen positive steps so far, including progress made on child marriage by passing the child marriage restraint Act and the issuing of visas to allow Indian Sikhs to make a pilgrimage to Pakistan. There are other commitments, including the creation of a commission on minorities and the Christian divorce Bill, where we will continue to support the Pakistan Government in implementing those policies.

Childcare Question

11.23 am

Asked by **Baroness Armstrong of Hill Top**

To ask Her Majesty's Government whether they have plans to review the childcare system.

Viscount Younger of Leckie (Con): My Lords, this Government are committed to ensuring that as many families as possible can access high-quality, affordable childcare. That is why we are investing around £3.5 billion in our early education entitlements this year alone—more than any previous Government. We monitor the provider market constantly through a range of regular and one-off research projects, which are ongoing or have already been published.

Baroness Armstrong of Hill Top (Lab): First, my Lords, I apologise: the Question did not appear on the Order Paper in the manner I thought in my head I had asked it. I am not sure what happened but I did not look at the actual Question until last night. I actually wanted to ask about children in care rather than just childcare, so I apologise to the House and to the Minister.

The number of children in care is higher than ever before and rising every year. The money going to local government to look after them is reducing, which means that local government is now spending a very high proportion of its money allocated to children in the care system, and not on early prevention and so on. This is now a crisis. We continue to see the most vulnerable children ending up more likely to be in the criminal justice system than in university on leaving care. The system is broken and the state is not proving a good parent. Will the Government take hold of this and make sure that they have a proper look at the whole system, which is broken and not working? The Government need to change the way in which they look after the most vulnerable children.

Viscount Younger of Leckie: Let me focus on the subject of social care, which the noble Baroness raised. When children cannot live at home, it is one of the state's most important responsibilities to ensure that they are kept safe and that they flourish. That is why we have set out a far-reaching programme of reform in children's social care, improving practice in local authorities, strengthening the social care workforce and supporting care leavers through staying put. Since 2010, 44 councils have been lifted out of failure and

[VISCOUNT YOUNGER OF LECKIE]
have not returned. So, rather than establishing a new review, our priority is to embed these reforms as they stand.

Lord Mackay of Clashfern (Con): One of the most natural results of ordinary parenthood is a bond between parent and child, which is of immense importance. I have tried on a number of occasions to secure something of the kind in the children's care system that the noble Baroness meant to talk about, because it is vitally important. I understand that it is difficult for management, but the aim should still be to secure that, because it would make a terrific difference to the outcomes for most of those in the system.

Viscount Younger of Leckie: My noble and learned friend is right; the Government believe that good early years education is the cornerstone of social mobility and that children should be allowed to bond with their parents. Equally, we believe that parents should be allowed to work. That is why we have the entitlement to 15 hours of free childcare, and to 30 hours for those in work. But it is still the case that 28% of children finish their reception year without the early communication and reading skills they need to thrive, so there is more work to do.

Baroness Massey of Darwen (Lab): My Lords, some years ago, I was on a Select Committee for affordable childcare. We had many excellent witnesses, including from parents' organisations, and we reached some interesting conclusions. One of them was that the system was so complex that parents found it difficult to understand their rights, and therefore that some parents were not using the system as they might. Could the noble Lord say what is being done to simplify the childcare system so that everyone understands it, and children and parents alike can benefit from it?

Viscount Younger of Leckie: We do not believe that the system is too complicated. However, I should point out that parents can find information about all the Government's childcare offers on the website; I can give the noble Baroness some details on that. We also have a childcare calculator that parents can use to check their eligibility for support. But perhaps the proof is in the pudding, as it were, because there is near universal take-up of the 15 hours for all three and four year-olds—92% of three year-olds and 95% of four year-olds—and the parents of 72% of eligible two year-olds are taking up their entitlement. So there is something that does work.

Lord Lexden (Con): Is my noble friend able to update the House on the progress of the scheme supported by the Government through which children in care can secure places in state and independent boarding schools, where the child is suited to such an education?

Viscount Younger of Leckie: I can, to the extent of saying that the onus of this is on local authorities. Our position is that local authorities are best placed to target spending and set their budgets, and also to work out where their children in care might best be placed.

Lord Blunkett (Lab): My Lords, let me try to blend the two questions. Nine years ago this month, the coalition Government, in the first round of austerity measures, dealt a mortal blow to the Sure Start programme. Although Sure Start is more than childcare and healthcare, the recently issued IFS report unequivocally demonstrates its value in terms of health outcomes. Surely reinvesting in the original local Sure Start programmes will ensure that children are properly nurtured and that parents are engaged in parenting programmes that will stop children being taken into care in the first place.

Viscount Younger of Leckie: I know that the party opposite feels very strongly about the Sure Start programme. I very much note the recent report that came out from the IFS, and in particular the focus on the health effects of Sure Start—but it also demonstrates that children in disadvantaged areas benefit most from the services, and the policy framework we have in place reflects this evidence. Also, there are more children's centres now than prior to 2008, and during the period when Tony Blair was PM.

Sudan *Question*

11.30 am

Asked by Baroness Cox

To ask Her Majesty's Government what assessment they have made of recent events in Sudan, following attacks against protestors by Sudanese security forces.

The Minister of State, Foreign and Commonwealth Office (Lord Ahmad of Wimbledon) (Con): My Lords, we condemn the violent attacks by the Sudanese security forces against peaceful protestors in Sudan this week, which left many civilians dead or injured. The Transitional Military Council bears full responsibility. The United Kingdom calls for the human rights of all Sudanese people to be respected, the resumption of the political process with the protestors and the opposition, and an agreed transfer of power to a civilian-led Government, as demanded by the Sudanese people, in a swift, orderly and peaceful manner.

Baroness Cox (CB): My Lords, I thank the Minister for his reply. Is he aware that, according to reliable sources in Sudan, the death toll this week from the crackdown on peaceful protestors is now well over 100? Men have reportedly been hacked with machetes and thrown into the Nile. Women were raped in front of their children. As one survivor said, "It was a massacre". Given that the attacks against civilians continue outside Khartoum in at least 11 towns, what are Her Majesty's Government doing to support those valiant, peaceful protestors, and what steps will the United Kingdom take to ensure that the military junta is called to account?

Lord Ahmad of Wimbledon: I agree totally with the noble Baroness. I have seen reports over the last few days and I got a full update about the situation this morning. As she will know, our embassy is not far from where the camp was set up. The official toll from the military authorities is 46, but media reports indicate

that the number is more in line with the one she raised. On the UK's representation, our ambassador on the ground, with his team, is in direct contact with the military authorities. I pay tribute to him. To answer the noble Baroness's second question, I can say that he is also directly meeting the leaders of the opposition, including the Forces of Freedom and Change. We are working hand in glove with the troika and the African Union to ensure that those committing these crimes, including those involved with the Transitional Military Council, are held fully to account.

Lord Collins of Highbury (Lab): My Lords, a few weeks ago everyone would have hoped that a peace process would happen and that we would see a transition. Of course, that hope has been dashed by the recent press reports. One report yesterday in the *Guardian* said that the US Government had approached the Saudi Government to influence the Sudanese military to hold back. Have we been working with the US Government to place that sort of pressure on the Saudis, who seem to have a far greater role than most people realised?

Lord Ahmad of Wimbledon: The noble Lord is quite right. He will recall that the Saudi Arabian Government, along with the Emirati Government, have offered £3 billion of assistance to Sudan. Of that money, about £500 million has been deposited. I assure him that the US Government are raising this with the Saudis, as we are. On working specifically with the US Government, I had a conversation about 10 days ago, in advance of the latest situation, with Ambassador Sam Brownback on freedom of religion, which is a key part of ensuring that there is a new Sudan with a full civilian Government incorporated. We continue to work closely with the United States Government, but also with the Saudi and Emirati Governments.

Lord Chidgey (LD): My Lords, civilians are being killed close to military headquarters by soldiers in uniform. Journalists are being expelled on the orders of men in uniform. Supplies are being looted by men in uniform. I think we are getting the message that the military leaders look more and more like the regime they claim to have overthrown. Yesterday, the Transitional Military Council arrested opposition leader Yasir Arman and are holding him in an unknown location. Surely action is now vital through the African Union suspending Sudan, while condemning the massacre; through convening an emergency meeting of the United Nations Security Council to force Russia and China's hand; by beginning a process to prevent the TMC from representing Sudan in the General Assembly; and through insisting on the immediate release of Yasir Arman. Does the Minister agree that, without these actions, words of remorse, regret or disapproval are merely feckless and expedient measures?

Lord Ahmad of Wimbledon: I agree with the noble Lord, and assure him that with the United Nations—in terms of the Security Council in New York and the Human Rights Council in Geneva—the United Kingdom as a penholder is taking these responsibilities very

seriously. I am in discussions with our ambassadors in both places to see what next steps we can take. On the Security Council, we are co-penholders with Germany and will continue our discussions. The troika is focused on these issues, and, as I said in an earlier answer, we are impressing on the Sudanese authorities—including the ambassador in the United Kingdom—that all options are on the table, including looking at the current sanctions policy. Those who are culpable will be held to account.

The Lord Bishop of Leeds: My Lords, I was in Khartoum in January. I too pay tribute to the ambassador, whose communication on social media has been superb, despite internet problems. The other country involved is Egypt, which seems to have a vested interest in not putting too much pressure on Sudan. Can the Minister say anything about our conversations with Egypt and its influence over events in Sudan?

Lord Ahmad of Wimbledon: I put on record my thanks to the right reverend Prelate for his interventions in Sudan. Working with Her Majesty's Government, he was instrumental in the opening of Christian schools despite the restrictions imposed, and we are grateful. I am sure he agrees that the different communities of Sudan have a key role in establishing the new Sudan. As for our working with international partners, he mentioned Egypt. I said to the noble Lord, Lord Collins, that we are also working with the Saudi Arabians and the Emiratis. Intense international pressure is required to ensure that civilian rule can be incorporated at the earliest opportunity. We are working through the good offices of the African Union, where Egypt again has a pivotal role.

Storage Period for Gametes Bill [HL]

First Reading

11.37 am

A Bill to provide for a review by the Secretary of State of the regulations governing gamete storage periods.

The Bill was introduced by Baroness Deech, read a first time and ordered to be printed.

Business of the House

Motion on Standing Orders

11.38 am

Moved by Baroness Evans of Bowes Park

That Standing Order 46 (*No two stages of a Bill to be taken on one day*) be dispensed with on Tuesday 11 June to allow the Non-Domestic Rating (Preparation for Digital Services) Bill (*Money Bill*) to be taken through its remaining stages that day.

Motion agreed.

Business of the House

Timing of Debates

11.38 am

Moved by **Baroness Evans of Bowes Park**

That the debates on the motions in the names of Baroness Newlove and Lord Leigh of Hurley set down for today shall each be limited to two and a half hours.

Motion agreed.

Electoral Registration and Administration Act 2013 Committee

Social and Economic Impact of the Gambling Industry Committee

Democracy and Digital Technologies Committee

Food, Poverty, Health and the Environment Committee

Motions to Approve

11.38 am

Moved by **Baroness Evans of Bowes Park**

Electoral Registration and Administration Act 2013

That it is desirable that a Select Committee be appointed to consider post-legislative scrutiny of the Electoral Registration and Administration Act 2013, and that the Committee do report by 31 March 2020.

Social and Economic Impact of the Gambling Industry

That it is desirable that a Select Committee be appointed to consider the social and economic impact of the gambling industry, and that the Committee do report by 31 March 2020.

Democracy and Digital Technologies

That it is desirable that a Select Committee be appointed to consider democracy and digital technologies, and that the Committee do report by 31 March 2020.

Food, Poverty, Health and the Environment

That it is desirable that a Select Committee be appointed to consider the links between inequality, public health and food sustainability, and that the Committee do report by 31 March 2020.

Lord Rooker (Lab): Can I ask a question about this? I am constantly reading rumours from the other place that various candidates to be Prime Minister intend to prorogue Parliament to get Brexit through. If that is allowed to happen, is there any flexibility in changing the dates for these four Select Committees to report, or to allow them to sit during Prorogation?

The Lord Privy Seal (Baroness Evans of Bowes Park)

(Con): I have been reliably informed that we cannot sit during Prorogation, but we can change the dates.

Motions agreed.

Victims of Domestic Violence and Abuse

Motion to Take Note

11.40 am

Moved by **Baroness Newlove**

That this House takes note of Her Majesty's Government's plans to support victims of domestic violence and abuse.

Baroness Newlove (Con): My Lords, I am pleased to be able to move this Motion. It has been mentioned several times over the past years across the Floor of the House that, sadly and needlessly, one in four women and one in six men will experience domestic abuse during their lifetime. Even more tragically, on average two women are killed every week by a current or former partner. Today, we must think of those families whose lives have been shattered as they try to cope with the loss of their loved ones.

Across government, domestic abuse is defined as:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality".

Power and control are at the centre of domestic abuse. Insidious controlling behaviour, which may appear innocuous, slowly and surely removes the victim's ability to think for themselves and erodes their feeling of self-worth. It can encompass physical, emotional, psychological, sexual or financial violence or abuse. Domestic abuse is a complex and hideous crime which knows no social bounds. It affects people from all walks of life, in all our communities. Often, those living at the end of a long gravel drive are the most isolated and the most reluctant to report it.

We must also do more about the economic abuse that is suffered on a daily basis. Surviving Economic Abuse, which I thank for its excellent briefing, has highlighted just how severe economic abuse is, whether it comes from a current or former partner—in intimate relationships, it is just unbelievable. Of those reporting economic abuse, 86% also experience other forms of abuse, and 45% are in debt because of the abuse.

Last year, the Crime Survey for England and Wales showed that more than 2 million people were the victims of domestic abuse, with women twice as likely to be victims as men. The estimated annual cost of domestic abuse is £66 billion, with an average cost for a single victim being over £34,000. The human and emotional costs borne by an individual victim cannot be quantified. We cannot and must not stand by and allow this social ill to fester any longer. Whatever the nature of the abuse, be it physical, mental or financial, it takes its toll and destroys lives.

Last month, I stepped down as Victims' Commissioner, having spent seven years in the post. I have just come back from New York where, as a guest of the UN, I spoke about victims' rights. In May last year, the Government launched their consultation: *Transforming*

the Response to Domestic Abuse. Before I responded to it, I was determined to go out across the country to meet victims and practitioners. Hearing first-hand their harrowing and heart-breaking stories has never left me.

Today's debate gives me the opportunity to pay tribute to those victims and survivors, and thank them all for sharing the horrendous and violent stories of their lives at the hands of someone who they loved, and who they genuinely thought loved them. I listened intently, not only to how their lives were torn apart but to the harm and mental anguish caused to their children, who were innocent bystanders. Some women had lost their jobs, their homes and, sadly, their businesses. I heard about the horrors experienced by victims when challenged by their perpetrators through the family courts, and how the mentality of Cafcass officers is always to meet the best interests of the child. I heard from victims who had to go back to the house they shared with their abuser, because there was no alternative safe refuge available to them. And if they did find secure and safe accommodation, if they were working, they had to pay a fee, along with paying towards a home that they could no longer live in.

The first challenge in all of this is to give all victims of domestic abuse the confidence to come forward and seek help. This is, without doubt, a colossal step for any victim, especially when in a coercive and/or violent relationship. It takes tremendous courage for a person so vulnerable to make such a decision, but it is a formidable turning point in their recovery.

On this point, I bring to the Minister's attention the real concerns that support workers have raised with me about police bail. They have told me that police officers say they cannot use bail anymore, resulting in perpetrators being questioned and then released unconditionally—some are back on their doorstep as soon as they leave the police station. When this happens, it not only places victims at risk but does untold damage to that victim's confidence in the police, yet again. I am fully aware of the debate between government and the police on this issue. However, I am not interested in the intricacies of politics; human lives are more important than that. No victim must ever be placed at risk because front-line staff are unsure when bail can be used. I want to see the police enforcing non-molestation orders. I want to know that they are using domestic violence protection notices and applying for restraining orders with teeth.

It is laudable that the Government have increased public awareness. There have been greater numbers of victims coming forward. However, while this growth is positive, it places further demand on our already creaking, threadbare domestic abuse services. So I say to my noble friend the Minister: aspirations are welcome, and I truly believe we have a good starting point, but they must be backed up with sustainable funding that makes them a reality for the lives we need to save.

As Victims' Commissioner, I wrote to the Government on this matter, because the formula of sustainable funding was a priority for practitioners. It will ensure that professionally trained workers are kept on in their roles and, through their relationships, able to raise more confidence and build even stronger victims, becoming

survivors. Protecting vulnerable victims, as well as supporting survivors of domestic abuse, is at the heart of the Government's strengthened response to domestic abuse. The draft domestic abuse Bill and wider package of measures, including the violence against women and girls strategy, will not only bolster protection for victims of domestic abuse but help to expose and bring to justice the perpetrators of this intolerable offence.

Taken together, the Government's measures seek to make a real difference to the lives of victims of domestic abuse. They create the first ever statutory definition of domestic abuse. They establish a domestic abuse commissioner responsible for driving the response to domestic abuse and standing up for victims. They prohibit the cross-examination of victims by their abusers in the family courts, and create new domestic abuse protection notices and domestic abuse protection orders to further protect victims and place restrictions on the actions of offenders. In my capacity as the former Victims' Commissioner, I believe that the independence of the domestic abuse commissioner is most important, so that they can hold the Government to account for the delivery of this strategy.

Legislation alone will not be enough to provide all the necessary protections. As Victims' Commissioner, I visited many front-line services. They provide excellent support to female and male victims of domestic abuse—assessing risk and providing safety advice, housing information, legal protections and support from other professionals. I salute and applaud every one of those front-line workers. Unfortunately, the same level of support is not available everywhere. Victims of domestic abuse deserve better than a postcode lottery of support.

This brings me to the male victims of domestic abuse. We see and hear that male victims have limited access to safe accommodation. To address this, for the first time ever councils across England and Wales will be legally required to house securely all victims of domestic abuse and their children. Local authorities will also be legally required to assess the level of support needed in their area for such victims. I know that my successor as Victims' Commissioner, Dame Vera Baird, will want to work closely with the domestic abuse commissioner, when appointed, and I have asked the Government to facilitate that. By working together they can ensure that victims of domestic abuse receive the advice and support they need, wherever they live and whatever abuse they have faced.

Both Women's Aid and Refuge have welcomed the new legal duty placed on local authorities to work together with neighbouring councils to ensure that domestic abuse services reflect the needs of local people. Giving targeted support for minority communities, including support for BME, LGBT and Gypsy, Roma and Traveller survivors, will be the key to success.

Charities also play a hugely important part in supporting domestic abuse victims. There are too many to name them all, but as this is Volunteers' Week, today is an ideal opportunity to celebrate and thank all those volunteers who give their time and expertise for the benefit of others. This may be in the form of listening without judging, or of advocacy support and giving safety advice to victims of domestic abuse; it

[BARONESS NEWLOVE]

may include supporting survivors as they navigate their way through a very complicated court process; or it may be assisting them as they begin to rebuild their lives, their self-confidence and self-esteem. I would like to personally thank Jan Berry from DAVSS; the Suzy Lamplugh Trust; Frank Mullane from AAFDA; Gill Smallwood of Fortalice, Bolton; and Survivors Manchester. I also thank ManKind and Surviving Economic Abuse. Most importantly, I thank my former team in the Victims' Commissioner's office for pulling together a lot of briefings and for the kindness they showed to every victim who picked up a phone to speak to them: victims were so pleased to hear that somebody wanted to listen to their lives.

Before I conclude my thoughts, domestic abuse remains a scourge on our society. It requires a comprehensive, co-ordinated set of measures to combat it. We are talking about human lives, not statistics. I read a great quotation the other day:

"Domestic abuse can be so easy for people to ignore, as it often happens without any witnesses and it is sometimes easier not to get involved. Yet, by publicly speaking out against domestic abuse, together we can challenge attitudes towards violence in the home",

where we should feel safe, and show that such violent and coercive acts are crimes, and not merely unacceptable. I not only believe that this legislation is a starting point, providing measures that are necessary, but that it will make a positive difference to victims of domestic abuse and protect them and their families. This is just the beginning. We can and must always do more. I beg to move.

11.53 am

Baroness Armstrong of Hill Top (Lab): My Lords, I am delighted to follow the noble Baroness, Lady Newlove, who made the very important statement today that this is, in a sense, an outstanding issue from her seven years as Victims' Commissioner that she has had drawn to her attention. I thank her for that work and for this debate.

This seems to me such a long journey. I met some Women's Aid workers yesterday who are now getting ready for their 45th anniversary next year or the year after. I had to confess that I was at the original meeting that established Women's Aid, as I was part of setting up one of the very early refuges in Sunderland all those years ago. It makes me feel very old.

The reason I want to speak in this debate is that I still work with Changing Lives, although I am no longer its chair. It does a lot of work in this area, and I act as a friend and informal consultant to the tremendous woman who runs its women's services. I am also a member of the Joint Committee on the Draft Domestic Abuse Bill and have just chaired a commission in the past year, whose report is called *Breaking Down the Barriers*, which worked with women and looked at domestic and sexual violence and multiple disadvantage among them. It was particularly looking at and working with women with complex needs. Nearly all these women have complex needs: they may have an addiction; they may be or have been homeless; they may have a mental health problem. Much of this has come from their

lifelong experience of abuse, violence and neglect. As a society, we really have not begun to work out properly how we work with women with complex needs, many of which, as I say, have arisen from domestic violence.

The commissioners worked very closely with women with lived experience—which is how we now term this—of violence, abuse and the aftermath of that. We trained them to work as peer researchers: to ask the right questions and handle how they asked them, and then to deal with the trauma that they were hearing from other women. Each of them interviewed about 10 or 12 women in their own locality who had had the same experience. I met with these women about once a month during the period of the commission. Their stories were, as the noble Baroness, Lady Newlove, said, harrowing. But they were also incredibly inspiring. Nearly all of those whom we trained now have jobs, and nearly all of them are feeling really positive about taking better control of their own lives.

When it comes down to it, domestic violence happens because somebody in the relationship wants power. That is why we call it a gendered thing. Yes, men suffer from it as well, and their reluctance to come forward is largely because they feel that this is not the image they should be projecting as men. We have a problem all round, and we need to recognise that there is a gender-specific issue with the victims and offer services which respond to that.

Let me explain a little bit what I mean by that. I cannot go through all the recommendations of the commission—I am already well over halfway through my speech—but the women said to us very strongly that they had been best supported when the first person they met had some understanding of what they were going through and of how they may work. Even if they went to a homeless or mental health organisation, or somewhere else, somebody needed to recognise that it had come from trauma and abuse and that that was at the bottom of their problems. If it is not worked with in a way that recognises this, you will never get to the end you need to get to.

Therefore, we recommend that many more workers on the front line across the services be trauma informed—to be able to recognise what happens and what has happened to someone who is presenting, understand the behaviour and work from there from the beginning. When that does not happen, you never begin to tackle the problems for children or indeed the problems of recurrence of the violence and walking into other violent relationships. If we are to stop it, we have to do that.

Too many organisations do not have that, and nor do they have the safe spaces for women. I cannot tell you the number of local authorities I have talked to which think that the Equality Act means that, if they offer a homeless hostel, it has to be for both sexes. It does not and should not be. Women need safe spaces when they are vulnerable so that they will not be prey to the sort of people who have abused, troubled and traumatised them in the past. Without those gender-specific places, that simply will not work.

I have so much more to say, but I can see that my time is up. We have so much to do but, my goodness, if we do it, those women and children will give us back a

lot, because they will know what to do in the most difficult circumstances. If we get it right for them, we will have a much better chance of getting it right throughout our society.

Noon

Baroness Burt of Solihull (LD): I thank the noble Baroness, Lady Newlove, for securing the debate today and greatly welcome the draft domestic abuse Bill. Like the noble Baroness, Lady Armstrong, I have been privileged to sit on the cross-party and cross-House pre-legislative committee to examine this draft Bill and to suggest to the Government ways it can be made even better.

Like the noble Baroness, Lady Newlove, I can never unknow some of the disturbing and moving testimony given by survivors. I went to a meeting to listen to the testimony of adult survivors of child domestic abuse. Over 50 years ago, a little boy in Glasgow, along with his mother and siblings, suffered terribly at the hands of a violent and abusive father. He and his mother, brother and sister walked with their meagre belongings the length of Glasgow to seek refuge at the home of his aunt, his mother having no money for the bus fare, only to be turned away at the door. They had to walk all the way home again to witness yet another beating because there was nowhere else to go—there were no refuges in those days—and the police refused to interfere with a “domestic”. However, your Lordships should not imagine that this attitude does not exist at all today. Police called to a “domestic” today may at least ask about the children but allow themselves to be fobbed off with the excuse, “They’re upstairs, asleep”. They are not asleep. They may be upstairs, but they are awake and listening to everything. So the suffering and the cycle of abuse continues.

There is so much to say, and I am sure that other noble Lords will cover other aspects of the Bill that I do not have the time to include. In the short time allowed, I want to focus on three areas of abuse that some people may not automatically think of, including children, abused men, and abused women who end up in prison.

Children can arguably suffer as much or even more than the abused parent. They feel helpless, guilty, afraid and a whole spectrum of emotions which can haunt them their whole lives. Practically, they may have to move from place to place, missing out on schooling, doctor’s appointments and treatment for the psychological trauma they are suffering. They must therefore be included within the statutory definition, and they must have protected status, similar to looked-after children, to ensure that they get refuge places, protected status on NHS waiting lists, access to psychological help and school places. They must also have the opportunity to mix with peers and be children or teenagers in the community away from the worries of home, to have some adult support outside business hours when the professionals have gone home, through youth services and youth clubs—do your Lordships remember them? The Local Government Association says that, by 2025, there will be a £3.1 billion funding gap in children’s services just to stay where we are at the moment, and where we are now is not good enough by a long stretch.

When matters get to court, children deserve the opportunity to be really listened to, and not to be forced to see an abusive parent but to be allowed contact when they want to see the parent without care. Children can be used as an emotional football, and it is sometimes hard for courts to know what is really going on, but Cafcass needs to do better in untangling that, and it can make a start by really listening to the wishes of the child.

Men are another category who are not always automatically included when we think about domestic abuse. As has been said, it can be considered unmanly to admit that one has been abused by a female partner. The charity ManKind Initiative reports that nearly half of male victims of domestic abuse fail to tell anyone. Now that the coercive control category has been included in the statutory definition, I hope that men will feel less intimidated from coming forward to ask for help, because they are certainly not getting much at the moment. An estimated one-third of domestic abuse victims are men, but there are only 150 refuge spaces available, with fewer than 50 dedicated to men only.

My final category, not often mentioned, is the plight of women victims of abuse in prison. Well over half of women who end up in prison have suffered domestic abuse, as outlined in the excellent Prison Reform Trust report *There’s a Reason We’re in Trouble*. The Prison Reform Trust recommends that the criminal justice agencies should routinely inquire whether the accused has suffered abuse, so that it can be taken into consideration not just in sentencing but in supporting those women to live a better life on release. Backed by the Criminal Bar Association, it says that there should be a statutory defence that criminal behaviour was driven by domestic abuse. I would appreciate the Minister’s thoughts on that, and to know whether she is prepared to put that to her colleagues in the justice department.

Overall, it is not a very pretty picture, is it? All sufferers of domestic abuse deserve joined-up help—and here is the rub. I welcome the duty placed on local authorities to provide accommodation for victims and to publish their strategy and range of support services, but they cannot provide everything needed with no additional resources—let alone, in the case of children’s services, at least, with less. Not investing in the future of current victims, and not intervening early to support victims and perpetrators, will cost far more both financially and in human suffering further down the line, when the state has to pick up the pieces of broken lives. That is why the Bill is so important. It is our chance to improve the lives of an estimated 2 million adult victims a year, let alone their children, but only if we are bold, radical and prepared to put in the resources to stop the suffering. Shame on us if we do not grasp the opportunity with both hands.

12.08 pm

The Earl of Listowel (CB): My Lords, I, too, warmly thank the noble Baroness, Lady Newlove, for calling this important debate and for holding her office of Victims’ Commissioner for the past seven years. I am sure that her fire for these issues will not diminish

[THE EARL OF LISTOWEL]

because she has moved on from that post. I thank the Government for the draft Bill, in particular the Prime Minister—who has made it a point since she entered office of reaching out to those just-managing families—for her work developing social housing and her courage in pushing that issue. We know that victims of domestic violence may have a short time in a refuge, but they need stable and secure housing so that they can recover from the trauma. The measures that the Government are introducing to make more social housing available are very welcome; of course, we all think that they should go much further in that regard.

I thank the Children's Minister, Nadhim Zahawi, who recently announced significant additional funding for family drug and alcohol courts. Currently, there are nine of them; founded by district judge Nicholas Crichton, they have been going for seven or eight years. They support parents, mainly mothers, in getting off drugs and alcohol so that they can keep their children and move forward. I suspect that many of those mothers experienced domestic violence in their early lives; of course, through their addictions, they are vulnerable to further exploitation and mistreatment. I warmly welcome that funding.

I also express my thanks to James Brown, a partner in Hall Brown, a family law firm that has led work to resuscitate the Family Drug and Alcohol Court National Unit. His work has resuscitated that unit, which will help to lead work on spreading family drug and alcohol courts across the country, preventing many children going into care and protecting mothers from domestic violence.

I declare an interest as a trustee of the Michael Sieff Foundation, the Brent Centre for Young People—a mental health service for adolescents—and the Child and Family Practice Charitable Foundation, a mental health service for families.

In summary, I stress the need for specialist services in refuges, especially mental health services to support the mental health of mothers and their children in these settings. I emphasise the need to recommit to our universal services, such as health visitors, teachers and social workers. Austerity has been very challenging for them. As a nation and as a society, we need to commit to these caring professionals if these families and other vulnerable groups are to get the help they need.

My experience of this issue includes speaking with various affected individuals and victims. From what I have seen, over time, mothers can be trapped in long-term relationships, as has been said before. One particular example is a mother whose immigration status was uncertain, so she depended on her partner to be able to remain in this country in the long term. Over several years, I saw this confident, hard-working woman lose her confidence and become brittle and prone to tears when facing challenges. Unfortunately, her daughter was led to take her father's side, so complications also arose from that. Language was also an issue because she did not speak English confidently.

Some of the young people I have worked with and am acquainted with come from such families. They may turn to drugs for a way out, to escape the feelings arising from their experiences. That can lead to early

death; indeed, it did in the case of one young person in my acquaintance. That is an issue. I know another young person from such a background who suffered from paranoia, bouts of anger and, in particular, difficult relationships with women. For girls, such relationships in their family can poison their future relationships with men and put them at higher levels of risk. As we have heard, this serious issue has serious consequences.

On specialist support for mothers, refuges run by charities and shelters run by local authorities are very important. However, a Royal College of Psychiatrists briefing highlighted that these refuges are not always fully integrated with mental health services. Professor Panos Vostanis has worked in this area at the University of Leicester for many years, providing support to families in refuges. He highlights the high level of need of these children—they live in chaotic circumstances, often with high levels of staff turnover, and are often in these settings for only a short time—and the fact that we must target support for their mothers' mental health if we are to help these children effectively. He has found in particular that supporting family support workers in those settings can be very useful. I suggest that some sort of clinical consultation or supervision in these settings may be very helpful to these families and improve their outcomes. Can the Minister point me to a working group looking at improving mental health support for families in refuges? Would she consider a meeting with interested Peers sometime before the Recess to look at some of these issues in more detail?

I have mentioned the importance of early years in prevention. This week we heard evidence on Sure Start; 10 and 11 year-olds who have been through Sure Start have a significantly lower level of hospitalisation. Early intervention works, yet it has been stripped down in the course of austerity. We really need to reinvest in that area, and that is why the point that the noble Baroness, Lady Burt, made is so important. We need to fund local authorities properly to provide these services. Of course, youth work is important for young people experiencing domestic violence in their families.

What can men do in this area? Men can be good fathers, grandfathers and uncles. Male teachers in schools can be consistent and reliable. It is through these early relationships with men that girls and young women can gain self-confidence and self-esteem. They can also begin to make judgments about what a good man is and perhaps make better choices in who their long-term partner might be. I look forward to the Minister's reply.

12.15 pm

Baroness Jenkin of Kennington (Con): My Lords, I too am grateful to my noble friend Lady Newlove for initiating this timely debate and glad to have the opportunity to pay tribute to her for the enormously hard work she has put in as Victims' Commissioner for the past seven years. Helen has been an inspiration to so many who have suffered through no fault of their own. As she said when she was created a Peer in 2010:

"I am just an ordinary woman, propelled into high profile by a set of horrifying circumstances which I wish with all my heart had never occurred".

What she has achieved since then is more than most of us can ever hope to. Her family and friends must be rightly proud of her—and how proud her husband Garry would have been too.

It is extraordinary to think that it was only some 45 years ago, in a speech in the other place, that the late Lord Ashley first used the term “domestic violence” in a modern context, meaning violence in the home. Until then the term referred mainly to civil unrest, violence from within a country as opposed to violence perpetrated by a foreign power. That was at a time when no agency, police or otherwise, intervened in so-called domestics and it was normal to consider intimate partner abuse, if not exactly acceptable behaviour, at least none of anyone else’s business. Thankfully things have moved on, but anyone who knows anything about the subject or has received briefings from charities or other NGOs for this debate, let alone the Library document, knows only too well that violence is still on the rise—although the increase is possibly due, at least in part, to improvements by police forces in the identification and recording of incidents and the apparent increase in the willingness of victims to come forward.

The odds are that most of us will know someone who has experienced such abuse. Looking around the Chamber, the odds are that at least some of us—although not me, as it happens—may have experienced violence. I remember the testimony from the noble Lord, Lord Paddick, in a previous debate on this topic, describing the coercive behaviour he experienced from his partner, later developing into physical violence, all while he himself was a serving policeman.

Someone close to me had been physically abused for years by her husband before her injuries were so severe that she was forced to attend A&E, which finally led to the legal process taking its course. This is often the case. Through her attending hospital, the health service was finally able to reach her and she was taken care of, as are so many others in her position. The health service reaches everyone—victims, perpetrators and children—without stigma.

In this House we are lucky enough to have access to experts on almost every topic under the sun, and I for one am a bit disappointed and frustrated when—for technical reasons, I suppose—we are unable to hear from them on the subject of their expertise. I refer today to my noble friend Lady Barran, founder of the domestic abuse awareness charity SafeLives, who served as its chief executive from 2004 to 2017. We may not be able to hear from her today—although I am delighted that she is at least able to attend this debate—but I am sure my noble friend the Minister is consulting her as the Bill wends its way through the political process. I spoke to her in advance of this debate and asked her what motivated her to set up the charity. Like me, she had a friend who had experienced abuse and she realised that what women in particular really need is the ability to stay safe in their homes, to keep their children in their local schools and, if possible, to get help for their partners. It is also important to have one person to talk to who can assist and advise on all aspects of the abuse. Peer support from other women who have been through similar experiences is also crucial.

But why, in 2019, is it still an expectation that it should be the woman who leaves the family home, rather than that the perpetrator should be held to account and, where possible, helped to change? Unless the behaviour of these perpetrators is addressed, the size of the problem for both women and children will not be reduced. We may be making the current Mrs Jones safer, but Mr Jones is likely to find a new partner, will probably have more children and, in all likelihood, will repeat his behaviour. So I ask my noble friend to consider more provision for perpetrator programmes and one-to-one work with perpetrators to build on the progress made in recent years to support and protect women and their children.

These are complex issues. Every case is a tragedy and needs an individualised approach. But this is the first time in a generation that we have the chance to change and improve the system for millions of people. The Bill presents a huge opportunity to go beyond a traditional criminal justice system approach to domestic abuse. We must not waste that opportunity.

12.21 pm

Lord Ponsonby of Shulbrede (Lab): My Lords, I too pay tribute to the noble Baroness, Lady Newlove. I particularly agree with her opening point on the inappropriateness of using police requisitions rather than police bail when one is dealing with domestic abuse cases. This is something that I see quite often and it is of great concern. I also agree very much with the comments of my noble friend Lady Armstrong and the noble Baroness, Lady Burt. We sit on the Joint Committee for the draft DA Bill and it has been a pleasure and a privilege to serve with them both. I sit as a magistrate in London, in Westminster magistrates’ court in the Specialist Domestic Abuse Court, and I will concentrate my comments on the way we work in that court.

I have been a magistrate for about 14 years now, and in that time we have seen a development of the recognition of domestic abuse as a pervasive ill in our society. The courts have adjusted procedures and sentencing practices and we are still looking at ways to hear cases fairly and reduce the very high drop-out rate of cases coming to court.

I will make a brief comment on family courts. Some 70% of all cases in the family courts have a DA element to them. Of course, that needs to be recognised when we are finding suitable long-term arrangements for children. That is a separate subject and I will not dwell on it now, but I think that the Government’s three-month review of the role of the family courts is inadequate. It is a very complex matter and one of the most difficult things that I have to deal with, so a more in-depth study would be appropriate for the work of the family courts.

The figures for domestic abuse in England and Wales are in the briefing note that we received from the Library. It is clearly a gendered crime in that the vast majority of victims are women, but other groups such as disabled people and elderly people are disproportionately vulnerable. It is also a hidden crime in that it occurs mainly in private, in the home. It is also—this has been touched on in today’s debate—difficult

[LORD PONSONBY OF SHULBREDE]

to define what domestic abuse is. The perspective of domestic abuse has evolved in the time that I have been aware of it over the last 14 years.

I shall say something more about the work of Westminster magistrates' court. It is supported by a charity, Standing Together. Complainants are supported through the court process. This time-consuming work is done so that women—and it is usually women who are the victims—understand the process and the likely outcomes of the court's sentences. Another important factor is that the court will be better informed when making bail decisions. Bail is very often one of the most difficult decisions one has to make in court. The additional information we get as magistrates means that we can make better decisions. All this extra, non-statutory support that we get in Westminster magistrates' court is paid for by the local authorities—Hammersmith and Fulham and Westminster councils.

I shall go through the extra support we get from the co-ordinators who work in the court. First, the complainants' wishes are much better understood by the court than may normally be the case outside a domestic abuse situation. Secondly, there is a far fuller understanding of ongoing proceedings in other jurisdictions, other matters that may be coming to court and previous hearings. Thirdly, and equally importantly, the co-ordinator will liaise with social services to understand issues in the family background and the housing status of the men and women involved. Fourthly, we get additional police information—namely, callouts to the home. That can, and sometimes does, colour our decision on bail. There is also better tracking of cases. There is liaison with local authorities through the MARAC procedure, which is the complex recording and research of difficult cases, and with police community safety officers and witness care.

It is evident to me that, while these courts play a central role in ensuring that the guilty are brought to justice, they are, and must be, only one part of a wider co-ordinated community response to the complexities of domestic abuse. Ongoing support of DA victims not only supports better outcomes in court but means that victims will feel better able to leave abusive relationships and live safe, violence-free lives. The management of specialist DA courts is done by the normal court listing process, but we have 10 agencies that regularly sit in on meetings as we review procedures and listing patterns.

As a magistrate, I do not get involved in looking at conviction rates. Magistrates leave that to the CPS and literally leave the meeting when that subject is talked about. Our concern as magistrates is just that the case gets on so that we can have a fair hearing of the matter before us. I know that the Government are sympathetic to the work of these courts, and we have benefited greatly from the non-statutory support of the specialist co-ordinators. However, I believe that, even without that support, the court could do better in addressing the procedures and levels of co-ordination with other agencies to get better outcomes for domestic abuse cases. The statistics in Westminster show that the number of defendants is increasing, the conviction rate is increasing and the number of hearings per completed case is decreasing—all of which helps to give proper support to specialist domestic abuse courts.

12.29 pm

Lord Wasserman (Con): My Lords, I begin by drawing attention to my interests as set out in the register. I do this because some of what I want to say today, particularly about technology, reflects things that I learned while I was serving as an adviser to a firm operating in this field. I want to make it clear, however, that I no longer have any commercial interests in this area.

Having got that matter out of the way, I add my congratulations to my noble friend Lady Newlove on securing this debate. Like my noble friend Lady Jenkin, I pay tribute to the outstanding job that she has done both as this country's first Champion for Active, Safer Communities and, more recently, as the Victims' Commissioner for England and Wales, a position from which she retired at the end of last month.

I am sure that my noble friend would agree that neither of those jobs was easy, but I can tell noble Lords that, on the basis of reports I have had from police and crime commissioners around the country, my noble friend has carried out both jobs with great distinction and that she leaves her most recent post, that of Victims' Commissioner, with the heartfelt thanks and deep respect of all those who care about victims and are trying to help them.

In two previous speeches that I made on domestic violence in your Lordships' House, I talked about the availability of technology which would improve both the safety and happiness of victims of domestic abuse but which could not yet be used effectively in this country because the courts did not have the power to make it mandatory. On both occasions, I urged the Government to introduce legislation to allow this to happen before more innocent victims lost their lives in attacks that could have been prevented had this technology been in use. I therefore make no apology for returning to this subject again today. We really are talking about matters of life and death.

The technology that I have in mind is a form of electronic monitoring or tagging developed specifically for domestic abuse cases and known as proximity monitoring and notification systems. These systems provide victims with early alerts that their potential attacker is in the vicinity, whether the victims are at home, at work, with friends or on the move. They do this by fitting the potential attacker—sometimes called the offender or perpetrator—with a securely attached radio frequency, or RF, ankle tag and by giving him a GPS tracking unit, which he must carry with him whenever he leaves his home base.

If the offender tries to tamper with the ankle tag or leave home without the tracking device, an alert is generated at the monitoring centre associated with the scheme, 24/7. In this way, his location is continuously tracked by the monitoring centre. Whenever an offender fitted with this equipment attempts to enter a predefined restricted zone—for example, within 500 metres of the victim's home or workplace or wherever the victim happens to be at the time—the technology generates an alert. The alert is transmitted to the victim, who has been given a GPS alarm unit to carry with her at all times. The portable unit alerts her that the offender is nearby and that it would be sensible to leave the area. The offender is also alerted by those monitoring

the system that he is entering a restricted zone and should leave it. At the same time, the police are alerted that the offender is heading into a restricted zone and can notify local units that they need to respond to a potential attack.

As I have said, I have referred to this technology in at least two speeches in your Lordships' House. In both, I pointed out that, while proximity tagging does not deal with the underlying social and psychological causes of domestic abuse, it can save lives. To give your Lordships some idea of just how many lives I was talking about, I pointed out that between my first speech in November 2014 and my second in March 2018, 300 women had been the victims of domestic homicide.

However, this technology can save lives only if the courts have the power to make it mandatory. We have another opportunity to make this happen as part of the new domestic abuse protection orders to be included in the forthcoming domestic abuse Bill. I urge the Government to bring this Bill and these orders into law as expeditiously as possible so that this new technology can be trialled and introduced across the country. I know that several PCCs are simply waiting to be able to mount such trials as soon as the law permits them to do so.

I understand that this technology by itself is not a panacea for domestic abuse—indeed, it is not even a cast-iron guarantee that the victims of determined perpetrators will always be safe from harm. The use of tagging depends on adequate police resources to make it effective. There is no point in the police knowing that an attack is about to take place unless they have the resources available to prevent it. That is why technology by itself is only part of the answer. It must be complemented by adequate police resources and the appropriate legal powers.

I very much regret that I do not have the time to mention any of the many innovative, non-technological domestic abuse prevention and support programmes which police and crime commissioners up and down the country have developed and are funding, often out of their own resources. I have had emails from at least 10 PCCs giving terrific examples of what they are doing. I am sorry that I have not been able to include them, but I suspect that my noble friend Lady Seccombe will tell us something about what at least one PCC is doing in this area.

I do not want to sit down without mentioning the brilliant appointment of Dame Vera Baird, the PCC for Northumbria, as my noble friend Lady Newlove's successor as Victims' Commissioner. I congratulate Dame Vera on her appointment. I can think of no other PCC who has done more to highlight the importance of domestic abuse as a police priority. With her experience, both as a PCC and a Minister in Whitehall, victims of crime—and especially of domestic abuse—could have no better champion. Her task is immense and urgent. It is also critical to the safety of our communities. I wish her well.

12.36 pm

Baroness Brinton (LD): My Lords, I declare an interest as co-chair of the APPG on Victims of Crime. Members of your Lordships' House may know that I

also have a Private Member's Bill sitting in the queue, on the rights and entitlements of victims of crime. I hope it might achieve a Second Reading at some point in the next year. I echo the congratulations to the noble Baroness, Lady Newlove, on securing this debate, as well as the thanks and congratulations for her work over the last seven years as Victims' Commissioner. I wish her successor much luck as she takes up the reins. During this period, there has been a considerable movement in support for victims of crime. I thank the noble Baroness and her staff for having been able to focus on and target that.

I will not echo the many statistics shared by colleagues on domestic violence. I want to focus on one of my—I am afraid—perennial comments: until we mandate agencies to deliver support, we cannot guarantee that support for victims of domestic abuse and all the associated crimes surrounding it will be achieved. I was pleased when the Government published their new *Victims Strategy* last autumn, but noted with concern that we had moved only to holding,

“agencies to account for compliance with the Victims' Code through improved reporting, monitoring and transparency”,

rather than insisting that these agencies have a duty to deliver the support that victims require. For victims of domestic violence, a very broad range of agencies may be involved, including schools, probation, social services, children's services and all the different elements of the criminal justice system.

I want to use as illustration a particularly distressing case where it was absolutely clear that the support mechanisms failed. This is the case of the five year-old boy, Alex Malcolm, who was beaten to death by his mother's partner. His mother, Liliya Breha, had not been told that her partner had a list of previous offences, nor that the probation service had been in touch with him, using her phone to talk to and check up on him. At no point had she been warned that he had any history at all. After her son had been murdered and her partner was found guilty, she was horrified to discover in court for the first time that he had a string of previous convictions that it took the court 15 minutes to read out. That is exactly the sort of support I am talking about: the probation service should be mandated, where it knows that there is a new partner, to work with that partner to say, “Perhaps you need to be aware of past history”. In this case it was not a one-off; he had a long track record. It was an absolute disgrace.

By the way, I regard “agency” as everything that the victim needs for support. In this case, Ms Breha also lost her right to stay in this country when her son was murdered, although she was moving towards citizenship, because she was here as his parent. The Home Office immediately moved to start deporting her. I know that was put on hold, but at what point do we actually try to genuinely support the entire life of a victim? She had seen her partner jailed for crimes, she had not been told about what had previously happened, her son had been brutally murdered and the inquest had been delayed because of the court case. Her particular domestic violence even continued on the day when her partner murdered her son. He brought the child home and then punched her when she tried to call an ambulance

[BARONESS BRINTON]

because she was screaming and crying at the sight of her son's body. Even then she was still a victim of domestic violence.

We also need to consider the view that children's services sometimes take of mothers. The noble Baroness, Lady Jenkin, said that we need to keep families together and ensure that the security of home is there, but a distressing point, also picked up by my noble friend Lady Burt, is the number of women convicted of a crime—some jailed—as a result of their domestic abuse. Louise Tickle said in an article in the *Guardian* last November:

“Too often victims' experience is a grotesque indictment of the child protection system that is failing both women and children. A clinical psychologist tells me of one mother who survived a shockingly violent relationship despite getting little support from any service that might have been expected to help. Instead of support and concern for her safety, she lost her children to adoption”,

because she had not protected them enough. She continues:

“In an extraordinary twist, this woman now has a criminal conviction for failing to protect her children, while her abuser remains free”.

That is a failure of the support agencies to work with victims of abuse.

That is why I have asked repeatedly that, where there is at least one serious history of domestic abuse, coercive control or stalking, we have a register. People facing the possibility of future violence need to be able to go to the agencies and say, “Is the person I am with dangerous?” There is a second part to that, which I have already covered: the agencies need to alert partners—usually women, occasionally men—about the new partner in their lives.

I want to pick up on my noble friend Lady Burt's very good list of things that we need to think about in relation to victims of domestic abuse and their families. While refuges are important, it is increasingly clear that housing is a major issue if people have lost their homes. The idea of a mother and child going into emergency accommodation, which is very stretched, and not having their own private unit other than a bedroom, is extremely worrying.

I conclude by saying that there are some happy endings. I worked with a woman who, along with her children, was the repeated victim of domestic abuse in Watford around a decade ago. The woman had to have panic alarms installed and the police were frequent visitors to the house; she got the support that she needed. Her young daughter at the time was absolutely terrified. The mother is now a leading advocate in Watford. Her daughter was determined that that should happen to no one else, and she is now a police officer.

12.43 pm

Lord Parekh (Lab): My Lords, I thank the noble Baroness, Lady Newlove, for securing this debate and introducing it so well. Domestic violence and abuse is a serious problem. There were some 2 million incidents last year alone; 1.3 million against women and just under 700,000 against men. That does not give a full picture because I am told that 83% of partner abuse is

not even reported to the police, so if that were to be taken into account then the figure would be much larger.

I suspect that the figure will be larger still over the years, partly as a result of Brexit. We know that when people feel frustrated and angry, they build up aggression. That aggression takes many forms, one of which is attacking the vulnerable. I suspect this will become an even more serious problem than it has been thus far. It requires a lot of attention.

I want to make four or five points rather quickly. Each one contains a question. My first point is about definition. When we talk about domestic violence, we seem to think largely of violence between partners. We tend to ignore—we certainly have so far—violence done to children under 16 and to people over 60. These two groups should not be ignored; they are important. In the case of children, there are all sorts of forms of abuse, such as denying them love and affection, or denying them any kind of support. In the case of elderly parents, there is a tendency to ignore or maltreat them, or not let them talk to neighbours in case the neighbours find out what is going on. We should think of domestic violence in not just the narrow context of relationships between partners but also in the context of children and elderly people.

Secondly, when we talk about domestic violence, we concentrate on the victim. Although that is important, I suggest that we ought to also concentrate on the perpetrators. After all, here is a man who must have loved his wife once, or fallen in love, or built up some affection. Why has he turned so violent? What has gone wrong? How have his circumstances changed? Is he unemployed, or experiencing difficult relationships with people at work? What has gone wrong? It is important to concentrate on the individual and help him regain his balance and sanity, so that the old relationship can be restored. It is also important that it is a question of not just understanding him but attaching some sanctions. It is quite serious that a perpetrator does not lose his house or job, but stays where he is, while it is the victim who we think of resettling somewhere else.

My third point relates to the role of doctors. Doctors are important, because many women, and some men, who are victims of abuse will tend to turn to their doctor as the first port of call, indicating what the problem is and asking for help. Doctors are not trained for this kind of thing; they are not social workers. So what will the doctor do? He might say, “Well, go and make your marriage work, forget all about it”, or simply, “Look, these things happen, don't worry too much about it”. He might even offer to talk to the husband, in which case things become even worse. Therefore, there has to be some concentration on doctors as the first point of entry for those in this situation.

I am sorry for rushing through my points, but I would like the Minister to take account of them. My fourth point relates to providing a safe and guaranteed refuge. It is very disturbing that quite a lot of women who ran away from home in a state of emergency were turned away by the local council. It is very important that there should be a statutory obligation on local

authorities to provide emergency refuge services. It is also crucial that these refuges have trained staff. When a woman runs away, the husband may know where she is or wants to find out, so he goes to the refuge and asks all kinds of questions. Unless staff are properly trained, they are either rude to the husband or they try to provide the kind of information which ought not to be provided. I say this from experience—not personal experience—as I have heard about people asking refuges where their wives are and then acting on that information.

Fifthly, as the 15th recommendation of the Home Affairs Select Committee report states, it is important that there should be,

“‘by and for’ BAME domestic abuse services”.

BAME victims of abuse have special requirements and circumstances. In a multicultural society, you cannot simply treat everyone using the same norms. People from BAME backgrounds have different problems, different cultural sensitivities and count different circumstances as duress. What constitutes violence? There is a general definition, but beyond a certain point, it varies from community to community. What constitutes harassment, or an apology? It is therefore quite important that we ought to provide services certainly “for” ethnic minorities. I would not go with the report and say “by” them, because there is no reason why they cannot be provided by British people, but the important thing is that there should be a special category of services for them.

The last point I want to make is that, in the data that has been circulated to us, we do not get detailed analysis of when domestic violence occurs, why, in what circumstances and by whom. Some research indicates that, for example, it tends to occur at weekends, during a woman’s pregnancy—not for obvious reasons—or among people between the ages of 26 and 30. If we can begin to build up a picture through statistical analysis such as this, we will be able to anticipate where the problem will occur and what can be done about it. I strongly suggest that we should have a full statistical analysis of whether the husband is in employment, and of what kind, whether he has been out of employment, whether he has been thrown out of it and what his circumstances are. Unless we can get a full account of all this, we will not be able to tackle domestic violence pre-emptively.

12.51 pm

Lord Suri (Con): My Lords, like many of you, I first wish to pay tribute to the untiring efforts of my noble friend Lady Newlove. As Victims’ Commissioner, and well before her appointment, she has devoted an incredible amount of time and effort to raising the profile of the victims’ code and supporting those who have been the victims of crime. She is an inspiration to all of us who work in public policy.

Amidst the stifling enormity of Brexit, it seems that important parts of the domestic agenda have been left adrift or to be patched up by ad hoc measures and not substantive legislation. I am glad that domestic violence is not one of those issues, and that the Government have a proper Bill, which I am proud to support. The Prime Minister has announced her formal departure, to take effect on Friday. While she may not have had

the chance to pass as much domestically as she might have liked, she can take pride in setting the groundwork for the Bill at the Home Office and pushing it along in No. 10.

I am particularly gladdened that the appalling practice of survivors being cross-examined by their abusers is to be outlawed, which will bring us into line with other common law jurisdictions. The understanding we have of coercive control has been deepened with new research that suggests that the court process itself might enable it—this practice being a good example. I look forward to a further discourse on this important issue and commend the Government for this sensible proposed change to the law.

That said, some alterations could be made that would improve the Bill’s impact and ensure fair treatment for those who suffer domestic abuse, wherever they are in the country. In another place, the Member for Sheffield Heeley has drawn on the saddening treatment of a constituent to suggest a sensible alteration, which received cross-party support in a letter to the Lord Chancellor. It is a sad fact that rapists are entitled to seek access to children they father by Section 8 of the Children Act, which entitles the family courts to make contact or residence orders in favour of a natural parent. The paramountcy principle embedded in statutes is powerful, and the discretion afforded to the court is wide. It is appropriate for us as legislators to see if there are public policy reasons to limit the scope of this discretion. I think Members here and in the other place, as well as the general public, would agree that rapists should rarely, if ever, receive rights of parental access.

While such an amendment might seem difficult to include, there are other statutes from which we can draw useful parallels. The Human Fertilisation and Embryology Act, which other Members might recall, excludes donors of gametes and embryos from being automatically included in the category of persons entitled to apply for such orders. As such, applicants have an additional barrier to overcome before the orders can be granted in their favour, and the actual paramountcy test embedded in statute need not be altered or amended.

We have previously combined departmental competencies in single Bills, and the domestic abuse Bill does seem an appropriate vehicle for such a policy, given the interconnectedness of sexual and domestic abuse. With limited parliamentary time for policies that do not relate to Brexit, it seems prudent to consolidate some issues, so that important domestic policies can receive the legislation they deserve.

Will the Minister consider working with the Ministry of Justice to conduct a consultation regarding this important issue, which has already received cross-party support in the other place? Alternatively, will the Minister consider consulting on a separate Bill to remove parental rights from rapists?

12.57 pm

Lord Bassam of Brighton (Lab): My Lords, I too want to join other noble Lords in congratulating the noble Baroness, Lady Newlove, on bringing forward this debate today. I also echo the general thanks that

[LORD BASSAM OF BRIGHTON]

have been given from all sides of the Chamber for her important work as Victims' Commissioner, where she has clearly made a very big impact and begun to make some fundamental changes to the way victims are considered and treated, and also looked in some depth at the issues confronting those who have experienced, and continue to experience, forms of domestic violence.

Unlike other noble Lords in this debate, I do not bring a particular expertise or insight into this issue, other than through indirect experience. However, I have some thoughts I want to share, and I also want to reflect on the broader issues, relating to a particular category of victims—migrant women.

Over 50 years ago, I returned home from school to find two bikes outside my front gate, rather than one. Inside, my mother was talking very earnestly to a friend she worked with. They were both packers and pickers on a farm which specialised in soft fruits. This woman, whom I knew very well, had her two children with her, and was in a considerable state of distress. My life changed quite dramatically for several months thereafter, because I had to quit my bedroom and share our home with my mother's friend. I am very pleased and delighted that we did, because my mother, being the compassionate and supportive sort that she was, ensured that this woman was protected from the violence that had been visited on her for some years by her husband.

I remember being very curious and asking my mother later what brought this about, and she said to me: "Well, it was just awful". She described what had been going on. I remember asking, as a teenager, "Why doesn't she go to the police? Why does she have to share our home—not that I mind?" My mother said, "Would you want to go and report this to our local policeman?" I thought about that a lot. I think my mother was probably right at that time, and the local authority was not very sympathetic or at all helpful.

In some ways, things have improved, but in others they have gone backwards, and we need to reflect on that. For that vulnerable group of women who are migrants to our country, things are not great. This is an important moment in the development of policy on domestic abuse, including in the Bill which has been consulted on for some time. It offers solutions but for some these are not adequate ones. We know that domestic violence has a devastating effect on people's lives and that the stats are not good: 2 million people a year are affected by it.

As it is, the Bill probably leaves behind some of society's most marginalised and isolated survivors of domestic abuse, particularly migrant women. As a result, I take the view that it fails to meet fully the requirements of the Istanbul convention, despite the Government's well-intentioned moves to ratify that convention through the introduction of the Bill. Given the wealth of evidence submitted to the Government's consultation on the Bill, it is important that we have clear language in the legislation that protection must be afforded to survivors, regardless of their immigration status. It is extremely disappointing in that context that migrant women are not mentioned anywhere in the legislation. If the Bill does not promote equality

and ensure protection for all survivors of abuse, it will fail to incorporate the Istanbul convention and risks violating our own existing human rights obligations under the European Convention on Human Rights and the Convention on the Elimination of All Forms of Discrimination against Women.

There are four areas of concern here. First, women with insecure immigration status find it impossible to access refuges and other welfare support in order to escape violence and abuse. Without access to public funds and housing support, they are routinely denied refuge spaces, safe accommodation and welfare. They are therefore faced with impossible decisions about becoming destitute or homeless, or returning to the perpetrator. Many often find that they are unable to regularise or confirm their immigration status, for a host of complex reasons.

The second area of concern is that immigration enforcement has been prioritised over the need to provide safety and security to survivors of domestic abuse, perhaps as a hangover from or continuation of the Government's hostile environment agenda. Invasive data-sharing agreements between public services and immigration enforcement prevent survivors with insecure immigration status accessing the very services that they need.

Also, the Bill does not meaningfully acknowledge or address the significant additional barriers faced by migrant women in accessing protection, including that abusers commonly use women's fears of immigration enforcement and separation from their children to control them. Research has pointed to particular vulnerabilities for migrant women. These include: a higher proportion of homelessness; greater financial impact from abuse because of their inability to work, on account of their immigration status; being disproportionately affected by a lack of support when facing forms of abuse such as FGM, forced marriage and so-called honour-based violence. They are also more likely to report multiple perpetrators.

We also have to acknowledge that there is likely a justice gap, with the police not pursuing criminal charges.

The Bill therefore needs to introduce a non-discrimination clause. It has to provide for safe reporting systems for survivors accessing vital public services. It also needs to consider extending eligibility for the existing domestic violence rule and destitution domestic violence concession to all migrant women who experience or are at risk of abuse. Urgent consideration needs to be given to ensuring that those who report domestic violence and abuse should be exempt from having no recourse to public funds; they should be supported.

If we can begin to consider those issues and tackle them in the legislation, perhaps with amendments being brought forward, we will make some big leaps forward for those who are among the most vulnerable in our community.

1.04 pm

Baroness Helic (Con): My Lords, I pay tribute to noble Lords for their many eloquent and informed speeches, and to our Prime Minister for her leadership

on this issue. I thank the many organisations and individuals who have campaigned for changes to our laws and worked with survivors for decades. In particular, I take this opportunity to thank my noble friend Lady Newlove for all her work over the last seven years.

I grew up in a supportive and loving family environment. The one thing that my father expected from me, apart from hard work, was always to respect my mother in the way he did. In my professional life, I have worked for seven years on the Preventing Sexual Violence in Conflict Initiative, a campaign to end the use of rape as a weapon of war. Early on in this quest, a woman who worked with victims of domestic violence in London came to see me. She asked why I was spending so much time on violence against women abroad when women at home, here in the United Kingdom, were suffering. My answer at the time was that, to my knowledge, we had a system to look after and support survivors while women in war-torn countries had nothing—no protection, no recognition, no funding and no justice. But her question stayed with me and I have often thought about her. I have concluded that I was wrong and that we have to do both. We must confront abuse at home and use our influence abroad to try to address mass atrocities; to do one without the other is illogical.

It is truly appalling that in the 21st century, the most dangerous place for a woman is her home. According to the UN study of gender-related killing, more than half of all female murder victims in 2017, globally, were killed by an intimate partner or family member. Women are far more likely than men to die at the hands of someone they know, and someone whom they think loves them. I acknowledge that many men and boys are victims too, and I acknowledge the men who work steadfastly on these issues, including in our police forces, NGOs, government departments and Parliament. None the less, domestic violence disproportionately affects women. It is an injustice compounded by inequality.

It is deeply troubling to me that the Office for National Statistics reports that there has been little change in the prevalence of domestic abuse in the United Kingdom. As others have pointed out, an estimated 2 million adults experienced domestic abuse in our own country during 2017-18. Most of these cases still do not come to the attention of police or result in a conviction. This requires deep scrutiny and national soul-searching. The total economic and social cost of domestic abuse is greater than the total estimated economic and social cost of crime, according to the Home Office, even without taking into account the costs associated with financial and economic abuse, for which there is little data, and costs relating to children and the wider family. This is truly a social and public health emergency.

In addition to urgent questions regarding medical support, social services and housing, I believe there is a huge cultural taboo and stigma contributing to it still being an underreported and invisible crime—a crime behind a curtain. Women who try to report abuse are often described as crazy and emotional. They often face pressures from family and friends to keep silent, or to minimise what has happened to them. There is a stereotype that a strong woman

cannot be a victim of domestic violence, or has somehow provoked her partner's behaviour. Mothers are often labelled as angry or vindictive when they try to shelter their children from the effects of continuing trauma after they leave. We have a long way to go to understand the dimensions of this crime and stop failing survivors, either through our legal and health systems or our social attitudes.

I strongly welcome the Government's intention to enshrine in law the definition of domestic abuse, including controlling, coercive and manipulative non-physical abuse. Other countries could learn from this example. I also welcome plans to establish a domestic abuse commissioner, to create new domestic violence protection notices and orders, and to prohibit the cross-examination of victims by their abusers in the family courts. However, we must not forget children. Children are not the property of their parents and we need to pay far greater attention to their trauma and needs. No one has a right to damage or traumatise them and destroy their lives, their parents included. I hope that the Government heed the call from the House of Commons Home Affairs Committee to recognise this explicitly in the legislation and to develop a specific strategy for their protection and support. I hope the Minister tells the House what plans there are to introduce paid leave for victims of domestic violence, and improve training and education of GPs and obstetricians in the UK, in this area.

I worked for many years with my noble friend Lord Hague of Richmond. It made a deep impression on me that he, who served as Leader of Her Majesty's Opposition and Secretary of State for Foreign and Commonwealth Affairs, regards the passage of the Disability Discrimination Act 1995 as the proudest moment of his career, given its transformative impact on laws and attitudes. We can take inspiration from this, and work hard to ensure a real and transformative change that can eventually root out this disease of domestic violence from our society. I hope that the domestic abuse Bill is one day an Act that we are all proud of too.

1.10 pm

Baroness Prashar (CB): My Lords, I too thank the noble Baroness, Lady Newlove, for securing this debate and for her continuing efforts to improve outcomes for victims of domestic abuse. I also pay tribute to the way she has championed the cause of victims. I am delighted that her excellent work will be carried on by Dame Vera Baird, who, as the noble Lord, Lord Wasserman, said, has also been a champion for victims for a number of years.

Domestic violence, as we have heard from everybody, is something that should not be tolerated, because its consequences are dire. It affects all communities, walks of life and ages and, sadly, is very common in our society, as has been stated by a number of contributors to this debate. I welcome the Bill and some elements within it but, in my few remarks, will focus on older people who suffer from domestic abuse.

Age UK has raised a serious concern over the lack of information on older people who suffer from domestic abuse. Before 2017, information was collected up to the age of 59. In 2017, the age limit was extended to

[BARONESS PRASHAR]

74 for the Crime Survey for England and Wales. This means that older people are hidden in this issue. Perpetrators do not have a cut-off point when their behaviour ceases to be abusive towards a victim. Data needs to be collected beyond age 74. As people live longer, there is a greater need for good, comprehensive data on which to base our policies, legislation and targeted help for victims. Older victims are often likely to rely on the perpetrators of abuse for their care and needs. They are, therefore, less likely to report abuse or even be physically able to report mistreatment. As public services become increasingly digitalised, this large group of vulnerable people risks being left behind and unprotected. If the person is ill, different agencies may already be involved in supporting their needs. It is self-evident that a multiagency approach is needed to address safeguarding issues.

Emphasis on multiagency and partnership working needs to be enshrined in legislation to ensure effective support for victims. The elderly can even be carers themselves, often less able to gain access to help and recover from the trauma of abuse, especially when it is sustained abuse. The elderly in minority communities may suffer disproportionately, as there are often closer ties and the victim is perhaps more intimidated and afraid of reporting abuse for fear of stigma, or language barriers may prevent them from speaking out or knowing where to find help.

We may be failing a large part of our society when we do not include figures for anyone above 74 years of age in the information gathering. There is also a need for better understanding of the abuse suffered by elderly people, as there is a need for better resources. It is disturbing to think that the elderly and vulnerable who are subject to physical violence are not in the figures we currently collect. It has been noted how huge the costs are to deal with this crime, with many agencies and public bodies picking up the pieces. If we do not collect the right data and make better provision for multiagency working, we will not be able to make any reductions in the number of incidents, assist victims adequately, stop abuse from happening or reduce costs.

While the issue of abuse in care homes does not come under the remit of this Bill, perhaps it would be helpful to look at both issues together to see where our systems and procedures are failing the elderly at a particularly vulnerable time in their lives. Issues around domestic abuse of the elderly can often materialise at the point of leaving hospital. If adequate multiagency care is in place, there is less likelihood of the victim having to return to the perpetrator. We need proper and better scrutiny of how domestic abuse is occurring for people beyond the age of 74, and what needs to be done to help victims, including hospital and care support.

It is encouraging that local authorities will be required to work together with neighbouring councils to assist local people, including specialist support for BAME victims, but will the new,

“legal duty placed on local authorities to deliver support to survivors of domestic abuse in accommodation-based services”,

include reference to the special requirements of older people, especially those from BAME communities? Can the Minister say whether the draft domestic abuse

Bill will include specific reference to the elderly, including multiagency safeguarding policies with proper sustainable funding?

1.16 pm

Baroness Seccombe (Con): My Lords, I thank my noble friend Lady Newlove for securing this debate today. One of main reasons for putting my name down was that I wanted to add mine to those congratulating my noble friend on her role as Victims’ Commissioner. She has been outstanding and so impressive in the way she has met the demands before her. It has been a privilege to work with her, and now we can look forward to her bringing more of her special qualities to the House of Lords.

I have spoken of domestic violence, this hidden form of abuse, on previous occasions, and I commend the Government for the measures that have been taken and are ongoing, such as the strategy to end violence against women and girls by 2020. The Government have also started a consultation, which closes in early August, that would enforce the provision of secure accommodation for victims. There is also a strategy to confront domestic abuse within the Armed Forces and defence communities. Some £22 million has been allotted to 63 projects over two years to help those who have suffered this abuse. Many councils are involved in the effort to protect women, as are some charities. In Warwickshire, my son, the police and crime commissioner, awarded a three-year contract to Barnardo’s and an independent charity based in Rugby, RoSA, which supports victims of rape or sexual abuse. They will provide a range of support services, including face-to-face, telephone and online support, to meet the current and emerging needs of victims.

The Government published the draft domestic abuse Bill in January, which was welcomed and endorsed by many outside bodies. Under the proposals, a domestic abuse commissioner will be appointed to drive the response to domestic abuse and hold the Government to account, stand up for victims and monitor the provision of available services. There has been an increase in the number of people reporting cases, which I believe is caused by government action to publicise and not because there are more cases. That government publicity has highlighted these crimes. This has encouraged victims to report to the police and to flee bravely from their home. Such women are often accompanied by their children in seeking refuge, which must include provision of secure housing.

Too many people have their lives torn apart by this awful crime. It is mainly women who suffer abuse, but we should not forget that last year, out of 2 million people, while 1.3 million were women, approximately 650,000 were men. Every case is a tragedy and usually includes children who have witnessed all that goes on behind closed front doors. I want to see victims protected as well as supported. I know that many more measures are included in the draft Bill which I cannot mention today, but we must try to build a society able to stop this horrific crime. Both men and women often feel shame in admitting that they have been abused, and that is intolerable in a modern society. I cannot wait for the draft Bill to be brought before us, agreed and put on the statute book.

1.20 pm

Baroness Hamwee (LD): My Lords, the noble Baroness, Lady Newlove, will be in no doubt of the House's gratitude to her for securing this debate and, more importantly, for never letting us overlook the interests and points of view of victims. I know that that will continue.

I declare an interest as a past member and chair of the board of Refuge. My first meeting was on the day I was asked to become a Member of this House—I too feel rather old. That experience has stayed with me. I am very struck by the level of knowledge and understanding that has been shown in this debate, such as I do not think we would have heard even 10 years ago. I also declare an interest as a trustee of Safer London, given the issue of teenage relationship abuse which is part of its remit. This issue is one for the whole of society, obviously. Of course, we do not know how many men and women will not disclose and we know that the fact that domestic abuse happens to anyone is an issue for us all. I am glad that we have had five men speaking alongside 12 women in this debate, but where are the others?

There is a great deal to welcome in the Bill: inevitably it is the concerns that are aired in a debate such as this, and we cannot discuss domestic abuse without reference to resources, of which there are never enough. The greatest barrier to leaving an abusive relationship is the shortage of housing: discuss. Is it universal credit, the single payment or—it is a long list. You begin to appreciate the scale when you think what it must take to leave an abusive relationship, maybe after many years, maybe without access to money— withholding money may have been part of the abuse—maybe with children. There is the impact upon an unsettled young child in a refuge who wants to see Daddy, or on a teenager whose mental health is affected for years. Controlling and coercive behaviour may continue after partners have separated, in connection with contact and other arrangements for the children. I was startled to hear the estimate that the damage to a child caught up in domestic abuse—one child—can cost the taxpayer between £500 million and £1.4 billion up to the age of 28. It is not always acknowledged, though one noble Lord did so earlier, that children witnessing abuse are so affected. I do not just mean a child who is in the room when Daddy hits Mummy, or vice versa; children know what is going on without actually seeing it.

Mention has been made and there has been a good deal of welcome for the appointment of a domestic abuse commissioner. I do not want what I am going to say to be taken as any comment on past or recently appointed commissioners in any commissioner posts, but I have never been wholly persuaded about the way we have gone in this direction. The previous incarnation was tsars, now we have commissioners. My concern is that it can become all too easy for the Government to offload work which should actually be the work of Ministers. I particularly wonder how the post will relate to that of the Victims' Commissioner, and where the post will sit in government. Will it be the Home Office, as is suggested by there being a Home Office Minister responding today? The Independent Anti-slavery Commissioner position comes under the wing, if that

is the right term, of the Home Office. The inclusion of the word "Independent" in that title was fought for very hard when the legislation went through this House, but of course legislation and practice do not always coincide.

I want to mention one relatively small group of victims. My noble friend Lady Brinton referred to a shocking case, and it was also the subject of the speech of the noble Lord, Lord Bassam. How much more difficult must it be if you are a migrant with insecure status, or if you believe your status is insecure, which might be part of the issue? In my view, curtailing a spousal visa when a partner claims the marriage has ended amounts to complicity in control and coercion. The destitution domestic violence concession has been mentioned. It is restricted to immigrants on a spousal visa and is too short. It does not apply to asylum seekers and there is no means through the asylum system to access specialist women's services. There is no recourse to public funds, which means there is no refuge place. It seems that some police forces share the details of victims with the Home Office for the purposes of immigration control, which is shocking. Expecting women to return "home" is such a failure to appreciate the cultural dimension: it is nowhere near victim-centred.

I want to end, even though I have the luxury of a few more minutes than other noble Lords had, by asking the first question: why? There are lots of whys. Why is there underreporting? Why are there such high attrition rates when it comes to prosecutions? Why is there still such a shortfall in awareness among the general public and professionals whose work brings them into contact with people who are abused? They should be both alert to the possibility of abuse and able to recognise what support is needed. I am glad to see that my own borough of Richmond upon Thames has recently agreed the recommendations of a group with which my own ward councillor Alice Bridges-Westcott—I told her I would give her a namecheck—has been very much involved. This includes the recommendation, to pick just one, that all housing officers dealing with people affected by domestic abuse should work collaboratively with support workers and advocates.

There may be new statutory duties for local authorities. I confess that on the whole I am suspicious about central government adding to the duties of local government. I mentioned the shortage of housing. With her background I know that the Minister will be well aware of the need for powers for local authorities, as distinct from duties. I am glad to see that she is nodding, so she does not actually need to say that in her response. Of course, the big question is what underlies domestic abuse, at the individual level and socially. I hope that we will have other occasions to pursue the point made by the noble Baroness, Lady Armstrong, about trauma-informed services, and to look at a range of psychological issues, such as the attachment in relationships.

I do not tweet, but I bet that there was a backlash on social media when Sally Challen's murder conviction was quashed: "Why didn't the silly bitch just leave him?" There is an awful lot to address.

1.29 pm

Baroness Gale (Lab): My Lords, I begin by thanking the noble Baroness, Lady Newlove, for bringing this really important debate before us today. I am grateful for that. I also thank her, as other noble Lords have, for all the work she has done as Victims' Commissioner. She has made a huge contribution to victims and, like others have said, we now all look forward to her bringing all that expertise to your Lordships' House.

I welcome recent developments which the Government have brought forward: the long campaigned for statutory duty on councils to provide services; the provisions in the draft domestic abuse Bill, including a domestic abuse commissioner and an end to cross-examination by perpetrators in courts; and the much-needed review of family courts. These changes are a testament to organisations, campaigners and Members of this House and the Commons who have campaigned so hard and so long for these changes. Above all, they are a testament to survivors of domestic violence and abuse, who have shown such exceptional strength.

Recent announcements come after years of damaging cuts and loss of services, support and places of safety for survivors and their children. The 60% cut in government funding for local authorities since 2010 has stretched them to their limits. The fact is that one-fifth of refuges have closed since 2010. Women's Aid has found that some organisations are having to provide these lifesaving local services without any support from cash-strapped local authorities. In 2017-18, over 59% of referrals to a refuge were declined. That is a huge number of women and children being turned away every day. This is really worrying. Where are these women and children expected to go? Many had to go back to their home, with the perpetrator still there.

The Government have promised funding to support the statutory duty on councils. This is to be,

"determined through the forthcoming spending review and informed by the consultation".—[*Official Report*, Commons, 13/5/19; col. 34.]

I look forward to seeing the results of this consultation. Does the Minister have any idea when this will be? Unless funding is provided to make this work, councils are being set up to fail. When will we and, most importantly, service providers know how much funding the Government will provide to give services a genuinely sustainable long-term future? This is crucial information, as I am aware that those running women's refuges are worried about the lack of funding but have really welcomed the Government's announcement in this field. Some are really relieved that they will get this funding, but they are anxious to know when it will happen. Can the Minister confirm that the funding will be ring-fenced?

For obvious reasons, survivors often need to access services outside their local area. What is being done to ensure co-operation and flexibility of services across different areas? Specialist services, including those for BAME and LGBT users, have been hit the hardest in recent years and suffered high rates of closure. It is unclear how the Government's proposals will focus on these areas of service provision. Can the Minister assure the House that these services will be specifically and strategically provided for?

The draft Bill and other announcements do not seem to do enough to remove barriers to accessing support and safety for migrant women and women with no recourse to public funds. Can the Minister inform the House what the Government plan to do to ensure that all women can access services or a vital place of safety when they desperately need it?

The Local Government Association has raised concerns that government policy is focusing on crisis-point intervention, rather than early intervention. I trust the Minister agrees with me that funding must be provided for early intervention and prevention, to stop these crimes being committed in the first place. Would it not be marvellous if we could resolve this massive problem? Early intervention is obviously much needed. The effort to tackle domestic violence and domestic abuse needs to be driven by multiple government departments working together. It must inform all our policy areas—housing, justice, employment, education, health and welfare

Voluntary organisations and Members of Parliament have campaigned for the Government to provide universal credit as split payments, to protect against economic abuse. The Secretary of State announced in January that universal credit will be paid to the main carer. Can the Minister update the House on what progress has been made in identifying the main carer in a household? Will the Government give more consideration to the benefits of a split payment being standard?

Although we welcome the direction of travel in making improvements to the court system for domestic violence cases, there is far more to be done. Legal aid for domestic violence survivors was decimated by the coalition Government. Christina Blacklaws, president of the Law Society of England and Wales, said last week:

"While the government's draft domestic abuse bill marks an important step in the right direction, much more needs to be done to safeguard children in domestic violence cases. The government's cuts to legal aid in 2012 have left many victims of abuse unrepresented in court, often unable to argue their case".

She is calling on the Government to reinstate legal aid for early advice so that domestic abuse can be identified as early as possible. Can the Minister tell the House what plans the Government have to reconsider legal aid provision for domestic abuse survivors?

The provision of emergency accommodation services is quite literally lifesaving, but plans must be made for the availability of good quality, long-term housing provision for survivors of domestic violence and their families. I trust the Government will be able to say something positive about this. The lack of genuinely affordable housing has left domestic violence victims facing homelessness and squalid housing. Last year, the number of homes built for social rent fell to fewer than 6,500, compared with almost 40,000 in 2010. Under current legislation, a person made homeless because they are fleeing domestic abuse is not automatically considered in priority need of settled accommodation. This can leave survivors facing a choice between homelessness and returning to an abusive partner. The Minister will no doubt be aware that the charity Crisis and the APPG on Ending Homelessness are calling on the Government to use the domestic abuse Bill to ensure that anyone fleeing abuse is considered a priority and guaranteed a safe home.

We have had a wide-ranging debate, and it has been really good to hear all the expertise across the House. We welcome the Government's initiative and a lot has been done, but I ask the Minister to listen to the debate this afternoon—there is a lot more to be done. I look forward to the domestic abuse Bill coming to your Lordships' House; I know we will examine it thoroughly. In the meantime, I look forward to the Minister's reply.

1.38 pm

The Minister of State, Home Office (Baroness Williams of Trafford) (Con): My Lords, I thank all noble Lords who have spoken in this debate. I also join the many noble Lords who paid tribute to other noble Lords who are so expert in this area—in particular my noble friend Lady Newlove, whom I thank for bringing forward this debate. I am sure that the House will join me in paying tribute to all the work she has done as Victims' Commissioner. Of course, supporting victims is in the context of the debate we are having today.

I also pay tribute to the noble Baroness, Lady Armstrong, as one of the founders of Women's Aid—I did not know that until today—and of course to my noble friend Lady Barran. I think noble Lords intimated that she should be answering the debate because she is such an expert—and she certainly inspires me. I also pay tribute to the noble Baroness, Lady Hamwee, who I had not realised has been involved with Refuge, although I knew that she had been involved with SafeLives. We have a lot of expertise in this Chamber, and all of us want to achieve the same thing for both victims of domestic violence and their children, who are also victims.

I am glad that noble Lords, including my noble friend Lady Helic, the noble Earl, Lord Listowel, and my noble friend Lord Suri, paid tribute to the Prime Minister for her efforts to make domestic abuse a key priority. When historians look back on her period as Prime Minister, I hope that they will recognise her work and the progress she made on equality and ending violence against women and girls, and in the area of domestic violence. That is why this year we published a landmark draft domestic abuse Bill alongside a wide-ranging package of commitments to help protect and support victims of domestic abuse and, most importantly, their children.

As my noble friend said, domestic abuse affects almost 2 million victims every year, both physically and mentally, and carries a financial cost to society. The devastating consequences that it has for victims and their children, and of course the economic costs, are such that it necessitates a separate comprehensive programme of cross-government activity. We believe that having a specific programme of work focused solely on domestic abuse gives us the best chance of achieving our aims and of raising awareness and preventing abuse. We have also refreshed our cross-government VAWG strategy to ensure that we are doing all we can to tackle crimes which have a disproportionate impact on women—although that is not to take away from the fact that of course men are also victims of domestic abuse.

The draft Bill includes a number of measures to improve support for victims. It will: for the first time create a statutory government definition of domestic abuse; create a new domestic abuse civil prevention and protection order to provide better protection for victims; establish a commissioner to stand up for victims and survivors; raise public awareness and monitor the response of agencies; prevent victims being cross-examined by their accused perpetrators in family courts, which I will say more about later; and take steps to allow us to ratify the Istanbul convention—I am amazed that the noble Baroness, Lady Gale, did not mention it today—which will enable UK courts to prosecute British citizens for domestic abuse regardless of where in the world the offence was committed. A Joint Committee of both Houses was appointed to undertake scrutiny of the draft Bill. Its evidence sessions have now concluded and I look forward to seeing its report on 14 June, which we will respond to in full. We will then introduce the Bill as soon as parliamentary time allows.

I am glad that the noble Lord, Lord Bassam, raised the subject of inequalities in this area. As he knows, every Bill contains an equality impact assessment. I will talk about the specific issue of migrant women, which a number of noble Lords raised, including the noble Lord, Lord Bassam, and the noble Baronesses, Lady Hamwee and Lady Gale. The complexities regarding migrant women and their access to support are many and varied. We recognise that some people living in the UK as the partner of a British citizen or other settled person are subject to the no recourse to public funds condition and that some of these people may therefore encounter financial issues if their relationship breaks down as a result of domestic violence.

The intention of the destitute domestic violence concession is to support people who, as noble Lords have said, may otherwise be forced to remain in a relationship with an abusive partner on whom they are financially dependent. As part of our work on the domestic abuse Bill we are considering the argument for widening the cohort of individuals eligible for the concession and are taking into account evidence submitted to the pre-legislative scrutiny committee on this issue. I was pleased to be able to be there on that day. In addition, last month the Minister for Crime, Safeguarding and Vulnerability, the Minister for Victims, the Minister for Immigration and I co-hosted that round table with stakeholders to discuss how we can best support migrant women who are victims of domestic abuse. When we review all these sources of evidence to come to a view on whether to extend eligibility of the DDVC, we will also take into account the provisions of the Istanbul convention, which were discussed at that round table.

More broadly, to support those who fall outside the scope of the DDVC, we are continuing our work to help build long-term capacity, support and expertise around immigration rights for those working to combat domestic abuse. We have already provided £400,000 through the tampon tax in 2017, and in March 2019 we further committed more than £1 million to Southall Black Sisters. This money will fund safe accommodation, subsistence and help, including counselling, therapy, immigration advice and community awareness-raising for domestic abuse victims in London, the north-east

[BARONESS WILLIAMS OF TRAFFORD]
and Manchester, with the aim of improving our understanding of the needs and number of migrants who can claim urgent crisis support.

In addition, the Government are committed to ensuring that all victims of crime are treated first and foremost as victims, regardless of their immigration status. Immigration enforcement is currently engaged with the NPCC lead on domestic abuse to ensure that police and immigration work collaboratively to quickly recognise victims and to ensure that immigration status is not used by perpetrators to coerce and control vulnerable migrants.

A number of noble Lords talked about the importance of funding, in particular for domestic abuse services: my noble friend Lady Newlove and the noble Baroness, Lady Hamwee, talked about this, the former in conjunction with the use of technology to further our efforts in this area. We have committed £100 million-worth of funding up to 2020 to services that combat violence against women and girls, which includes £17 million of funding for 41 projects across England and Wales that support local areas to work collaboratively with specialist third-sector organisations and to develop best practice on early intervention and prevention, not just that crisis response.

It also includes £20 million specifically for domestic abuse. Of this, we have allocated £8 million specifically for services to support children, who are so badly affected by domestic abuse. One of the projects we are funding in north Somerset will create a new support service to help children and young people recover from their experience of domestic abuse, using specialist therapeutic interventions and individualised programmes based on the child's developmental needs and experience of domestic abuse. That is in addition to the funding provided by local commissioners, including local authorities, police and crime commissioners and health commissioners. In 2017-18, PCCs reported that they spent approximately £23.5 million on support services for victims of domestic abuse.

I will take up the point my noble friend Lord Wasserman has brought up before, about tagging and making the best use of technology. As I acknowledged in earlier debates, that could be a requirement of a domestic abuse protection order. One noble Lord talked about early intervention. I thought it was the noble Baroness, Lady Hamwee, but perhaps it was not. Early intervention is of course crucial.

Several noble Lords mentioned accommodation. Since 2014, the Government have provided £55.5 million for services, including refuges, to support victims of domestic abuse. We now have more bed spaces than we did back in 2010, but that is not to dismiss the pressure on bed spaces, which is for ever present and possibly growing. This includes a £22 million fund to provide more than 2,220 new beds in refuges and other safe accommodation, supporting more than 25,000 survivors with a safe space in which to rebuild their lives.

In addition, we carried out a review of how domestic abuse services are locally commissioned and funded across England. That is an important point that exercised me when I was in MHCLG. On 13 May, MHCLG launched a consultation on future delivery of support

to victims and their children in accommodation-based domestic abuse services. Proposals in the consultation include a new legal duty on local authorities to provide support for domestic abuse survivors and their children. This will provide a range of services to support victims and their children in secure accommodation. To answer the point made by the noble Baroness, Lady Gale, I understand that the results of that consultation will be issued on 2 August.

It is proposed that local authorities will be required to complete full needs assessments and publish local strategies which set out how they will provide specifically tailored support. They will also be required to work together across boundaries—let us not forget, domestic abuse does not respect local authority boundaries—to ensure that domestic abuse services reflect the needs of local people. To answer another point raised by the noble Baroness, Lady Gale, this includes targeted specialist support for BAME and LGBT victims, including Gypsy, Roma and Traveller survivors.

The noble Earl, Lord Listowel, talked about the integration of mental health support in refuges. As we know, refuges provide a wide range of support to victims of domestic abuse, and the current consultation on what that support should involve includes his proposals. Our proposals also include plans for local partnership boards, which I think are a really good idea. They could include health professionals and will ensure that commissioning decisions for services are joined up and informed by information on local needs.

Several noble Lords talked about moving on from safe accommodation. It is crucial for victims to have certainty of support in the longer term. Last November, we issued new statutory guidance for local authorities to improve access to social housing for victims of domestic abuse who are in a refuge or another form of safe, temporary accommodation. As I pointed out, under the proposals under consultation, local authorities are expected to disapply any residency tests for victims who have fled from another local authority district. They set out how local authorities can ensure that victims are given appropriate priority and advise local authorities on how they can use their existing powers to support tenants who are victims of domestic abuse to remain safe in their homes if they choose to do so.

I shall touch on the subject of universal credit and financial support raised by the noble Baroness, Lady Gale. We are looking at what more we can do to ensure that the main carer more often receives the universal credit payment direct, as opposed to the current system, where someone has to request it. We expect to make changes to claimant messaging to support that in the summer.

At the heart of what we are talking about today are not just the victims of domestic violence but their children. That has been one of the themes of this wide-ranging debate. The noble Baroness, Lady Burt of Solihull, raised that, as did my noble friend Lady Newlove. It has a devastating impact on children. If you grow up in a household of fear, it will have an impact on your well-being and development, with lasting effects into adulthood. I was struck by what the noble Baroness, echoed by the noble Baroness,

Lady Hamwee, said: that children might be in bed but they hear everything and it follows them all through their lives.

It is really important that social workers provide effective support to children and families affected by domestic abuse. Our children and social care reform programme is working to improve social work practice across the country through initial education, continuing professional development and tougher professional regulation. In school, it is a sad fact that those children do significantly worse than their peers. Through the children in need review, we will identify what needs to be done in policy and practice to address that injustice and improve educational outcomes.

As part of our innovation project funding, we have invested £43 million in 12 projects, with a focus on domestic abuse, including projects with a whole-family approach and therapeutic interventions for children. The Government also provide £163,000 to fund the national rollout of Operation Encompass. This initiative ensures timely information sharing between police and schools when children have been exposed to domestic abuse.

The noble Baroness, Lady Burt, also asked about creating a new statutory defence for women whose offending is driven by domestic abuse. I have seen that issue so often in women's prisons and recognise it. I understand that she put that question to Edward Argar when he gave evidence to the Joint Committee and that the response will be issued shortly to this end.

My noble friend Lady Newlove and other noble Lords asked about the domestic abuse commissioner: primarily, how will that person be independent? I can confirm that they will have day-to-day operational independence. Ministers will not dictate their work plan nor determine their recommendations. We are clear that we expect the domestic abuse commissioner to provide robust, challenging advice and recommendations to national government as well as to local commissioners. As with most public bodies, there must be a degree of ministerial oversight—for example, to ensure that public money is spent according to Treasury principles—but the relationship between the commissioner and the Home Office will be codified in a published memorandum of understanding. The domestic abuse commissioner will also be required to establish an advisory board and a victims and survivors advisory group.

I have run out of time, although I have a further pile of papers with which to answer noble Lords' questions. Rather than go on today, because I know that another debate is due to start, I hope that noble Lords will agree for me to follow up on the many questions that I have left to answer in writing. I once again thank my noble friend for all that she has done and for securing this debate and thank all noble Lords who have taken part.

Baroness Newlove: My Lords, I want quickly to thank everybody in your Lordships' House for their very kind words. I am quite emotional; I did not expect any of that. All of us in this Chamber do excellent work, and I for one champion that outside.

I thank my noble friend the Minister for her response on finances and the independence of the domestic abuse commissioner. I look forward to hearing who

that will be; I hope that the role will be designated soon so that we can work together to make things better for domestic abuse victims. I offer my thanks to the noble Lord, Lord Parekh, who mentioned unrecorded crimes. We do not know about the people we do not know about at the moment.

I am honoured to have secured this debate. More importantly, my sleeves are rolled up and I am ready to get stuck into the draft Bill that will come on to the Floor of the House. We owe it to the next generation to show that we did not just do the talking, but rolled our sleeves up and did the walking. We need to help victims of domestic abuse gain confidence in coming forward and feeling supported. More importantly, we need to leave them empowered with the self-esteem to go on to lead healthier lives.

Motion agreed.

People with Learning Disabilities

Question for Short Debate

2 pm

Asked by Baroness Thornton

To ask Her Majesty's Government what action they are taking to address the treatment of people with learning disabilities and complex needs in in-patient units; and what plans they have to provide adequate, alternative community support.

Baroness Thornton (Lab): My Lords, the Minister will be aware that this Question was prompted by the BBC "Panorama" programme shown immediately before the Recess and the statement made by the CQC at the same time. I thank the Library, Mencap, YoungMinds, the Royal College of Speech and Language Therapists, and others for their briefings. I also thank the noble Lords taking part in this short debate.

The "Panorama" programme was shocking. You have to wonder what the owners of Whorlton Hall, Cygnet Health Care and the CQC were doing in previous years; they were certainly not looking in the direction of, or carefully enough at, the care of some of the most vulnerable people in our society. The programme revealed conduct and attitudes almost medieval in their cruelty and ignorance. The fact that it took place somewhere that should have been safe and caring is shaming for all of us. The BBC's undercover filming appeared to show patients with learning disabilities being mocked, intimidated and restrained. We know that 10 workers have since been arrested and that the health watchdog—the CQC—has launched a review, led by David Noble, into how it handled a 2015 report raising concerns about Whorlton Hall hospital. It beggars belief that although the former Care Quality Commission inspector Barry Stanley-Wilkinson flagged up the potential abuse of patients four years earlier in an as yet unpublished report, it took an undercover programme to reveal what was going on in the home. It is even more unbelievable given that the site had at least 100 visits by official agencies in the year before the abuse was discovered.

[BARONESS THORNTON]

Of course, this is not for the first time. Since the 2011 Winterbourne View abuse scandal—also revealed by a BBC “Panorama” programme—Ministers have promised repeatedly to move such people out of unsuitable secure units and into community care, yet the number of adults with autism and learning difficulties locked up in ATUs fell only slightly over the past three years, while the number of children in them has more than doubled. Last year, there were 28,880 restraint incidents in England alone.

The Transforming Care programme has taken many forms since 2012: the initial two-year targets were missed and a new lead was appointed but resigned. After two critical National Audit Office reports, two Public Accounts Committee hearings and various other reports, NHS England and partners wrote *Building the Right Support*. Eventually, a three-year programme for 2016-19 was announced, with three aims: to develop new community support and services; to improve the quality of care in in-patient settings; and to reduce the number of people with learning disabilities and/or autism in in-patient settings by between 35% and 50% by March 2019. The programme failed to deliver these aims. By March, at the end of the programme, bed numbers had decreased by only 19%. What is the Government’s response so far? It is true that NHS England included that target in its long-term plan. However, that has simply moved the delivery date, with NHSE now aiming to meet the target in five years’ time. That is not good enough.

It is also true that, in the meantime, the Secretary of State commissioned a CQC review of seclusion and restrictive practices in response to numerous media exposures of poor practice. The recent interim report reveals the widespread use of restraint and restrictive practices in in-patient units for people with learning disabilities and/or autism. In May 2019, a damning report from the Children’s Commissioner highlighted the shocking treatment of children in these places and the lack of community support leading to their admission. This very sorry tale reveals a lack of leadership, ability or preparedness on the part of the Government to effect real change for this most vulnerable cohort of our fellow citizens.

The truth is that, seven years on from Winterbourne View, the system continues to sanction an outdated and wrong model of care. If people are contained in institutions a long way from home, awful things seem to happen behind closed doors. Can the Minister tell the House whether the Secretary of State now takes personal responsibility for closing down institutions that provide the wrong model of care? Why does the CQC continue to register new institutions that offer inappropriate institutional care? Does the CQC need new powers? What lessons must we learn from the fact that the CQC rated this place “good”? Is this another case of whistleblowers not being listened to? How much was Cygnet Health Care charging the NHS per week for this awful abuse and neglect?

This horror came in the same week as the damning CQC report on segregation, an equally scathing report by the Children’s Commissioner and the LeDeR—the learning disabilities mortality review—report confirming the extent to which people with learning disabilities

and autism are fatally failed by our system. Does the Minister accept that we are tolerating widespread human rights abuses? Surely families want not another review but action to protect their loved ones. Many of the people abused at Whorlton Hall were hundreds of miles from their families. Does the Minister recognise, and will she commit to the fact, that cutting people off from their support networks allows such abuse to carry on without anyone noticing?

The Government’s inadequate response to this matter is deeply shocking. There is agreement among experts in this field, including many health and social care professionals, that robust community support and leadership across government is needed to ensure transformation. Most recently, but still six months ago, Sir Simon Wessely’s report—*Modernising the Mental Health Act: Increasing Choice, Reducing Compulsion*—was published. It included a number of positive proposals meaning that children and young people would be treated in hospital only when absolutely necessary and clarifying their rights to be involved in—and challenge—decisions about their care. I agree with YoungMinds when it says that it is,

“concerned that essential reforms to improve the quality and type of support for young people with complex needs and mental health conditions could be further delayed or put at risk”.

On its behalf and that of thousands of young people and their families, I have some questions for the Minister. When will we see the Government’s response to the Wessely review recommendations? When will we see a new mental health Bill? When will the Secretary of State for Health and Social Care grasp the nettle and drive forward cross-departmental work and joined-up NHS and social care support? Only proactive and strong leadership from the top will unlock the systemic blockages stopping people from moving out of in-patient settings and back into their communities.

Mencap proposes four actions that should inform the Government’s action programme. First, it proposes increasing cross-departmental leadership, accountability and oversight through a commitment from the Secretary of State for Health and Social Care to convene and lead a new, cross-departmental ministerial group with the Minister for Children and Families and the Minister for Housing, Communities and Local Government. It states that referring the Transforming Care programme to the inter-ministerial group on disability, as the Government previously suggested, is wholly inadequate given the attention that the programme requires, so it will not be effective. Secondly, it proposes a commitment from the Secretary of State to ensure that learning takes place from the independent evaluation of the Transforming Care programme, and that this leads to new and credible implementation plans across health, social care, housing and education. Thirdly, it proposes pooled and ring-fenced funding to build high-quality, specialist support in the community. The buck-passing between health, education and social care has to end, with budgets pooled and focused on getting the right outcome for the person by intervening early so that children get the right support and adults have the right adapted housing and specialist staff support they need. Finally, it proposes co-production with families and individuals with lived experience. The regulator, specialist practitioners and commissioners should drive forward

workable solutions, but not without the lived experience of children and adults with a learning disability, as well as of their families.

Finally, I have to raise the question of who owns, runs and profits from these homes. Julie Newcombe, a mother who—as she puts it—“rescued” her son and set up Rightful Lives, said:

“There is a huge conflict of interest within the private sector because heads on beds equals money in the bank, which means profit becomes the ultimate barrier to discharge”.

Last November the *Mail on Sunday* published an article, “Profiteers of Misery”, lifting the lid on the profits made by private companies that run establishments such as Whorlton Hall. We need to discuss and raise the issue of the conflicts of interest—with which, of course, we are very familiar through our recent consideration of the MCA Act.

Universal Health Services—whose former CEO, I think, is Simon Stevens, now the head of NHS England—is a huge US healthcare firm snapping up British psychiatric services. Its British operations are run by Cygnet Health Care, the owners of Whorlton Hall. Cygnet Health Care boasted in recent accounts of earning revenues from 220 NHS purchasing bodies and almost doubling its profits to £40.4 million in the last year. Will the David Noble inquiry look at the issues this raises—underpaid and inexperienced staff—and ascertain what the occupancy rates were and whether patients were being kept longer than was needed, ultimately to boost the profits of Cygnet and its US parent company, Universal Health Services?

2.11 pm

Lord Hunt of Kings Heath (Lab): My Lords, as I shall refer to some workforce issues, I refer noble Lords to my membership of the General Medical Council. I am grateful to my noble friend for instituting this debate. The questions she has posed are very significant. As she said, the “Panorama” programme depicted shocking events. The depressing thing, of course, is that it follows not only Winterbourne View but a series of reports published in the last few years identifying the scale of the problems. My noble friend went through some of them; I will mention three.

One is the Children’s Commissioner for England report of 2019, published only two weeks ago, which found that there are 250 autistic children or children with a learning disability in mental health hospitals in England, who on average had spent six months there. Many, she said, are far away from their homes, friends and families. One in four had not had their care plan reviewed in the last six months. Despite the fact that restraint and seclusion should be only a last resort, many staff in mental health hospitals spoke as if they were routine matters. Last year the CQC was asked to carry out a review into the use of restraint and seclusion in mental health hospitals. It really was a shocking situation: 31 of the 39 people found in long-term segregation whose cases investigators assessed were on the autism spectrum; some were on wards that did not have the appropriate environment for autistic people; many staff lacked training; in the cases of two-thirds of the people the CQC assessed, staff had stopped trying to reintegrate them into the main ward; and a third of the people it assessed were experiencing a

delayed discharge because there was not a plan for appropriate care in the community. The National Autistic Society has laid bare many of the problems that these reports have identified.

There was also the very interesting National Audit Office report in 2017, which raised a number of complex challenges that the various partners involved in supporting people with learning disabilities face in making the system work much more effectively and delivering what my noble friend has asked for: appropriate care in the community. It identified that the flow of patients into mental health hospitals was not working effectively and that, shockingly, in December 2016, 28% of such patients had still never had a care and treatment review. Fundamentally to the financing of this, money was not being released from mental health hospitals quickly enough to help pay for the kind of community support we need to see.

We also know, from a report published two days ago by Health Education England, that the learning disability nursing headcount could hit critical levels in the next five years—some would say it has hit those levels already—with vacancies upwards of 30%. In addition to some of the issues we have in recruiting nurses—including bursaries, et cetera—I believe there is a huge crisis in the learning disability field and, so far, no real, tangible means of trying to deal with it.

I know government Ministers are and have been committed to doing something about it, as my noble friend says. We are not short of reassurances that Ministers have given to this House and the other place, and I do not doubt Ministers’ sincerity. It was only on 21 May that the Secretary of State announced a number of initiatives on,

“the model of care for autistic people and people with learning disabilities”,

and the appointment of,

“specialist, independent advocates who will ... work with families ... join up services ... work to move people to the least restrictive care and then out into the community ... a new working group for learning disabilities and autism, bringing together experts, clinicians, parents and carers to develop a new model of care ... a new awareness campaign, to encourage staff, families and friends to come forward if they have concerns about care”.

I could not disagree with any of that; I am sure it is welcome. The question is: where is the beef? What is going to make this really happen? Is this just a continuation of, frankly, a system of scandals that have been with us for decades?

I could not help going back just over 50 years to Geoffrey Howe’s report into Ely Hospital in Wales, which was the start of a series of inquiries into hospital care for people with learning and mental health disabilities. It led the movement towards more community care. At the time, it caused great shock that our fellow country men and women could be treated so badly in institutions ostensibly established to care for and support them. I make the connection between what was exposed so recently by “Panorama” and what was found by Geoffrey Howe just over 50 years ago in Ely Hospital. I do not think that we, collectively, can be proud of what has happened. Of course improvements have been made, but an awful lot more needs to be done. Ministers often make the glib statement, “We want to make sure this can never happen again”. The Government

[LORD HUNT OF KINGS HEATH]

have been wise not to make that statement in relation to people with learning disabilities. At the moment, I do not believe there is anything to guarantee that it will not happen again.

It is clear, for a start, that there does not seem to be any national leadership. In the end, who is in charge of making a new service work effectively? I cannot see anybody one can identify as being in charge unless it is Ministers, but Ministers do not—or say they do not—have the levers to make the system work effectively. It is clear that commissioners are not up to the task. The lack of interest that many commissioners take in those people, once they have been allocated to these places, is so striking. Given that many of the people in those places come from long distances away, it is almost impossible for their home commissioners to monitor what is going on.

The current system is simply not capable of stopping this. Ministers must appoint someone centrally with the powers to dictate what will happen. Unless we do that we will simply come back here year after year with yet another scandal. The measures taken so far are sensible, but will not cut the cake.

2.20 pm

Baroness Lane-Fox of Soho (CB): My Lords, I thank the noble Baroness, Lady Thornton, and I am delighted to follow the noble Lord, Lord Hunt. I pick up two words that both of them used in their remarks. The noble Baroness talked about the “outdated” system and the noble Lord about the need for a completely “new” service. As someone who comes from the world of innovation and new service design, I would like to talk about how very deeply I believe that better use of technology can help both people in communities and those who need to be in a hospital environment.

The potential for technology in this arena is breathtaking. I have seen examples of people with severe mental health challenges using virtual reality technologies to conquer profound issues of schizophrenia and learn how to interact with people who they were unable to share a room with before. Mencap did a fantastic study with people who had extreme mental health challenges, helping them to see what it was like to walk down the street. One incarnation of that was to go into a voting booth, so that they did not feel overwhelmed by that environment. These are not complicated technologies and they are available now. They can help people to live lives that all of us take for granted, if we are not faced with such challenges.

I argue that there is a lack of leadership, but also that we should not just use technology for technology's sake. We need to use technology hand-in-hand with human solutions, led by the users of these services. I am a proud patron of AbilityNet, which provides assisted technology to people with both physical and mental challenges. One thing it does is provide volunteers to help people with the technology that is already available to them in their homes. The examples of people's lives being made considerably better with a relatively small amount of free help are quite remarkable. We should bear in mind that this is a very small charity with a small network of volunteers, yet it has a huge impact on the constituents it serves.

I met a woman who had pretty much no contact with any of her family around the world. She was extremely isolated. She had been given, as often happens, a bunch of expensive kit by somebody, but it sat in the corner and she was actively frightened of using it. An AbilityNet volunteer came to show her how to turn on the computer, how not to be frightened of it, how to make sure that she was in charge of it and not the other way round, and to assure her that it would not listen to everything that she said—I hope that that was true. She could then connect to the worlds that she wanted to be connected to. She had family in Canada, and the technology prevented her needing extra support in the week because she was able to do a little more for herself. Everyone was a winner. Local services had less hassle to get to her every day because she was able to have that point of connection with someone from her family in another country.

I also met a wonderful man who was completely blind and who had been given a piece of assisted technology that he was frightened of. Again, with a relatively small amount of volunteering help, he was able to run his business using that technology.

I am not a complete Utopian: technology will not solve the profoundly disturbing cases that the noble Baroness, Lady Thornton, so articulately described. But if we are to reimagine a service fit for purpose in 2019—not 1819, as some of these horror stories suggest—we have to think about technology at the heart of how we design solutions. We should not make them only digital, but they must be able to help people run their lives by making use of the amazing ability that we now have in 2019.

I am also chancellor of the Open University. As many noble Lords will know, we have one of the largest constituent groups of disabled learners in the country. That is partly because of the OU's long history of adaptive technologies and assisted technologies, and the extremely competent team of people who build brilliant learning technologies for people with complex needs. I am often in tears as I stand on the stage during degree ceremonies, when I meet people who put us all to shame. They have not only faced massive learning difficulties, both mental and physical, but may have suffered a bereavement, may not have a carer or may have been working a job at the same time—hard to believe, but true—and have completed a degree. I give thanks for the Open University and its incredibly robust network and systems that provide an outlet for people who want to continue with their education, at whatever stage of their lives. I urge the Government to think about how to reinforce those institutions—the big ones such as the Open University and the small ones such as AbilityNet—that do a very valuable job in communities. They must be a core part of how we reimagine services in the future.

We should not, however, overcomplicate some of the needs if we are designing a service from scratch. In my mind, it comes down to three important things: good infrastructure, good skills and investment. Good infrastructure is often overlooked. I did some work for Jeremy Hunt when he was Secretary of State for Health, looking at innovation in the NHS. I do not think that he was very pleased with me when I suggested

that the biggest innovation would be to provide high-quality wi-fi across all of the estate. Thankfully, that is happening, but not quickly enough. Good quality wi-fi really does transform patients', carers' and staff's experience of technology in hospitals—think how our own lives were transformed in this Chamber when it was no longer a patchy reality for us here.

Secondly, many noble Lords will know that I have long worked on the issue of skills, but far too many people are still not given access to training and skills at whatever point in their lives. It is not just the person who suffers but their carers and the people looking after them. When I spent far too long in hospital, many of the nurses and doctors had no idea about technology. They were given no training or education on how to use it. How are we expected to equip ourselves for the modern age if we do not know how to use the stuff that is available to us? Skills are very important piece of the puzzle.

Finally, on investment, I am often ashamed when I look at the venture capital commitments from the sectors that I am lucky enough to work in. Too little money goes to inclusive technologies and creative use of technology for people who are perhaps the hardest to reach in our communities. It is imperative that we demand more of the sector, and that the Government lead and show examples of what is possible. Let us not forget that the touch screen was only invented for people who had difficulty moving their hands, and many other amazing inventions came about because of the needs of some of the furthest to reach in society. I believe very deeply that if you build for the furthest, you actually do a great service for the vast majority of people. These are not people on the outlying extremes of our society; they can help us learn more about ourselves as well. It is fundamental to inclusive design, and we need more investment from the sector. There are good examples in London of people who are trying to put investment in. Atomico Angels is a small fund that has been set up, and some great stuff is happening with LocalGlobe, Zinc and others, but it is not enough. The scale is dwarfed compared with what is going into other parts of the technology sector and compared with where it should be.

I end by painting a picture of a happy place. We started with the noble Baroness, Lady Thornton, describing some very broken places, but I am lucky enough to know Dame Stephanie Shirley, an amazing technology entrepreneur from the late 1960s and 1970s, who has spent the later part of her career as an extraordinary philanthropist. She had a child who died of an extremely serious form of autism, and she has built a school, Prior's Court, for children who suffer from this very severe autism, many of whom cannot speak or look after themselves. If anyone needs an example of how we can design for the future, I urge them to visit Prior's Court. It should be upheld by the Government as an example of what is possible. She has robots talking to the children, because sometimes it is easier for them to communicate with something that does not have all the complicated cues that we have on our faces, and she has art and screens. It is not a technology-led place: it just embeds the best of

technology. I salute Prior's Court. Let us forget the past of Winterbourne Abbas and use Prior's Court as an example of the future.

2.28 pm

Baroness Jolly (LD): My Lords, I declare my interest as the chair of the board of trustees for Hft, Home Farm Trust, a national charity that supports adults with learning disabilities. We support more than 2,500 adults in community settings across England. I was fascinated to listen to the noble Baroness, Lady Lane-Fox. We actually use modern technology: if one household wants to talk to another, they just touch the television in the corner, it all pops up and they have a chat, which brings them much closer. I would also like to talk to her outside the Chamber about research that might be going on.

My interest in learning disabilities goes back to 1997, when I was a non-exec director on the board of an NHS trust delivering services to adults with a learning disability, as well as other services including community services and mental health services. Non-execs were expected to visit settings where services were delivered, and I sincerely hope that that is the case right across the NHS now. On our way back from a meeting, a non-exec colleague and I decided to visit one of our hospital settings unannounced. What we found was not quality care: no one paid any attention to the environment, patients were strapped in chairs and the place did not feel right. People who go into hospitals will know whether one feels good or does not—it is in your water, if you like. There was a feeling of containment, not of care. We went straight back to the chief executive and played merry hell. That was more than 20 years ago, and things should have moved on.

I thank the noble Baroness, Lady Thornton, for tabling this debate, but we should not be having a debate at all. Budock in 2005, Winterbourne View in 2011, Calderstones in 2016 and now Whorlton Hall in 2019 each showed us scandalous and shameful treatment of adults with a learning disability living in a setting run by, or for, the NHS. Reports were written and inspection and improvement teams sent in, so what can the Minister say to the House by way of reassurance that in three, four or five years we will not see a repetition of these scandals? Can she tell us who has to put their foot down and where to enable the report *Building the Right Support*, which was written in 2015, to be implemented?

That report is where we can find the national service model. Services in the community have to be set up, and local authorities have to commission services. We have spoken about local authorities and commissioning. Sometimes local authority commissioning is unimaginative; sometimes it is just a case of an uplift, or of saying that it will take five hours a week to care for Mary Lou, John or James, without putting the individual at the centre of the care plan.

The LGA, ADASS and NHS England co-authored *Building the Right Support*. They said that before the end of 2018,

“we will take stock and look at going further”.

Can the Minister confirm that, six months on from that date, stock has indeed been taken and what “going further” means? Where have alternatives not been found, and by when will this be achieved?

[BARONESS JOLLY]

Let us be clear about the scale of the issue. In April 2019, data from NHS Digital showed the continuing human rights scandal facing some of the most vulnerable in our society. At the end of March, there were 2,260 children and adults with a learning disability still being detained in in-patient units. That is 437 more than the minimum target set by the Government in October 2015 to move between 35% and 50% of people with a learning disability and/or autism out of institutions and into community-based support by the end of March 2019. The number of children has more than doubled to 240, and the biggest group of children—61%—is of girls with autism and no learning disability. I remind noble Lords that these children are detained. In one month, there were 2,605 uses of restrictive interventions—physical restraint—875 of which were against children. The average time in in-patient units, away from home, for people with a learning disability and/or autism is more than five years. Finally, 16% of people in an ATU have been there for more than 10 years.

As of a couple of weeks ago, another working group has been set up for learning disabilities and autism to fund specialist advocates to review the care of patients in segregation or long-term seclusion. That is welcome. The Secretary of State has promised to work with families, join up services and work to move people to the community where appropriate. That is welcome. But there are two areas still to be addressed: the first is money and the second is workforce. It costs quite a lot more to care for someone in the community, but that is the price society should pay for ensuring someone lives the most fulfilling life possible, with dignity. This care funding comes from local authorities, which, as I said earlier, are not all the most imaginative commissioners. They should be commissioning a care package according to what is in an individual's care plan, but not all are. The Chancellor should acknowledge that and ensure that a realistic settlement is given to local authorities.

The failings in all the scandals I outlined earlier were human. Care workers and nurses were either ignoring any training they had received about care and compassion or were poorly trained, and certainly poorly managed and supervised. Supervisors and management either turned a blind eye, or were complicit. However, not all is doom and gloom. There are many outstanding and good learning disability services in communities. It is time we thought of care as a profession, and one that has robust registration, as in Wales, in which carers are valued and paid a reasonable wage, and in which there might even be some sort of professional progression. This will come at a cost. I hardly need to remind the Minister that we still want clarity, despite no Green Paper. Then, and only then, can we start to lay a foundation for quality care for some of the most vulnerable in our society.

2.36 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Baroness Blackwood of North Oxford) (Con): My Lords, I thank the noble Baroness, Lady Thornton, for securing this serious and timely debate and I am very grateful to noble

Lords for their informed contributions on a very sensitive matter. The care and treatment of people with learning disabilities and autistic people has rightly come under intense public scrutiny in recent months, with widespread concerns about how we care for and support some of the most vulnerable in society. Today's debate provides an important opportunity to reflect on this crucial issue.

Nobody who watched the BBC's "Panorama" programme on Whorlton Hall could have been anything but deeply shocked and disturbed by the abuse it exposed. The actions revealed by the programme, the abuse of vulnerable people in a setting where they should have been safe and well cared for, was truly appalling. We are very clear that people with learning disabilities and autistic people have the right to feel safe in their environment and to be treated with dignity and respect. As the noble Baroness, Lady Thornton, rightly said, Durham Constabulary is investigating and has so far arrested and questioned 10 members of staff about offences relating to abuse and neglect. We cannot comment on matters that might prejudice that process, but 16 members of staff have also been suspended and all patients have now been transferred out of the hospital and it is closed to new admissions. In addition, my right honourable friend the Secretary of State for Health and Social Care has asked the CQC to look in detail at its inspection and regulatory approach to Whorlton Hall to ensure that lessons are learned from what has happened in this case and in other cases that have gone before it. The CQC has commissioned independent reviews. The first is looking into how the organisation dealt with concerns raised by an inspector in a draft report prepared in 2015, as has already been mentioned; the second is a wider review of what could have been done differently or better in its regulation and inspection of Whorlton Hall between 2015 and 2019. The findings and recommendations of both reviews will be published. It is clear that opportunities to intervene were missed, and we must be open and transparent in getting to the bottom of why this happened.

The noble Baroness, Lady Thornton, and the noble Lord, Lord Hunt, mentioned the Children's Commissioner's report. She has also investigated the treatment of children with learning disabilities or autism in in-patient mental health hospitals. Her recently published report showed how too many children are still being admitted into secure hospitals, often a long way from their home, when they should be in their community, as well as being subject to restraint and seclusion. I will return to that in a moment. She warns that the current system of support is letting down some of the most vulnerable children in the country. We will consider her report extremely carefully.

I want to turn to points made by the noble Baroness, Lady Thornton, regarding private providers. Around half of the provision of specialist in-patient care is in the independent sector. This is carefully looked at by regulators and by the Government. At the moment, there is no evidence of a systemic difference between the quality of care and that of the NHS or voluntary providers. The care is NHS-commissioned and is subject to the same commissioner oversight, contractual provisions and regulation by the CQC. The same safeguards under the Mental Health Act also apply to protect the rights of patients. However, we keep this matter under careful review and will continue to do so.

I now turn to the important question that was raised about restrictive interventions, given the prominence they have been given in recent reports. It is important that we see a decrease in the use of such interventions. Data collection is not robust enough for us to make comparisons between years to see whether the use of restraint is rising, but it provides enough certainty for us to know that it is still used too much. We must minimise it and, where it is used, ensure that it is done safely and effectively, in line with the Positive and Proactive Care guidelines. Understandably, there is public concern about the use of restraint, prolonged seclusion and the segregation of people with mental health problems, a learning disability or autism.

In response to the case of Bethany, a young autistic woman who was held in seclusion at a hospital for far too long, my right honourable friend the Secretary of State for Health and Social Care has commissioned the CQC to undertake an in-depth thematic review of restrictive practices in health and care settings. The CQC published its interim findings and recommendations on 21 May and the Government have accepted them in full. The care of every hospital patient in long-term seclusion or segregation will be reviewed, and patients will have access to specialist independent advocates to support them and their families, as has been mentioned.

The model of care for autistic people and those with learning disabilities must be fit for purpose. We will convene an expert group to develop a new care model, taking the very best practice as the foundation. We will also strengthen the safeguards, working with the CQC to develop new regulatory arrangements for hospitals that use segregation. In addition, we will develop a new awareness-raising campaign, as has already been mentioned, so that no one will be “out of sight, out of mind”, as has too often been the case. We want to end inappropriate out-of-area placements and ensure that people are cared for as close to home as possible. Where out-of-area placements are essential, as they sometimes are for very specialist care, commissioners will need to visit children every six weeks and adults every eight weeks on site. I hope that that will improve the situation and reassure the House.

The noble Baroness, Lady Thornton, asked why the CQC registered new facilities that do not offer an appropriate model of care. The CQC has a set of stringent rules for registering the right support. It only registers a new learning disability service that meets the service model for building the right support. However, I am sure that, given the circumstances that have arisen, this will be looked at very carefully. The noble Lord, Lord Hunt, was right: given the situations that have arisen, there needs to be a holistic and systemic response.

Many of the actions that have been taken and which we have been debating began in 2014-15, and it is important that we see the progress that has been made since then. The Learning Disabilities Mortality Review Programme—the world’s only national programme looking into why people with learning disabilities die—was set up relatively recently. It has made some progress and has recommended specific steps to improve our response to those with learning disabilities in the community to ensure that they have a better quality of life. The noble

Baroness, Lady Thornton, made that exact point when she talked about improved community support. That is why annual GP health checks for people with learning disabilities to help reduce recognised health inequalities is a commitment in the long-term plan, and it is why, over the next five years, national learning disability improvement standards will be implemented and will apply to all services funded by the NHS. That is one of the systemic requirements that will help to drive improvements through the system—something that I think has been missing from the response until now.

Furthermore, NHS England and NHS Digital are working to include a digital flag in the records of people with a learning disability or autism so that information can be shared across health and care records and organisations. In the *NHS Long Term Plan* we have committed to implement this by 2023-24. It is another systemic response that should create a significant improvement. In addition, people with a learning disability or autism, or those with the most complex needs, will have a designated keyworker. These will initially be provided to children and young people who are in-patients or at risk of being admitted to hospital. All these improvements should make a significant difference, as will the review of the autism strategy, which is well overdue.

The noble Baroness, Lady Lane-Fox, is absolutely right that augmented rather than artificial intelligence—people plus tech—has the potential to completely transform the health of this nation. I thank her for an inspirational contribution. She will be pleased to hear that we have now completed rolling out wi-fi across the GP network and that we are well on the way with the secondary care system. She is right about skills being essential to driving digital transformation across the system, and that is why we set up the NHS Digital Academy. However, we recognise that more needs to be done. Investment was one of the core elements of the Patient Capital Review. We want to drive that forward and I would very much like to hear the noble Baroness’s proposals for it.

On the Transforming Care programme, although hospital might be the right environment for a small number of people with learning disabilities or autistic people at a given point in time, everyone should have the opportunity to live in the community. When people need in-patient support, it should be for the shortest time possible, of the highest quality and delivered in the safest settings where people are free from harm and abuse. The goal of the Transforming Care programme is to reduce the number of in-patients. We have reduced the number by 22%, and we are still fully committed to reducing it by at least 35% as soon as possible during 2019-20, as set out in the *NHS Long Term Plan*. That remains a commitment. Local areas will be expected to use some of the growing investment in primary care and community care services to meet that commitment.

I would like to respond to the point that was made about the number of child in-patients having doubled. In part this was because, we believe, commissioners did not correctly record children in the NHS Digital figures before 2015. We are checking the data and will respond later.

[BARONESS BLACKWOOD OF NORTH OXFORD]

The noble Lord, Lord Hunt, was absolutely right about self-training, and that is why we have consulted on proposals to introduce mandatory training. Our plans to introduce mandatory training for all relevant health and care staff will go a long way to ensuring that more people receive the safe, compassionate and informed care that they are entitled to.

We will of course continue to work with all partners across government and across the health and social care system to consider any recommendations that can improve care for people with learning disabilities and to address the shameful inequalities that they experience. Every person has a right to effective, compassionate and dignified care. If you have a learning disability, these expectations should be no different.

Employment

Motion to Take Note

2.48 pm

Moved by Lord Leigh of Hurley

That this House takes note of the latest employment figures and the steps being taken by Her Majesty's Government to increase employment rates.

Lord Leigh of Hurley (Con): My Lords, why the focus on employment? I have always considered this to be central to our country's success and quality of life. This fact was brought home to me by my right honourable friend Robert Halfon MP, who, having lost Harlow by 97 votes in 2005, went on to win well in 2010. He is disabled and not mobile. He told me the story that during his campaign he had to have a new tyre for his car. As he was waiting in his car, a large, heavily tattooed tyre-fitter came up to him with the greeting, "Oi! Are you the Tory? I want a word". Rob admitted, with some temerity, that he was the candidate. "Well," the fellow said, "I am voting for you lot this time". "Why is that?" asked Rob. He replied, "Because I've got a job". Jobs are central to our economic success.

This is a time when capitalism itself is being questioned and the siren song of socialism rings out from the party opposite—or, if not exactly from the noble Lords opposite, certainly from some of their colleagues in the other place. Frankly, I was horrified to read John McDonnell's comments in the weekend press that he wants to replace capitalism with a system of common ownership and businesses run by workers' votes. He has said publicly that his job is "to overthrow capitalism". I hope all speakers will distance themselves from this aspiration as, meanwhile, Conservatives continue to believe that the market economy and the jobs it creates provide the best route from poverty to prosperity.

We have today 32.7 million reasons to be cheerful; that is the number of people currently in work, earning a wage, providing for a family and contributing to a community, which is 354,000 more people than a year before and the highest number since records began in 1971. The female employment rate stands at 71.8%, the joint highest on record, and the unemployment rate is currently down to 3.8%, the lowest since 1974—a

remarkable achievement and cause for some optimism, as the UK continues to work through this difficult period for its political economy.

I called this debate for two reasons. The first is to celebrate these numbers, and I hope noble Lords will join me in so doing. The other is to probe them, to make sure that we are doing everything we can to future-proof our labour market, drive up the quality of work, create more high-paying jobs and, of course, increase productivity—something I feel sure that the noble Lord, Lord Haskel, will focus on—to improve the UK's ability to compete globally. And there is more cause for optimism. To those who say these are the wrong sorts of job, either low quality or low wage, I would draw noble Lords' attention to a recent report from the Resolution Foundation, which found that the proportion of workers on low wages is now at 17%, its lowest level since 1980. When this is combined with the Government's progressive approach to tax policy, taking low-wage earners out of tax altogether, the picture is a compelling one for social mobility.

The shadow Secretary of State for Business recently described this as a "time of low wages". I believe she could not be more wrong. That said, there are some underlying issues which we need to address to ensure that we drive up employment numbers and productivity, and that wages continue to grow. To their credit, the Government commissioned a review to look at the changing labour market. The Taylor review was quick to highlight the success of high employment and, as we have seen, that success continues apace. But it also concluded that there were:

"a number of persistent weaknesses in the UK labour market, particularly real wage growth and productivity performance".

The Government have now responded, and I would be grateful if my noble friend the Minister could provide further updates in her remarks today. Since publishing the *Good Work* plan, the Government have moved to address wage growth and unfair working practices, to ensure in particular that agency workers receive the same wages as permanent staff doing equivalent jobs and more clarity from agencies on their entitlements. Indeed, the plan offers a comprehensive package to address unfairness, transparency and enforcement to help protect workers, and I commend it accordingly.

However, while the plan works to establish parity between agency workers in both pay and treatment, it says little about how we can drive wages up in the round while boosting productivity. The Chancellor, in his Spring Statement, referred to low wages and low productivity as "the twin demons", as well he might. We are now seeing progress on low wages but can it be matched by progress in productivity? We now have a £37 billion national productivity investment fund, which I hope will go some way to address this. Investing in road, rail, airports and fibre-optic broadband must surely help with productivity. Upgrading our infrastructure is often overlooked and is overdue. Will the Minister offer a progress update on the deployment of this much-needed capital?

I would like briefly to return to a theme I have raised in this House before: whether our current measure of productivity has kept pace with the modernisation our economy has undergone. Services, not manufacturing,

are now the mainstay of our economy, yet in my opinion they are still not properly accounted for in the metrics. We may be doing better than the headlines suggest. Also, as I have argued here before, full employment is bound to impact negatively on productivity as we employ the least productive people. I still do not like the measures used, particularly that of output per hour; it is misleading and bound to be an estimate, whereas the only hard figures that the Government publish, and which we can totally rely on—namely, tax receipts and employment rates—show a much better, if not rosy picture.

One thing we cannot do is punish and undermine those who do more than anyone to further the cause of employment: namely, businesses and entrepreneurs. Without a policy platform that supports business, we have no hope of sustaining near-full employment and continuing to drive up wages and productivity. Yet, strangely for an organisation that purports to care deeply about the least well off, Labour's policy towards business would hurt those very people by killing jobs. I am talking about the policy of drastic hikes in corporation tax, a tax ultimately borne by workers through lower wages, and the leader of the Opposition's pledge to reverse what he calls,

“tax giveaways on capital gains tax”.

It is telling that the Labour Party is often confused by tax, thinking of it as the Government's money to give away when in fact, of course, it is individuals, entrepreneurs and businesses who create that wealth in the first place. Such tax hikes—that is what they are—would hurt investment and, through that, ultimately impair job creation and punish workers.

Likewise, the proposed hikes in income tax will, I am afraid, drive out employers, as will the reversal of two important measures: first, the changes made to allow employers to hire people knowing that, if it does not work out, they can be released; and, secondly, the changes to employment tribunal fees. I cannot overemphasise the importance of the first measure. As an employer myself, I can say that looking to increase our workforce is more likely to happen if we know that we can release employees in a downturn or if a new employee is not right for the job; this can take over a year. Change the time limit from the current two years, as Labour has indicated, and there will be a sharp fall in new employment; employers simply will not take the risk.

On the second measure, as noble Lords will be aware, the Supreme Court ruling that tribunal fees cannot be charged has led to a 165% increase in the number of single-claim cases in 2018 and a significant lengthening of the time these cases take to be resolved; this is in part because the judges who are specifically trained to sit in those tribunals were themselves let go. Will the Government commit to look again at this issue?

If we want full employment, high wages and high productivity, we have to combine smart labour market reform with comprehensive and consistent support for job creators. Broadly speaking, that is what the Government have done. In my opinion, the prospect of renationalisation—so that politicians of all people, not businessmen, will again run rail, energy and mail services—threatens failure and job losses. Today, we celebrate a record number of people in work and a

record few out of it. This shows that, despite the present uncertainty, the fundamentals of the UK economy are strong. We need to ensure that everyone can secure not only a job, but a high-quality, higher-wage job that will bring prosperity to their family, their community and our country.

With noble Lords' permission, before I sit down, I would like to remind your Lordships that this is the last parliamentary day with the current leader of the Conservative Party. My *nomen dignitatis* relates to the village of Hurley, which is close to the town of Maidenhead where I have lived for some dozen years, so I am honoured to have known our Prime Minister well, personally, for many years. I hope noble Lords will allow me a brief moment to express my thanks to her for all that she has done and tried to do for our country, and to express my personal view that history will record that she was dealt an impossible deck of cards but no one could have devoted more selfless effort to public service than her. She leaves her post with nine years of continuous growth, with a first quarter of growth greater than France, Germany and Spain and indeed projected growth for the rest of the year likewise. No one loves her country as she does, and very few have given as much. She has of course given us record full employment, and I salute her publicly for that.

I very much look forward to the contributions from all noble Lords today.

Baroness Goldie (Con): My Lords, I bring some news that may be joyous to Back-Benchers. It has been possible to extend the time for Back-Bench contributions to seven minutes. However, noble Lords should not think this will introduce an uncharacteristic mood of indulgence on my part; seven minutes is the limit.

3 pm

Lord Shipley (LD): My Lords, I thank the noble Lord, Lord Hurley, for the opportunity to hold this debate. A few years ago, I had the privilege of leading Newcastle City Council, and I remember being asked in an interview what I worried about most as council leader. I think the expectation was that I would reply, “Keeping council tax down”, or perhaps, “Getting re-elected”, but I actually said that I worried most about the next generation of jobs—what they would be, where they would come from, whether there would be enough to generate full employment, whether they would be good jobs and whether they would offer career progression to encourage graduates to stay in the city. I worried about that then and I still do, because I lived through the 1970s and the 1980s with the huge loss of jobs in mining, iron and steel, chemicals, shipbuilding and manufacturing.

Thanks to the automotive industry, the growth of services and the major achievement of our local universities in attracting students and some cutting-edge research, employment in my region—as elsewhere—is very high. But too many jobs are low-paid and insecure, with too many employees stuck in jobs that they do not enjoy and without opportunities for career progression. It is not just about employment rates, as the Taylor review demonstrated.

[LORD SHIPLEY]

I want to talk about people and places. Today, job losses have been announced or forecast: by Aviva, of 1,800; by BT, amounting to 13,000; and by Ford, of 1,700 at Bridgend. Job losses are pending in the steel industry, and it was recently reported that car production has dropped 44% between April 2018 and April 2019. Foreign direct investment is down, and investment generally is below its pre-referendum level. These trends are worrying in the context of our debate about Brexit.

I mentioned BT. Today, site closures have been announced by BT of 270 sites—the company is moving from 300 sites to 30—with a loss of 13,000 jobs. BT has identified eight key future locations in Belfast, Birmingham, Bristol, Cardiff, Edinburgh, Ipswich, London and Manchester. It is reported in the *Times* this morning that BT claims these places demonstrate its commitment to the whole country, but it has missed out Yorkshire, the east Midlands and the north-east of England. In the north-east, over 6,000 jobs are at stake in the absence of any information on the remaining sites—none of which will be key sites with the implication of good jobs going there. This means that no BT key site is planned anywhere on the eastern side of England between the Scottish border and London, other than Ipswich. I ask the Minister specifically what discussions Her Majesty's Government have had with BT and what impact assessments have been done, by anyone, on communities that may see large-scale job losses proposed.

In that context, I draw attention to two recent reports. The first is by the Institute for Fiscal Studies, which asked whether inequality was killing capitalism. It is a complex question, but there are signs that suggest it may be. The trickle-down effect to poorer people and places has proved largely ineffective. We used to be one of the most equal societies in the world, but we have moved to being one of the most unequal.

The second report—and I am very pleased to see the noble Lord, Lord Kerslake, in his place—was published a few days ago by the UK2070 Commission on regional inequality, which he chaired. It forecasts that half of all new jobs will go to London and the south-east. To tackle regional inequality, the commission proposes: four new super-regional economic development agencies; a spatial plan to guide the future development of the whole of the UK; action to harness new technologies and strengthen local economies; and, crucially, a national renewal fund that would rebalance the economy over a 25-year period. I find all those recommendations very positive; they would reduce pressures on the south-east and rebalance wealth. At present, in London the UK has the richest region in northern Europe. That helps the rest of the UK financially, but we also have six of the 10 poorest regions, making the UK the continent's most geographically unbalanced economy.

I am arguing not that the Government should do the job of the private sector but that they should create the conditions to address spatial inequalities through their leadership and intervention, as occurs elsewhere in Europe. If this debate were taking place in Edinburgh, it would be about the third spatial strategy in Scotland. England does not have one at all. Perhaps the Minister could explain why the Government leave so much to the market in England.

In 2017, the Government rightly committed themselves to the industrial strategy, saying that they wanted:

“An economy and labour market which works for everyone”.

I concur with that, but you cannot simply run England out of London—it is too big. Devolution within England to date is half-baked, with nothing like the powers available to Wales and Scotland. We have local enterprise partnerships that are underpowered, Whitehall departments that are unco-ordinated at a regional level and only one local industrial strategy, published recently in the West Midlands. We need national and local industrial strategies, national and local spatial strategies and a private sector that understands its duties and obligations to specific communities when it restructures.

3.07 pm

Lord Haskel (Lab): My Lords, I can understand why the noble Lord welcomes these figures. We all do; we have the highest number of people in work since records began and the lowest level of unemployment since December 1974. So I congratulate the noble Lord on moving this debate. However, I do not agree with him about what lies behind these figures. He spoke of a high rate of jobs for women. The Office for National Statistics tells us that this is due to the change in women's state pension age, since fewer women are retiring because their pension age has been increased. There has been a significant rise in the number of self-employed from 4.75 million to 4.93 million, raising concerns that more people are in insecure self-employment in the so-called gig economy.

However, those are not my major concerns. My major concern, as the noble Lord intimated, is that employment is increasing while productivity remains virtually static and investment is declining. That can only mean one thing: companies prefer to hire expendable workers rather than raising productivity by investing in machinery and new technology. The noble Lord seems to agree with me, and he seems to want to solve the productivity puzzle by manipulating the numbers. I suggest that instead he addresses himself to the overstrong financial sector, which seems reluctant to support the intangible investments that he is calling for, especially in the service sector. He should also ask his own Government what is happening to the industrial strategy, which is meant to help provide this support and encourage the necessary innovation.

Workers are not being displaced by the new technology that the noble Lord spoke about. This explains the research from the Joseph Rowntree Foundation, which shows that 4 million UK workers are in poverty, roughly 12% of the people in work. Its research also shows that the number of people with a job but living in poverty has risen faster than employment.

It is this picture which is reflected in the report from the United Nations Human Rights Council on poverty in Britain, to which the noble Lord referred. The Department for Work and Pensions has called this report “barely believable” and “completely inaccurate”. But it is believable. It is believable because the employment figures deal with individuals, but most of us live in households. It is the household that is the significant economic unit for receiving income and making

expenditure. This explains why the Government's claim that jobs are a route out of poverty is just not true. It is a productive job, plus social housing, training and a safety net, that is the route out of poverty. Society and the economy have to go together, but that is just not happening in the noble Lord's scenario.

What is happening is that the number of poor people out of work has fallen, but the number of poor people in work has risen. This is why there are now 2,000 food banks in Britain. This is why the United Nations report is believable. And this is why the report speaks of inequality. Increased pay and increased productivity have to go together; otherwise, all it does is increase inequality, as the noble Lord, Lord Shipley, pointed out.

There is a brighter side. Poverty among pensioners has dropped. Certain measures of well-being are high, probably because of the number of people in work. The number of skilled vacancies is also high. This requires giving priority to non-university-based further education, which the Government seem to have accepted in the Augar report. At last, after two years, the Government have recognised that the apprentice levy scheme is a disaster which is failing young people and wasting money. Hopefully, this will now be reorganised.

With so much poverty in working families, calling the minimum wage the national living wage does not bear any relationship with reality. Fortunately, a report from the Resolution Foundation last week, to which the noble Lord referred, demonstrated that the minimum wage has not reduced employment. Both the Government and the Opposition seem keen to build on this. However, enforcement is essential. Too many employers in the UK are getting around minimum wage and labour standards by employing gig workers or operating so-called "dark" places of work. Better enforcement will encourage the investment, productivity and training. Labour's plans for a £10 an hour minimum wage will end low pay and, together with the planned investment, bring most families out of poverty by raising both pay and productivity. Until this happens, full employment and family poverty will go hand in hand.

Of course, employment figures are backward-looking, telling us what happened several months ago. As the noble Lord, Lord Shipley, told us, quite a lot of job losses have been announced recently, so I agree with him that high employment may not go on. What plans do the Government have to make work pay, so that all families are lifted out of poverty? Experience over the last 20 years has taught us that the market-based economics that the noble Lord, Lord Leigh, seems to favour just will not do the job. All it seems to do is generate even more inequality, and we all know where that is leading us.

3.14 pm

Lord Freud (Con): My Lords, I congratulate my noble friend Lord Leigh on obtaining this debate. I would like to make some observations on the role of the changes to the welfare system in the record levels of employment. I acknowledge that any such impact has taken place in the context of various other levers, such as a flexible labour market and a healthy economy.

In 2007, I wrote a report for the Government on the welfare to work system which endorsed an "aspiration" to achieve an 80% employment rate, compared to the contemporaneous level of 72.7%. The financial crisis of 2008 meant that the 72.7% level proved a high point and the rate collapsed to little more than 70%. From there, employment has clawed its way back to above 76% in 2019—the highest level on record. The various changes in the structure of employment in the UK, such as the increase in the female working age and the greater number of students, mean that this figure is now probably more or less equivalent to the original 80% aspiration.

The welfare system must perform a difficult balancing act between providing an adequate safety net while giving an incentive for people to take economic control of their lives. In particular, it should be designed in a way that does not trap people in inactivity—and the legacy system does have the effect of trapping people in this way. Employment increased in the first decade of this century, but the bulk of the gains derived from people born abroad. It is remarkable how little the number of inactive people living in social housing changed, for instance, through a full economic cycle.

Perhaps the most important piece of work underlying the reform programme was Waddell and Burton's summary of research published in 2006, entitled *Is Work Good for Your Health and Well-being?*. I know that it was a major influence on my own report. The positive response to the question meant that the state could pursue work for citizens as an unequivocal goal.

To what extent do the record employment figures we are now seeing reflect the reform programme that was set in train after 2007? The most radical elements were introduced under the coalition Government, but there were major steps under the previous Labour Government, too. Moreover, in parallel with the reform programme, led by the DWP, there was a series of rounds of cuts to benefit payments, led by the Treasury. At this stage, it is much too early to reach a definitive conclusion. There is hard evidence on three of the reforms, and I am indebted to Robert Joyce of the Institute for Fiscal Studies for steering me to them.

The change to lone parent obligations recommended in my original report for the Labour Government boosted the work rate by around 7 percentage points. According to the research, changing the requirement for lone parents to find work when their youngest was five years old rather than 16, has had,

"a much greater impact on moving lone parents into work than other previous programmes and initiatives aimed at this group of claimants".

The impact of raising the female state pension age was bigger still. This was a reform legislated for in 1995, but accelerated under the coalition. Research by Carl Emmerson of the Institute for Fiscal Studies and Jonathan Cribb of University College London found that the proportion of affected women in work increased by about 10 percentage points.

The reform introduced by George Osborne to cap benefit levels also had a positive effect. The IFS estimated that about 5% of those affected responded by moving into work within a 12-month period, when they would otherwise not have done so. Although that is a fairly

[LORD FREUD]

sizeable effect by the standard of most benefit reforms, its narrow focus meant that it did not have a notable impact on overall employment numbers.

However, there is as yet little definitive work on the employment impact of the two major changes in the years between 2010 and 2016: the cuts programme pushed through by George Osborne and the introduction of universal credit. It is worth pointing out that the cuts programme itself would tend to encourage people into work, as the relative advantage of work and benefits changes.

The latest official estimate for the impact of universal credit, made in 2018, estimated that it would increase employment, when fully rolled out, by about 200,000 people. The early research showed that recipients spent less time out of work than if they were on JSA. There are still only 1.8 million people on universal credit, compared with the 11 million or so when it is fully rolled out. However, it is a well-known phenomenon that people anticipate changes, so that often up to two-thirds of the impact of a new benefit regime can be observed before it is in effect. That phenomenon may well have been amplified by the consistent message that the Government have applied for the past decade or more about the importance and value of work.

There are a number of specific impacts of universal credit quite apart from the financial incentives. There are structural changes, such as the changes to mixed pension and non-pension households. There are two areas of enhanced simplicity. The single taper means that people can straightforwardly forecast their earnings when they work more. At the same time, the combination of tax credits and benefits under one umbrella gets rid of the discontinuities involved in moving between two systems.

We will not obtain a full measure of the impact of these changes for many years. However, as the country faces the new challenges ahead, it may not be a coincidence that the starting point is the highest level of employment on record.

3.22 pm

Baroness Fall (Con): My Lords, I too thank my noble friend Lord Leigh for holding this debate. We should all take at least some cheer from the recent employment figures, which show that employment rates are at a record high and unemployment is at a record low. Signs that demand for labour is finally working to help drive up wages is particularly welcome. There is all this good news despite the chronic uncertainty facing our country as we continue to an ever-more polarised debate about our nation's future.

As with most good news, it does not come without complications and challenges, not least the huge questions around low productivity and inherent inequalities, which I shall return to. Before I do, I will cast our minds back to a decade when the financial crisis and the following recession started, because we would be wise to remember the long and painful journey to restoring our public finances, not as an exercise in self-congratulation—however tempting—but so that we should not forget away our hard-fought victories.

In 2010 the coalition Government inherited one of the biggest deficits in the western world. We were hurtling towards economic disaster. If we ask ourselves

what that actually means in terms of people's lives, we had only to switch on the television and the answer was right in front of us: images of riots in the street of Greece, hard-working families queuing at soup kitchens, lives ruined thanks to mismanagement of the economy. An unstable economy means failing businesses, high unemployment, high interest rates putting stress on mortgages, and money that could be spent on a hospital or a school being spent on servicing our debt.

Sound finance is not just some accountant's dream; it protects people's lives and futures and it should be the first call of any competent and responsible Government, which it was under the Cameron-led coalition. How was this achieved? First, it was by cutting the deficit, which we did by two-thirds so that we returned to living within our means, not maxing out our nation's credit card and passing debt down to our children. By 2014 we were one of the fastest-growing economies in the western world. We also started a national conversation about welfare. We were clear that we must help those who cannot support themselves, but for those who can we should help them stand on their own two feet. It was a conversation about what was fair—fair to the people who needed support, but also fair to those who paid for it.

We also asked ourselves: was it fair to entrench worklessness by making it pay not to work? That was the simple but strong idea behind many of our welfare changes and the introduction of universal credit. It is worth remembering that after the 2015 election the then acting leader of the Opposition, Harriet Harman, urged Labour to support our welfare Bill and to listen to what people were saying.

Changes to welfare, however, involve difficult and highly emotive judgment calls. We got some things right, but not everything. These are adjustments that should be made carefully, with Ministers in listening mode as they go. I welcome signs that our Secretary of State, Amber Rudd, is mindful of this as she rolls out universal credit to some of the most vulnerable in society.

First came the growth and then came the jobs—2.5 million of them by the following election—but it remained a great concern to us that wages were so sluggish for so long. There was also an uncomfortable feeling among some that those who had caused the financial crisis had got away scot free, while those who had not took too long to feel the benefits of the recovery. As a Government, we have tried to mitigate this with the increase in the minimum wage and then the introduction of the national living wage, which was a big step in the right direction. Last week a report for the Resolution Foundation said that the national living wage had had a beneficial knock-on effect for low-paid workers—welcome news.

Taken together, there is much in this success story to celebrate, but also much to mull over. At the core of our democracy lies a fragile commitment to respect the will and authority of the Government—whether we voted for them or not—to live by the rule of law and to play our part in society. That is what some like to call the social contract. But it can feel stretched to breaking point if majorities take a winner takes all attitude to governance; if people feel alienated and that they have no voice; if inequalities are so large that

it feels as though people live in parallel worlds; if businesses disregard pay restraint on boards and do not care or think about the relationship with their employees; if we allow women to do the same work but not be paid the same as men; if we ignore the challenges of other generations, with young people burdened by debt from their university and with little hope of being able to buy their own homes; and if, as a Government, we do not face up to difficult choices and are straight with the electorate about what they are.

While we move away from austerity, we should not lose sight of the need to deliver a stable economy. If you spend more money, ultimately you need to make a choice of how that is paid for. Is it by borrowing more, taxing more or making other cuts? There is no magic wand, only hard choices. We should not forget that it was through tough decisions and the hard work of the citizens of our country, who are responsible for the figures we celebrate today—figures that translate into hope and opportunity for people and families—and remember that our economy is built on competent governance and that we face many challenges ahead. Yes, we should pause and for a moment smile, and then reflect on all that we must do next.

3.28 pm

Lord Monks (Lab): My Lords, I too congratulate the noble Lord, Lord Leigh, on securing this debate on employment. It is certainly understandable that he has focused on the good news. The headline job figures have been impressive. That is what Governments do though, is it not—accentuate the positive? The employment figures have certainly held up well since the 2008 crisis, perhaps surprisingly so to many of us who have been through other recessionary periods. But it is also understandable, as my noble friend Lord Haskel pointed out, that others of us should peer under this sunny side up approach and look at the more negative features of the world of work in Britain. The noble Baroness, Lady Fall, touched on those in her contribution. On a day when we commemorate the heroic D-day landings—a period when the country came together impressively—it is particularly disturbing to see the current divisive state of the UK.

A central problem is that wage rises have been traded for jobs. The share of earnings in the UK national income has fallen markedly, and within the earnings figures, the share of pay going to high earners has risen at the expense of the lower paid. In 2017, the CEO of a FTSE 100 company earned 145 times the salary of the average worker—up 47 times from just 20 years earlier. As the noble Lord, Lord Shipley, said, we were one of the most equal societies in the world in the 1970s. We have become one of the most unequal nations, with one of the worst records in the world. Those on the lowest incomes, despite the work done on the national minimum wage and the national living wage, earn little more in real terms than they did in the mid-1990s.

There are some dire consequences of these figures. The suicide rate has grown. Drug and alcohol abuse are on the rise. A bigger proportion of jobs are classed as precarious. We used to think of them as atypical, but now they are the norm in many parts of the country, particularly in those regions to which the prosperity of

the south-east has not really spread. More families are increasingly chaotic and insecure in our society today—it is not a happy story. The only plausible defence of this would be that economic performance has improved, but in important respects it has not. Growth, productivity, investment, innovation and the trade balance show clearly that there is a huge amount of work to be done, and huge challenges. We are in a low-growth, low-productivity, low-investment, low-innovation economy in many parts of Britain, where people work long hours to compensate for nugatory pay levels. The prospect of Brexit is resulting in the loss of some good jobs already. I shall not labour the Brexit debate—we have debated it many times in this House—but today's tragic news about the closure of the Ford plant in Bridgend is an indicator of what we might be looking at in the car industry and other key industries.

Apart from Brexit, how did we allow the UK labour market to unbalance itself in this way? It is true that more insecurity and more inequality in labour markets is an international phenomenon, but it has gone further and faster in the UK and the USA than in most other advanced economies. That is not a natural phenomenon; it is because of successive Governments' policies of deregulation of business and encouragement of the flexible labour market, and the Conservative Government's strict regulation of trade unions. As the recent IFS report, which will be debated fully next Thursday, shows, all this insecurity and inequality has coincided with a decline in trade union membership and the coverage of collective bargaining. Collective bargaining now covers only about 30% of the workforce, mainly in the public sector, and outside important sectors in the private sector—I would pick out engineering, construction and steel—industry-wide agreements have largely disappeared. What bargaining does take place, takes place at the plant and the enterprise level, and is often vulnerable to changes in management styles and policies.

What can we do about this? This is an opportunity to share some ideas. The dark side of the British labour market needs urgent addressing. I pay tribute to Greg Clark, who has made a start on all this with his response to the Matthew Taylor review on good work. I hope that will not be held against him when the Cabinet is being considered by a new Prime Minister. However, we need more ambitious plans than those announced so far—on productivity, on performance and on promoting longer-term business perspectives, which distribute the benefits of growth more fairly. A more collaborative approach to work cultures, greater emphasis on skills and respect for workers and, indeed, for trade unions, seems to me very important.

Finally, central to this should be a reform of government departmental responsibilities. Stanley Baldwin knew that the Ministry of Labour was important to promote collective bargaining and to tackle inequality and overmighty employers. We should take a leaf out of his book and return to a department charged with tackling many of the problems that have already featured in this debate.

What the noble Lord, Lord Leigh, said, in his spirited, optimistic presentation earlier, is important. I acknowledge that. In turn, I hope he will acknowledge that the dark side of the UK's labour market also needs attention and acknowledgement.

3.36 pm

Lord Lupton (Con): My Lords, I too thank my noble friend Lord Leigh of Hurley for raising this important issue. It seems to be one of those issues which brings out both the best and some of the less attractive aspects of our British culture today: the best being a certain modesty and reserve in promoting what are good numbers; the less attractive being a reluctance to even report what is basically good news because it does not seem to sell newspapers, and a relentless pursuit of the tree in a wood on which you can notch a negative point. I am going to try and contradict myself on both counts, slightly overpromote the numbers and perhaps find one tree at the end I would like to put quite a large notch on.

In his opening speech, my noble friend Lord Leigh did not refer to what we inherited. In May 2010, when David Cameron stepped into No. 10, unemployment was, at 8%, just over 2.5 million. Things were so bad that John Philpott of the Chartered Institute of Personnel and Development, said:

“The big task for the government is trying to stimulate growth whilst also cutting the deficit. ... There’s nothing to suggest that we’re going to get a return to anything approaching full employment anytime soon”.

How cruel hindsight can be, and how unwise forecasting like that can be. As my noble friend Lord Leigh has said, now we have unemployment at 3.8%, with 1.3 million unemployed. Both numbers are almost exactly half what we inherited in 2010. Unemployment for men is at its lowest since 1975, and for women, at 3.7%, is the lowest since records began in 1971.

The most remarkable statistic of all, which I do not think has been mentioned yet today, is that, since 2010, 3.6 million extra jobs in aggregate have been created over and above where we were in 2010, and so we are at 32.7 million people in work, as we speak. It is a remarkable number and testament to the effectiveness of government policy in a period of very difficult economic circumstance that started in 2010. They are truly extraordinary numbers. They evidence the Conservative belief in what Iain Duncan Smith called “the dignity of work”.

For the first time in my life, I almost feel sorry for the Labour Party. Labour is the party whose Government have never left office with unemployment lower than when they came into office. Perhaps we should both rebrand? Both parties seem in a bit of turmoil at the moment. Perhaps Labour can become “the Labourless Party”, and this side can become “the Working Class Party”.

Others will no doubt talk about the stubbornly recurring issues of poor productivity—the noble Lord, Lord Haskel, has already done so—and slow real wage growth. I will say only that, while wages are now rising at a faster rate than inflation, and in particular the minimum wage is rising considerably ahead of inflation, there is still a lot of work to do to improve the hardship of those who work hard but earn less than 60% of the adjusted median income per household.

But this is not just a numbers game. For the United Kingdom to flourish and prosper harmoniously, employers have to get a lot better at providing emotionally satisfying work. They have to offer variety, not permanent

routine, as well as offering flexibility, training, mentoring and physical and mental health support at work. They need to give employees a route to progress as an individual and good reasons to have ambition to improve themselves and receive pay which creates some feeling of satisfaction rather than envy. Get those right and you create a vibrant 21st-century model for capitalism with true pride in, and dignity of, work. The Taylor review highlighted many of these features in its report in July 2017, and the Government were right to accept the vast majority of the recommendations.

Western capitalism faces a technology-led inflection point. We have to seek, and find, a way of narrowing the divide, which is at present increasing, between flat-lining, low-paid and often poorly skilled hard-working people and the premier league. Whether we like it or not, we need to achieve a better economic balance within what I describe as the working class—by which I mean everyone in gainful employment, from the FTSE 100 chief executive to poorly paid service workers. The huge upsurge of entrepreneurialism in the UK, which has been the main driver behind the success in creating jobs, has in my opinion been a triumph of economic policy since 2010. I love reading about hard-working risk-takers staking all and making fortunes through their own hard work and ambition, and their ownership of that most capricious class of risk capital—equity.

However, to echo comments made by my noble friend Lady Fall and the noble Lord, Lord Monks, senior business leaders must set the example for rebalancing the divide that I refer to—this is why I am putting a notch on the tree. They need to grasp the dangers of increasing social division through the relentless and excessive chasing-up of senior executive pay in major established companies. Leaders in these companies are, in most cases, highly competent and ethical stewards of capitalism, but they should not fool themselves that they thereby are the creative risk-takers who have a right to enormous rewards whether or not they succeed. The dining rooms of commerce are, believe me, full of concerned, even nervous, discussion on this point. We know that there is an international problem, but we cannot quite muster the courage to face up to it and, in any event, unenlightened self-interest gets in the way. Business must grapple with this as a matter of urgency, failing which it may find the issue being taken out of its hands.

3.43 pm

Baroness Rock (Con): My Lords, I too congratulate my noble friend Lord Leigh on securing this debate and on leading us off today with such trenchant commentary. I echo much of his analysis when it comes to highlighting the Government’s track record on supporting private sector job creation. While this month’s ONS statistics are cause for celebration—indeed, for optimism in this uncertain time—the narrative is a longer one and dates back to the formation of the coalition Government, as others have already mentioned. That act kicked off an extended period of private sector job growth, which we are still talking about today. At the time, the long-term economic plan spearheaded by George Osborne was criticised and many said that it would not work, but it did. For every

public sector job cut, there were 11 private sector jobs created. What is more, the Government took steps, through the tax system and the national living wage, to make work pay. So jobs have not only been created but are paying more, allowing people to keep more of the money they earn.

But challenges remain, and it is to those that I now turn. I particularly want to focus on technology, its possible impact on the labour market and the opportunities it presents to give a much-needed boost to our productivity, which, as my noble friend Lord Leigh has pointed out, still languishes. I will highlight the important role that artificial intelligence might play in this, following the report of last year's House of Lords Select Committee, of which I was fortunate to be a part. We heard evidence from a variety of sources that artificial intelligence could boost productivity but that we have work to do when it comes to adoption. Evidence from Sage said that,

“companies currently spend an average of 120 working-days per year on administrative tasks. This accounts for around 5% of the total manpower for the average Small & Medium Sized Business”.

The tools exist to change this, but they are not being deployed. Sage further suggested that if UK business was to become 5% more productive, GDP could increase by £33.9 billion a year. The committee proposed an enhanced role for government to support the uptake of AI solutions by businesses large and small.

The committee also found that one of the central challenges to realising this opportunity was access to skills. Balderton Capital, a venture capital firm, told us:

“The skills required to build competitive ... start-ups today are relatively rare, and as a result the costs for starting a company in”, the artificial intelligence space,

“are higher than other areas of technology”.

The committee worked through some possible solutions, focusing on the number and nature of degree, postgrad and PhD places available in the field of AI, and what the Alan Turing Institute could do to support this.

But one area we also looked at was more obvious yet more profound still—the lack of women working in technology. The ONS statistics we are debating today show female employment is at 72%, the joint highest on record. This is a milestone to be celebrated, but few of these women are working in technology. If we want to build a pipeline of talent to support industries such as AI, we cannot do so by working with only half the labour force.

PwC research has found that only 27% of female students said they would consider a career in technology, compared to 61% of males, and only 3% of females said it would be their first choice. This needs to change. The PwC research underpins an important initiative called “Tech She Can”, a charter for companies to sign up to, which sets out commitments they will take to increase the number of women working in technology. Importantly, this involves a strand on creating role models. Too many girls in school think technology is not for them, because of the lack of visible successful women working there. This too must change.

Similarly, organisations such as the Return Hub enable women to relaunch a career after an extended break. We need to do more to promote women returners,

capitalise on the talent that already exists in our labour market and better connect it to the industries of the future. If we can achieve this, sectors such as AI may access the talent they need to realise the potential of the technology and, importantly, deliver productivity gains for the whole of the UK. More women in work is a good thing. More women working in our productive cutting-edge technology-driven industries is better still.

3.48 pm

Baroness Meacher (CB): My Lords, I too applaud the noble Lord, Lord Leigh of Hurley, for moving the Motion for debate today. The employment statistics are indeed impressive and we are all aware that, in general, employment improves the well-being of us all. But in 21st-century Britain, as the noble Lord, Lord Haskel, has already indicated, for too many people employment does not equate to well-being—quite the opposite.

I have worked closely with the noble Lord, Lord Freud, over the years, through his welfare reforms. I hope that the noble Lord agrees that, with all the good that has happened, there is a bleak underside to the welfare reforms we have seen unfolding. As pointed out in the 2018 statement of Professor Philip Alston, UN special rapporteur on extreme poverty and human rights, almost 60% of those in poverty in the UK are in families where someone works. That is a remarkable figure. Some 2.8 million people in poverty are in families where all the adults work full-time—I could go on. Low wages, insecure jobs and zero-hours contracts mean that, even with unemployment at a record low, which we should celebrate, 14 million people in this country live in poverty.

The Government have introduced swingeing cuts to tax credits for working people—driven by the Treasury, I emphasise, and not by the noble Lord, Lord Freud. I cannot resist pointing out that the US banks created the crisis of 2008, but our poor and in particular our disabled people are expected to pay the debt. I would be grateful if the Minister assured us that a serious review, both of working people's poverty and the plight of disabled people who are denied benefits, will be or is being undertaken.

I will reflect on two aspects of the human cost of driving up employment: growing levels of debt; and the harassment of disabled people to drive them into employment, with devastating consequences. I use the word “drive” intentionally. As employment has increased, so has the level of debt and stress. For example, the website of StepChange, a debt charity, received no fewer than 2.5 million visits in 2018. Those 2.5 million people are in debt and need help. A striking fact is that reduced income in work is as important a factor to people seeking help with debt as unemployment is. Too many people are in insecure, spasmodic or very low-paid jobs—employment that does not enable people even to feed themselves. Too many employed people need access to food banks.

However, the swingeing cuts to the welfare budget over recent years have ensured that the loss of a job, however poor that job is, is often financially catastrophic. The rules applied to universal credit applicants have greatly exacerbated the suffering of those involved.

[BARONESS MEACHER]

The complexity of the application process, the delays before benefit is paid, the sanctions—often based on errors that are then very difficult to rectify—and the sharp drop in the level of benefits for many have massively increased debt levels and caused extreme distress and fear, affecting many millions of households in the UK today.

I turn to the policy of driving disabled people into employment. One of the ugliest features of the welfare system, in my view, is the work capability assessment, a tool designed to put pressure on sick and disabled people to motivate them—that is the term used by officials—into employment. I make it clear that I am a strong supporter of help for disabled people in overcoming the real hurdles they face in finding and keeping a job. One of the most important objectives for any disabled person is to work, if they can reasonably do so. However, it is quite another matter for the state to seek to make the benefit claims process so difficult and unpleasant, and the level of benefits so low, that a sick or disabled person who is unable to work is literally traumatised, may die or attempt suicide in desperation. That is what I am referring to.

Mo Stewart, in her book, *Cash Not Care: The Planned Demolition of the UK Welfare State*, demonstrates brilliantly the horrors of the WCA as experienced by sick and disabled people. At the heart of the cruelty is the biopsychosocial model of assessing a person's capability to work, whereby medical diagnoses are ignored and replaced by simplistic psychological and physical capacity measures, applied too often by non-medical staff to very vulnerable disabled claimants. I recently visited a wonderful service for people with severe brain injuries and was appalled to meet people in wheelchairs with multiple disabilities, both mental and physical, caused by their brain injury, who had no prospect whatever of recovery and yet had just been recalled for another work capability assessment. It is hard to describe the distress involved, knowing how arbitrary the system is.

The architect of the scheme, Professor Sir Mansel Aylward, admitted in 2012 that it is “unsatisfactory” and,

“no longer addresses the real needs of disabled people”.

However, it remains in place. Few people know that between December 2011 and February 2014, 2,380 people died after a work capability assessment declared them fit for work. A further 7,200 claimants died after being assessed as well enough to prepare to get back to work. According to staggering NHS statistics for 2014, almost 50% of sick and disabled claimants of employment and support allowance had attempted suicide while claiming that benefit. I find the figure hard to believe, but it was published in NHS statistics. These deaths and near-deaths are the tip of the iceberg of huge and pervasive suffering generated by work capability assessment processes and other tools of successive Governments determined to boost employment. Will the Minister tell the House what plans the Government have to reform the work capability assessment?

3.55 pm

Baroness Wheatcroft (Con): My Lords, I am delighted that my noble friend Lord Leigh of Hurley secured this debate on the important subject of employment. A huge number of positives have been spoken about today: it is harder to reflect on those having just heard the very powerful contribution from the noble Baroness, Lady Meacher, but we should not lose sight of the good news on the job creation front. However, as others have pointed out, statistics can tell very different stories. When it is cheaper to employ people than to invest, that is what will happen; productivity will not rise and neither will wages, and many people are suffering the upshot of that situation. It does not add to a national feeling of well-being if your real wages have barely moved in a decade.

We have heard much about the inequalities that are causing such friction in our country. My noble friend Lord Lupton put his mark on the tree and I want to add mine, because there is a real issue in the discrepancy between the top and the bottom in so many companies in our country. It is simply not right, as far as I can see, that people on very low wages are subsidised by the taxpayer, who is effectively subsidising dividends to investors and the remuneration of the chief executive. There is something wrong in that system and we need to address it. First, the owners of those businesses need to address it. Companies have duties that go beyond paying dividends: they have a duty to their staff and to broader stakeholders. That has to be taken very seriously by the people who own those companies.

Nevertheless, we have been growing companies, and the growth in entrepreneurship is to be applauded. There are things that could be done to help those small new companies grow. We need to get better at scaling-up businesses. One thing I would really like to push for is larger companies investing in those smaller companies. Some of them are doing this, by providing mentoring and introducing them to export opportunities, which really help them grow. We have seen it happen in the pharma sector—Unilever is very good at it—but we need much more of it. It is much cheaper for a small business to sacrifice a bit of equity to a big business than to take on loans from banks.

Today, though, I would like to talk about a few specifics, one of which is access to jobs. Yesterday, I talked to a man who runs a manufacturing business in the Midlands. He was deeply unhappy about the fact that, of the very good apprentices he had taken on this year, half had left within three months. It was not because they did not like the work—they loved it—it was the two and a quarter hours on public transport it was taking them to get from the rural areas where they lived to where he was in the city. Even though the Government are improving infrastructure, there is a huge amount to be done. Rural areas are particularly deprived. If we really want people to have access to work, then £2.5 billion for the Transforming Cities Fund is not enough. We need to look far more at rural areas and at how we are going to get people to where the jobs are.

There is also an awful lot of talk about flexible working. It is very clear that people want it; they have caring responsibilities, families to bring up and all

sorts of demands on their time. They have a legal right to ask for flexible working, and companies are offering it, but all too often they offer flexible working without quite believing in it. A survey last year by Deloitte and Timewise looked at 1,800 professionals who were doing flexible working: 30% felt that they were regarded as less important than their colleagues; a quarter felt that they had fewer opportunities; and 25% believed that they missed out on promotion. That is not really flexible working; that is people being penalised for not playing the game the old way. Today, there is no need for everybody to be in the office all the time. Technology means that flexible working really can and should work. A survey by YouGov found that 89% of those asked believed that, if they had truly flexible working, they would be much more productive. We need companies to embrace it.

I will also talk about people with disabilities. The noble Baroness, Lady Meacher, talked about those who were unable to work being driven into work, but she also talked about those who would like to work. It is so important that we do more to help those who would like to work find jobs. There are 1 million disabled people in the UK who want to work but are not given the opportunity. The rate at which disabled people are employed compared to non-disabled people has been around 30% lower for at least a decade. If they want to work, we should enable them to do so. A new campaign, the Valuable 500, aims to get 500 big businesses signed up to increasing the number of disabled people they take on in their workforce. We should give it full backing. Is the Minister aware of the campaign? Does she believe anything can be done to bolster it?

Finally, I will highlight the work being done to help people move from prison into work. The need for this is overwhelming. Statistics from the Ministry of Justice show that only 17% of offenders get a job within a year of leaving prison, yet if they do so they are far less likely to reoffend. This is really important to the economy, because recidivism costs an estimated £15 billion a year. If we get these people into work, we save money and have a happier workforce and a happier country. The Government have been seeking solutions to this and launched the education and employment strategy. However, two years ago, there was a manifesto promise of NIC holidays for companies taking on ex-prisoners. Are those holidays still available?

4.03 pm

Lord Addington (LD): My Lords, before I progress with my speech I should remind the House of my declared interests—I am president of the British Dyslexia Association and work for Microlink plc—because what I will say refers to both areas. I will talk about the range of disabilities. I thought I would be alone, but the noble Baronesses, Lady Meacher and Lady Wheatcroft, have beaten me to the punch. However, having a little bit of the ground in front of you ploughed always helps.

In my experience, historically, when you talk about full employment for a period of time, you know, first, that it will not last, and, secondly, that people start talking about improving skills in certain hard-to-reach groups, such as offenders, ex-offenders and various

disability groups. We are in that process at the moment, and I am afraid that the noble Lord, Lord Leigh, may well have fallen under sod's law by having this debate today, when a series of redundancy figures were suddenly announced, as my noble friend Lord Shipley referred to. We have been here before and, likely as not, will be here again.

One thing that has changed is technology. For most disabled groups, technology will improve their employability and enable them to have productive jobs for far longer. I have a huge personal interest in this as a severely dyslexic person who depends on voice-to-text technology to operate. Without it, I could not function normally in this age of computer-driven communication. I am not alone in this; it is not just about dyslexic people but about anybody who has any problem with the keyboard. The technical capacity is out there to deal with this problem. It also works the other way round: it will take text and read it to you. Are we making sure that most people will get this quickly enough and well enough? The answer is no. We are not utilising the capacity there. It is a type of technology that will help virtually everybody.

One of the groups I have found myself dealing with through my connection with Microlink is that of people who have degenerative conditions, to look at how you can step in and support them at work. If you cannot use a keyboard, voice recognition suddenly becomes important to you. Your eyesight may suddenly start to disintegrate. When we deal with disability, we tend to have the idea of someone in a wheelchair or somebody who is blind or profoundly deaf, but most people are not. They have a problem in these areas but there is not an absolute brick wall. The technology can get in and help them, even if they have a deteriorating condition, so they can have longer periods in work. The important things are to make employers realise that this is not a barrier to their employment—recruitment comes in here as well—and to make sure that, once they are in there, we give them the assistance to make sure that they maintain their employment.

The fact is that the disabled worker is the least likely to take days off sick if he gets assistance and help. They are also not liable to move jobs very quickly. That may be an indictment of the entire system, because such jobs are difficult to find, but if you support these people they will not move jobs quickly. The cost to an employer of having to replace somebody, let alone having to take them through a series of legal challenges to get rid of somebody who is stopping functioning, is incredibly high. The cost of intervention is comparatively small, and the Government have recognised this.

I am afraid that I will give the noble Baroness who is to reply rather an unfair challenge. Somebody reminded me that there was to be an upgrading of the Access to Work scheme to make sure that employers received more of the money, and in certain cases all the money, for all the assistance needed. This seems to have disappeared. It was announced in April last year—what has happened to it? From my experience of working in the field, it seems it has disappeared. If you are not going to take on this support, you are making sure that there will be greater problems.

[LORD ADDINGTON]

I am reminded of the appalling record that certain jobcentres and some people have in dealing with disabled people. The various work tests seem designed to get the lawyers an easy hit when you appeal, because most appeals get through. If you can get this tech or knowledge in place, and make sure that people undertake to use it, you stand a much better chance of getting people into jobs that they can do, and they can retrain with it.

Are we going to embrace this? If we do not, we will continue to have the problem of a group of people who are commonly unemployed or, more commonly, underemployed, and stuck in jobs below their capacity. This is very true of my own neurodiverse sector of dyslexics; you avoid things because you cannot handle the paperwork. This assistance has to come in. The Government have examples of good practice, including the Civil Service. What are they doing to disseminate that, at least within the government sector? If we do not do that, we are making this group incredibly vulnerable, and making them a problem when we could make them an asset. Can we please have some examples of doing sensible things with the advantages we have at the moment? We have enough problems here without shooting ourselves in the feet all the time when we have an answer to making sure that people not only get employed but stay employed and reach their capacity.

4.09 pm

Lord Northbrook (Con): My Lords, in 2010, when Labour left office, unemployment stood at 2.5 million. As my noble friend Lord Lupton has already noted, remarkably, every Labour Government have left office with unemployment higher than when they came into power. So I am very pleased today, a decade on from the worst recession since the 1930s, to welcome the latest employment figures.

It is clearly excellent news that at 76%, the employment rate is the joint highest on record, UK unemployment is at its lowest level since 1974 at 3.8%, and wages are rising higher than inflation, at their fastest rate for nearly a decade. Thanks to successive Conservative-led Governments, 3 million more people now enjoy the security of a job. According to the Office for National Statistics, the number of people in work is at the highest level since records began in 1971. By giving workers a pay rise through our national living wage, successive Conservative led-Governments have helped the UK economy recover.

Of course, there will be those who say that the increase in employment is down to the creation of part-time, unskilled work—but this is simply not borne out by the figures. More than 75% of the jobs created are in full-time work; only 3% of jobs are on zero-hours contracts, the exclusive terms of which the Government outlawed in 2015.

A year later, the Government commissioned the Taylor review into the changing labour market. The June 2017 report stated that the UK was “good at creating jobs”, but that there were a number of, “persistent weaknesses in the UK labour market, particularly real wage growth and productivity performance”.

The report proposed a seven-point plan which recommended that a British national strategy for work should be explicitly directed towards the goal of good work for all.

While applauding the Government’s positive reaction to the Taylor review, I shall focus on an area that the report does not cover so well. The Migration Advisory Committee produced a recent report pointing out major skills shortages in the UK economy which it believes cannot be filled by the UK workforce. It states that migration rules should be relaxed. It believes that the shortage occupation list, whereby jobs are effectively allowed to jump the queue for workers from outside the European Economic Area, needs a big expansion. The suggested MAC list would cover 9% of jobs in the labour market, compared to approximately 1% currently. Alan Manning, chairman of the MAC, said:

“Today’s labour market is very different to the one we reviewed when the last SOL was published in 2013 ... That is why we have recommended expanding the SOL to cover a range of occupations in health, information and engineering fields”.

The SOL is a useful reminder—an alarm bell, even—to government, industry and the education sector about the areas where the UK has a skills deficit. Some of the labour market shortages, particularly in engineering and health, have existed for decades and are clearly getting worse. It begs serious questions about the quantity and quality of technical and vocational training in the country, and whether enough thought has been given to planning for the long-term needs of the economy.

My noble friend Lord Bamford put the issue succinctly in his 2014 maiden speech. He compared the UK economy to that of Germany. Germany’s success, he said, was achieved,

“by having a coherent, long-term industrial strategy and by focusing on high value-added products. They did it by spending more on R&D than we do—70% more ... Germany did it by supporting family businesses under its *Mittelstand* model”.

We should do likewise in Britain, where family businesses provide more than 9 million jobs—far more than public companies. Finally, and crucially, Germany did it by showing a real commitment to technical education. My noble friend said:

“Technical education is ... especially dear to my heart. I believe that we have a duty to identify and nurture young talent”.—[*Official Report*, 10/6/14; col. 267.]

There is no better example of a successful family business in the UK than my noble friend Lord Bamford’s company, JCB, so he speaks with great authority.

Let us look at the current rules for non-EU citizens who wish to work or study in the UK. They need to apply for one of a number of visas. In my view, there are two main problems with the system. First, people now need to be paid at least £30,000 to apply for a tier 2 visa as an experienced, skilled worker; that figure is up almost £10,000 since 2011. This threshold appears senseless as it excludes skilled workers needed in quite a few job areas. Secondly, I understand that no tier 3 visas for unskilled workers are being given out at present. Will the Minister confirm this? Should there not be a shake-up in the tier 2 visa regime to allow shortages, for instance in the NHS, to be dealt with, and in the tier 3 visa regime to retain the seasonal workforce required by the agricultural industry, especially in the fruit and vegetable sectors?

In summary, I praise the Conservative-led Governments since 2010 for reducing the unemployment rate so successfully. I also compliment them on the Taylor review and their sensible reaction to it, while noting the CBI's concerns. I am cautious about job losses in the motor industry and in large companies such as BT, and about how much worse matters will get if there is a no-deal Brexit. Finally, the Government need to look at the shortage of skilled and unskilled workers, as well as at the hugely important issue of technical training.

4.16 pm

Lord Willetts (Con): My Lords, I begin by congratulating my noble friend Lord Leigh of Hurley on securing the debate. I particularly thank him for referring to the work of the Resolution Foundation. Several noble Lords have referred to it in the course of the debate so I had better declare an interest as its executive chair. Our work has shown not only that there has been a significant increase in employment but that this increase has been very progressive in many ways, reaching out and including in the jobs market the most marginalised and disadvantaged groups. For example, the bulk of the increase in employment has been among those in the less affluent half of households, and a third of the people moving into employment have disabilities.

This jobs recovery has also been spread broadly across the country. The increase in employment has not been concentrated in London and the south-east—far from it. In fact, the biggest proportionate increases in employment have been in South Yorkshire and Merseyside. There has also been a lot of debate about atypical work. Although it surged until about 2016, since then, as the labour market has continued to tighten, the surge has been in classic full-time employment. My noble friend Lord Leigh was right to draw attention to this excellent performance by our jobs market.

Perhaps our jobs market's most striking feature, however, is that it is absolutely not what anyone expected; my noble friend Lord Lupton also made this point. We have just had the biggest recession since the war, with a 5% loss of GDP. We have heard from people closely involved in those tough decisions in 2010, which were necessary to bring the deficit under control, but none of us expected at the time that employment would perform so well and that pay would perform so badly. Let us face it: we are talking about a painful but inevitable trade-off. Our response to this recession has been different from that for previous recessions because pay has adjusted more and employment has adjusted less. In the decade since the economic crash, pay has increased on average by about 2.5% a year; that is basically keeping up with inflation, compared with increasing by 4.5% a year in the decade before. When faced with a choice, in so far as any policy-maker can shape this response, I suspect that most of us, whatever our political affiliation, would say—quite rationally—that a recession where the response is on pay, with pay being spread as a result of general poor performance, is better than one where the adjustment is borne by unemployment.

I speak as someone who was a policy adviser in No. 10 in the 1980s, when we had a very different type of recession—one where real pay rose for people in

work, often quite considerably, but we had 10% or more trapped in severe unemployment. However—and I do not relish this—I observe that in the 1980s Governments won landslide victories, whereas in the past decade the perhaps more benign response to this deep crash seems to have been associated with a bleak, sour political mood in which more people feel more pessimistic, because their pay is not going up. I suspect that the policy combination we have ended up with, despite being one that most of us here would advocate, has not necessarily ended up working so well for the political economy and the political mood in our country.

I will venture one other observation about the political economy of this. I apologise to the House, because I will talk briefly about Brexit. I do so because a lot of Brexiteers, my Brexit friends, say to me that the performance of the jobs market—continuing to create these jobs even when there is a plan for our departure from the EU and we have all this uncertainty—shows that Brexit is not a problem. I think there is a different lesson to draw from all this.

Euro-scepticism entered the bloodstream of the Conservative Party almost exactly 30 years ago when Jacques Delors went to the Trades Union Congress and said he would use the powers that Brussels held, the regulatory powers of the single market, to introduce tighter regulation on jobs. Margaret Thatcher's Bruges speech was a response to that. After years of battling for a flexible labour market, the fear—a genuine fear—was that Brussels was going to reregulate our labour market. My view is that the performance of our jobs market in the past 10 years shows that there never was a Brussels imposition of heavy-handed regulations on the British labour market. If it ever was Delors's plan, it never happened.

In fact, the main extra regulation on our jobs market was a domestic policy decision: the minimum wage, subsequently the national living wage. It was initially controversial; speaking in the other House when it was all introduced many years ago, I warned that I thought it would increase unemployment. We have a domestic labour market regulation, not imposed by Brussels, which fortunately has not had a deleterious effect on jobs. Instead, I think we should look forward with some anxiety—with the news today from Bridgend—at whether we are now leaving an environment where we could promote investment and R&D and be active in the new technologies of the future, driven by a misplaced fear that somehow Brussels has imposed red tape and regulation on our labour market, when what we are really celebrating today is the fact that clearly it has not.

4.23 pm

Baroness Kramer (LD): My Lords, well, follow that speech! I feel unfortunate to stand up at this moment, but fortunate that the noble Lord, Lord Leigh, has achieved this debate. I congratulate him, because so often when we talk about employment, in Parliamentary Questions or in passing in a broader economic debate, it is at the very superficial level of numbers announced the day or week before. I have found absolutely fascinating the way in which speaker after speaker today has explored particular issues in much greater depth and

[BARONESS KRAMER]

opened up the much more complex picture that drives employment, the risks we face in future and the strategies we have to take on board.

As I listened to the speakers today, what frightened me most—it is something I knew, but it was underscored so often, and I defy people to identify whether the comments were made from the Government or Opposition Benches—was the sense that we are almost creating two Britains here: a country in which people are indeed in work but, to paraphrase the noble Lord, Lord Haskel, in which the greatest growth has been in poverty in work, far greater than the growth in those gaining work. That pattern is one that should trouble us—to go from a society in which to be in work essentially guaranteed what you would consider to be an acceptable and reasonable lifestyle, to a situation where work no longer comes close to guaranteeing that for a very significant number of people.

My noble friend Lord Shipley picked up the regional imbalances. I know that the noble Lord, Lord Willetts, said just now that job creation has been spread across the country. Indeed, it is most likely that you tend to see the biggest pick-up in areas of greatest employment, but that still leaves a real pattern of inequality across the regions of the UK. Although new jobs have occurred in each area, they have not come close to rectifying or dealing with that imbalance. That leaves us with a divided society and we allow that to continue at our peril. It drives a whole series of policies of local decision-making, support and a great deal of rethinking. My noble friend covered that very carefully for us.

I was also fascinated to hear the noble Lord, Lord Lupton, and others speaking from the Conservative Benches, echoing the same comments from people such as the noble Lord, Lord Monks, on the inequality of pay and the message to businesses. The noble Baronesses, Lady Fall and Lady Rock, picked that up as well. The message to businesses is that they have to re-look at the social contract that they have with their stakeholders, workforce, the community and the country about allowing multiples of pay for senior corporate players, while those at the bottom find their wages compressed. The noble Baroness, Lady Meacher, talked about the stress of debt, the growth in food banks and the difficulties.

But then noble Lords spoke about the people in the middle finding their wages constantly squeezed. The noble Lord, Lord Willetts, spoke on that issue. I hope that the Government are picking up and understanding that there is a drive for real and fundamental change in the contract between business and the broader population. It has to be crystallised in a new, responsible way of carrying through capitalism. I know some on the Labour Benches would agree with me and some would fundamentally disagree. I do not go for the nationalisation strategy that has been so broadly described by some leading Labour Members, but we must recognise that a new model is absolutely required. Indeed, when it comes to public utilities, many have talked, although not today, about public benefit corporations. In a way, you create a public/private partnership—the term has been somewhat disgraced—that operates utilities and fundamental services.

I want to highlight two or three things before I sit down. One is an issue that never seems to be addressed in any of these discussions: the age dependency ratio. I suppose it was picked up by the noble Lord, Lord Northbrook, in a way when he talked about the shortage of unskilled as well as skilled workers. Although the numbers are outdated, look at the age dependency ratio—the ratio of dependants to the working-age population. In 2017 it was just about 57%, and I suspect that when we get current figures it will be closer to 59%. That is unsustainable. When we look at the breakdown, it is not because we have more young people. In fact, the youth dependency ratio remains almost constant. It is because we have so many more older people. Who would not want older people to live longer? But the stress that they create for the working-age population becomes greater and greater. If we look at our population demographic forecasts, we do not have on tap the working-age population that will bring that number down. That underscores that the immigration of a working-age population into the UK has to be part of the fundamental economic strategy if we are to offer a civilised standard of living to our older people, our younger people and our community at large. I wish the Government would try to come to grips with this. I never hear them talk about this. We talk about the fact that older people have issues with social care and we look at the problems they have, but that falls back on to the working-age population. We only have to look at places such as Japan, where the problem is utterly severe, and Germany where it is serious. We are very much headed in that direction, and we have to understand that that requires us to change our language and our policies on immigration.

Quite a number of noble Lords talked about what is in effect the fourth industrial revolution. This is an area where we have not yet delved deep enough into what we need to do. New jobs are always created when new technologies become available, but will they be jobs that our current employed people will be able to take, or do we create new jobs requiring a set of skills so that those in the current workforce who will potentially lose their jobs will find it almost impossible to transition to them? How do we achieve that transition? I do not hear that language from the Government.

The last area that I want to tackle before I sit down is productivity. The noble Lord, Lord Leigh, and I somewhat disagree on it. I fully accept his argument that a service-based economy requires us to look at productivity numbers in a different way, but our long-term productivity forecast is 1.2%. I do not care how you adjust the numbers, that is appalling. We have to get productivity levels well over the 2% benchmark if we are to see a recovery of long-term growth. That means that this is a deeply embedded inherent problem. While the Government have a strategy that encourages current cutting-edge technology, the irony is that the companies that are interested in cutting-edge technology are very productive and will seize that technology. Our problem is an economy driven very largely by middle-sized and small companies that are not attached to cutting-edge work, and where the big difference in productivity comes from discarding the 12 year-old machine or the five year-old computer and buying one that is 18 months old, rather than from getting them embedded in trying

to catch the wave of whatever new IT or AI capacity is available. If our industrial strategy does not capture that, we will endlessly find ourselves with deep problems.

The noble Lord, Lord Leigh, basically said that we had to protect business if we were to have a future and future jobs. In response, I say that that I can think of nothing more likely to drive jobs away from our economy than the words “WTO rules” and a no-deal departure from Europe—indeed, any kind of departure from Europe. We are already seeing the impact on investment numbers. I was talking to the tech field, which is down 57% this year from last year. I was taking with venture capital groups in Parliament earlier this week and they have seen a shocking cut in the levels of venture capital investment in this country. You can follow through all those kinds of various numbers. If want a strong economy, we must listen to the Treasury forecasts and, frankly, stay in Europe.

4.33 pm

Baroness Sherlock (Lab): My Lords, I too thank the noble Lord, Lord Leigh, for getting this debate off the ground, and I thank all noble Lords who have contributed to it. It has been much more interesting than I expected, and I do not mean that rudely. I feared we might get rather more Whips’ hand-out speeches, but in fact we have heard some very interesting speeches—that sounds more patronising than I meant it to be. I apologise.

Let me just dispatch a few of the points that were chucked in my direction first because I do not really want to play in the party sandpit too much. Just for the record, Labour did not cause the global financial crash, we do not hate business, we want people to work, we want work to pay, tax credits were not a disaster, UC is not going swimmingly and the Treasury is part of the Government. I hate to break that to noble Lords, but I am an ex-Treasury spud and I know that.

Having got that out of the way, I turn to the fact that the noble Lord, Lord Leigh, invited us to do two things: to celebrate the headline figures and to probe underneath them. I will do both. I am very happy to welcome the headline employment rate. It is good news and I am glad that we are in that position. However, I would like to probe underneath it and then go on to look at how to drive it up. How we do that matters. I could drive up employment very easily. For example, I could raise the state pension age to 90 and abolish the welfare state. Those would be very effective ways of driving up the employment rate; they just would not be good ways of doing it, and it would not be good for the country. Therefore, it matters.

I am also worried about some of the risks coming down the track. A number of noble Lords mentioned the recent spate of announcements about closures and redundancies in sectors from retail to steel. They have not yet filtered through to the employment figures because of the time lag involved.

I want to talk briefly about how weak business investment is—a point raised by my noble friends Lord Monks and Lord Haskel, and the noble Baroness, Lady Wheatcroft, among others. A very interesting speech was given last week by Dave Ramsden, one of the deputy governors at the Bank of England. I do not know whether noble Lords read it. In it, he commented on the fact that investment has fallen over the last three

years. As he pointed out, it fell for four consecutive quarters in 2018 by a total of 2.5%. That has never happened before. He pointed out that normally business investment and employment rise or fall together. Now, we are seeing business investment going down and employment going up. That is unusual, so what is happening?

He offered two explanations. One, in common with what my noble friend Lord Haskel said, is that businesses are substituting labour for capital because it is cheaper and quicker to lay off workers than reverse capital investment. The other, he suggests, is that maybe demand is shifting away from capital-intensive, export-oriented businesses and into labour-intensive, domestically focused ones. The first of those explanations highlights a risk to jobs and employment levels from a shock coming down the track. The second raises some serious issues about the structure of our economy in the future, and it plays into some of the AI, tech and skills issues raised variously by the noble Baronesses, Lady Rock and Lady Kramer, and a number of other noble Lords.

We have some serious problems even in today’s labour market. My noble friend Lord Haskel, the noble Lord, Lord Shipley, the noble Baroness, Lady Wheatcroft, and others highlighted issues around insecure employment. The noble Lord, Lord Northbrook, might think that this is only a marginal issue but we have some 850,000 workers on zero-hours contracts and over two-thirds have been stuck on them for a year, suggesting that this is not just a temporary blip. The TUC commissioned a poll of workers on zero-hours contracts and found that more than half had had shifts cancelled at less than 24 hours’ notice; nearly three-quarters had been offered work at less than 24 hours’ notice; and, crucially, more than a third were threatened with not being given shifts in the future if they turn down work. That is serious. In addition, only 12% of them got sick pay; only 7% would get redundancy pay; 43% got no holiday pay; unsurprisingly, only a quarter preferred being on zero-hours contracts; and 47% did not get written terms and conditions. I say to the noble Lord, Lord Leigh, that if we want effectively to push up the fees for employment tribunals to the point where nobody can use them, it becomes meaningless to give workers the right even to have written terms and conditions. A right that one cannot enforce is not a right, and I worry very much about any move back in that direction.

Other TUC analysis found that if you are on a zero-hours contract you are twice as likely to work at night and twice as likely to work seven days a week. The average hourly pay rate is about 50% higher if you are on a fixed contract than if you are on a zero-hours contract. This is not good work.

The noble Lord, Lord Leigh, said that work should be a route from poverty to prosperity. However, I fear that for too many people at the moment it is simply a move from one kind of poverty to another, and that is a serious challenge for our economy. If a parent works full time, or potentially both parents work full time, and they cannot feed their kids, something has gone badly wrong with the state of our economy. We have to address this. I am not convinced at all that the Government have got to the bottom of it but I would be very interested to hear what the Minister has to say.

[BARONESS SHERLOCK]

I will not dwell on this because my noble friend Lord Haskel and the noble Baroness, Lady Meacher, made some very good points about working poverty. However, we have to ask why it is happening. Poor pay growth is clearly part of the story. Like the noble Baroness, Lady Kramer, I was very pleased to hear comments from around the House about pay ratios and extremes, because those really do not help. Although pay is beginning to creep up, median pay is still not back to pre-recession levels in real terms.

My noble friend Lord Monks made some very interesting points on how we might go about developing the economy in this area in the future, his prescriptions for the future, and the impact of losing collective bargaining. Given my role, I need also to lay down a marker about the incredibly damaging effects of significant cuts to social security for people in work. After five years of cuts to benefits in real terms, the Joseph Rowntree Foundation estimates that already 200,000 people have been dragged into poverty simply by that benefit freeze, which is not finished yet and will run for another year.

It certainly has not helped to have universal credit repeatedly slashed before it was even brought into being. In particular, the reduction in work allowances—although they have been partly restored—has really damaged trying to make work pay. These were terrible decisions and I wish the Government would revisit them.

I also worry that the benefits of employment are being unevenly distributed; this is partly geographical—a point made by the noble Lord, Lord Shipley, and touched on by the noble Baroness, Lady Kramer. I live in Durham. In the north-east, the employment rate is 71%, according to the latest statistics; in the south-west it is 80%. In the north-east, unemployment is 5.4%; in the south-west, it is less than half of that at 2.4%. This makes things feel very different if you lose your job somewhere like Country Durham, especially given its history.

On job creation, I worry. It is estimated that between September and December last year, workforce jobs in the south-east increased by 59,000, while in Wales they decreased by 9,000. Something is going on and, notwithstanding the comments made by the noble Lord, Lord Willetts, in a very interesting speech, it is significant that parts of the country have struggled and are struggling now. I want to know what the Government are going to do about that.

Finally, I want to touch on a few other sources of inequality. The noble Baroness, Lady Meacher, and the noble Lord, Lord Addington, made some interesting points about disability. Eighteen per cent of our working-age population report that they have a disability; 51% of these people are in employment, compared to 81% of non-disabled people—that is a 30 percentage point disability employment gap, which is an absolute disgrace. I was pleased to see that, in their 2015 manifesto, the Conservatives pledged to halve our disability employment gap. Unfortunately, by 2017, that had been watered down to talk of getting an extra million disabled people into work; that is good but I fear that quite a bit of it will come from demographic changes, as we have an ageing population.

The DWP has introduced a new Work and Health programme, but it is much smaller than the programmes it replaced. Learning and Work Institute analysis suggests

that it will support only some 10% of out-of-work disabled people. If that is right, we are talking about a 2 percentage point movement in the participation rate, which does not seem very strong. I am also worried that most employment support for disabled people is now generalist, provided by generalist coaches in jobcentres. The Work and Pensions Select Committee at the other end pointed out that support for specialist help for disabled people getting into work had been slashed from around £1 billion to little over half that across the lifetime of this new programme. Meanwhile, a million sanctions have been imposed on disabled people since 2010. The fact that the disability employment gap is not closing suggests that this is not a very effective strategy for helping disabled people into work. So, can the Minister tell the House how the Government's plans will make serious inroads into the disability employment gap?

I have two more quick comments. First, the TUC found that, compared to white workers, black and minority ethnic workers are more than twice as likely to be stuck on agency contracts, much more likely to be on zero-hours contracts, more likely to be in temporary work, and twice as likely to report not having enough hours to make ends meet. What are the Government doing about that?

Secondly, on young people, 15% of all unemployed 16 to 24 year-olds have been unemployed for over 12 months. The unemployment rate for 18 to 24 year-olds is 10% compared to 3.8% for the whole population. What the Government have done about this is to create something called the “youth obligation”. If you are aged 18 to 21 and you make a claim for universal credit, you are put into the scheme, given help and you have to do things. Centrepoint has just carried out a longitudinal evaluation of the youth obligation. It found that, after a year, only 24% of those young people were in employment and almost half were doing informal, cash-in-hand work such as babysitting, ironing or cleaning; 31% were not working and were claiming benefits; and 35% were neither working nor claiming benefits. Most worryingly, 45% of young people left before the programme finished because they just could not cope. It seems that many were people who had serious issues; they were homeless, had mental health issues, or had drug or alcohol problems. It became clear, the report said, that they would never be able to cope with the programme. Has the Minister read that report? If so, what are the Government going to do about addressing the challenges facing young people in this area?

There is much more that I would want to do. I simply say that I would welcome it if every time the employment statistics came out, rather than just going for the headline figures, the Government took a deep breath, looked down the track and thought, “What kind of country are we trying to create?” If we want to bring people together again, we have to find a way for everyone to have a stake in this country. If we want capitalism to be the future, it has to work for most people. For that to happen, if you go to work and do a job, you should be able to feed your family. Is that not the basic that you should expect?

4.45 pm

Baroness Stedman-Scott (Con): My Lords, like the noble Baroness, Lady Sherlock, I have been delighted at the content of the debate. It has endorsed those things that have gone well and really challenged us on the things that we need to work on. I share her hope on that. It is a privilege to respond to this important debate and I join noble Lords in congratulating my noble friend Lord Leigh on having secured it. I shall try to address some of the specific points raised, but before I do I want to take this opportunity to share with the House this Government's record on employment and our plans to address the challenges and opportunities of a rapidly changing labour market.

We are in a strong position. There are now around 32.7 million people in employment. That is an employment rate of 76.1%, which is a joint record high. It is also an increase in the number of people in employment of over 3.6 million since 2010 and an increase of 354,000 on the year. The female employment rate and number of women in employment are at record highs. The unemployment rate is at just 3.8%; it has fallen by more than half since 2010 and is at its lowest rate since the 1970s. The youth unemployment level has halved since 2010, and real wages are starting to rise. The UK compares well internationally when it comes to employment: our employment rate is markedly above both the eurozone and EU averages, and the UK had the third highest employment rate and the fourth lowest unemployment rate in the G7.

Those figures are tremendous, but we are not complacent. That is why the Government's industrial strategy sets out an ambitious long-term vision to make us the world's most innovative economy, future-proofing our jobs market so we can be at the forefront of emerging industries. A key component of building resilience in the economy that can sustain strong growth in the labour market is ensuring that no one is locked out of the jobs market. That is the kind of country that this Government want.

As a Government, we know how important it is that the labour market works for everyone, and I am pleased to say that we have seen improvements for underrepresented groups. Noble Lords have made different contributions in relation to these underrepresented groups, but let me be a little clearer. There are 3.9 million black, Asian and minority ethnic workers in employment. The employment rate among this group, at 66.5%, is a record high, though still obviously lower than we would like it to be. After the 2015 election, the Government made six commitments to improve the employment outcomes of people from BAME backgrounds. I am proud to say that we have pledged to increase the level of BAME employment by 20% by 2020, and already we have achieved 91% progress. The BAME employment gap has closed to 9.3 percentage points—2.1 percentage points lower than 2015.

The employment gap between disabled and non-disabled people is also closing. There is an employment rate gap between disabled and non-disabled people of 29.9 percentage points. That is too high, but it has fallen by 3.8 percentage points since 2014, and since then an extra 947,000 disabled people have entered employment. The Government have a goal to see 1

million more by 2027. There is currently a record number of 10.4 million people aged over 50 in work, an increase of 1.4 million in five years.

These figures are tremendous, but the Government are not complacent. I emphasise that we still have more work to do. We must continue to improve access to the labour market so that everyone is able to get that vital first job, wherever they live and whatever their background. We know that some groups still face disproportionate barriers to work, ranging from practical issues, such as childcare or accessibility, to straightforward discrimination. For the next stage of labour market growth, the Government are focusing on how to drive up participation for these underrepresented groups.

For example, as noble Lords mentioned, we know that caring responsibilities can be a huge barrier to work for many women. We have trialled more flexibility for parents submitting their UC childcare claims and are updating our guidance so our work coaches can use greater discretion to support parents' claims for this essential service. Jobcentres can also use their flexible support fund to help bridge the gap to a parents' first pay cheque. The flexible support fund is flexible in every sense and is doing great things to help people in difficulty.

Similarly, we continue to do everything we can to tackle discrimination against BAME workers. In 2017, the Prime Minister launched the world's first *Race Disparity Audit* to show how outcomes across society differ by ethnic group. To try to counter this, local initiatives are taking place across the country, with jobcentres tailoring the way they deliver their services to the local people they serve. There is not time to go into these wonderful initiatives in detail now, but I can tell noble Lords that jobcentres are reaching out to particular communities, working with partner organisations to help individuals take the first steps towards employment. The DWP has run mentoring circles in the 20 areas with the largest number of ethnic minority people across the country, working with national employers to offer specialised support to help build confidence and raise aspirations in these groups. Following the success of this initiative, from April the mentoring circles will be expanded to all young claimants.

Equally, we are committed to helping disabled people and people with health conditions get into and stay in work, which they want to do. We know that the right type of work can have a positive effect on an individual's health and that having the right health support can have a positive effect on an individual's ability to flourish at work. We believe that the Work and Health programme, Access to Work, the Disability Confident scheme and the support offered by Jobcentre Plus are all key to supporting employers to work with the Government to see 1 million more disabled people in work by 2027. Noble Lords should feel free—I hope they do—to write to me if they want to know more details about these initiatives.

What all of this shows is this Government's conviction that work can, and does, transform people's lives, not just by creating a sense of value and economic security but because it can benefit an individual's mental and physical well-being. This underpins the Government's programme of welfare reforms.

[BARONESS STEDMAN-SCOTT]

This Government are acutely conscious that society is changing and that it is important for the labour market to evolve, but this is not easy. For example, people are living longer, healthier lives but, despite this, the average age of labour market exit for men is still lower than it was in 1950, while for women it is similar to that in 1950. Employers need a flexible labour market as the population ages and fewer people enter the labour market from education and training relative to those aged 50 and above. We need to prevent unnecessary early exits from the labour market. For example, by retiring at 65 instead of 55, a male average earner could have £280,000 of extra income and increase their pension pot by 55%.

As I have said, this Government are committed to supporting disadvantaged groups and those with multiple and complex needs, such as care leavers, as discussed, ex-offenders and those with a drug or alcohol dependency, to move closer and into employment, working with local employers and partners to provide opportunities. I would like to mention the impact that work coaches and Jobcentre Plus are having. They are more highly trained than ever and more understanding of the complexities that people face. Only last week, even in the village where I live, where everything is wonderful, a victim of domestic abuse needed the services of a work coach. They got it and it was excellent. We should all be very proud of that.

I wanted to outline what we are trying to do and what we have tried to achieve, but I am not stupid enough not to realise that there is more to do. Noble Lords have given a lot of thought as to how that might come about.

I will now try to deal with many of the questions that noble Lords have asked in their contributions. I do not think that I will be able to answer them all—in fact, I am dead certain that I will not. Please do not take that as meaning that I do not want to answer the questions—after this we will go away, look at *Hansard* and make sure that noble Lords get the answers they wanted.

My noble friend Lord Leigh asked about progress on the Taylor review. There is no lessening of our efforts on this. We need to ensure that the labour market continues to work for everyone. The review was commissioned by the Prime Minister and has been delivered. On 17 December we published the *Good Work Plan*, which sets out our vision for the future of the labour market and our ambitious plans for implementing the Taylor review's recommendations.

My noble friend Lord Leigh, the noble Lord, Lord Haskel, and others asked how we could drive up wages. The Government have already introduced the national living wage, which is now £8.21 per hour and which provided the biggest pay rise for low-paid workers in more than 20 years. But be under no illusion: we want to go further. The Chancellor has already announced our aspiration to end low pay, and there is more that we can do.

My noble friend Lord Willetts will be pleased that I am going to read out a reference to the Resolution Foundation:

“The proportion of workers on low wages has fallen to its weakest level since 1980 and low pay could be eliminated by the middle of the next decade, an equality think tank has suggested. The Resolution Foundation said that 17.1% of workers in Britain were low-paid, which is defined as having wages below two thirds of median hourly earnings. However, it said in a new report that this proportion could fall to zero by the middle of the 2020s”.

May that happen.

On the national productivity investment fund, which my noble friend Lord Leigh and others referred to, we are committed to providing high-quality infrastructure to support economic growth and prosperity across all regions of the UK. The Government have established the productivity investment fund to deliver additional capital spending in areas critical for improving productivity. It is now set to deliver £37 billion of high-value investment to 2023-24 in transport, R&D, housing and digital infrastructure. There is a breakdown of how this money will be allocated.

My noble friend Lord Leigh asked whether the current measure of productivity had kept pace with modern society. He is right that measuring productivity is challenging, given the pace of change in the economy. The independent Office for National Statistics measures productivity for the UK and, following Professor Charles Bean's 2016 review of economic statistics, has increased the volume and timelines of productivity available. Since 2016, the Government have provided £25 million to ensure that the UK has world-leading statistics that capture what is happening in our modern economy. That is work in progress.

A number of noble Lords referred to flexibility in the workplace not being used to cut and run with employees as and when it suits. Our employers are the ones who create jobs. They need a flexible workforce and a high degree of flexibility. We should ensure that employers have this, but, where there is a system where, unfortunately, the workforce needs to be downsized, we must make sure that people stick to the rules, that things are carried out compassionately and, at the end of it, when people lose their jobs, we must get work coaches and Jobcentre Plus to pick them up and get them back to work as quickly as we can.

My noble friend Lord Leigh asked about courts and tribunals fees; we will arrange for the relevant department to write to him. The noble Lord, Lord Shipley, outlined the situation with British Telecom. It is alarming, but I am advised that it would be premature to comment as this is a matter for BEIS. Of course, we always need to be alive to the threat of widespread economic downturn, or to be there to support individuals facing isolated but life-changing redundancies when firms close, and I am absolutely sure that Jobcentre Plus will do this.

The noble Lord, Lord Shipley, and a number of other noble Lords, mentioned that the north of England has suffered and not had the increase in jobs that London and the south-east have had. I disagree—60% of the jobs that have been created have gone into the north of England, although it should be more. The noble Lord, Lord Shipley, and other noble Lords, mentioned the industrial strategy, which sets out an ambitious long-term vision to make Britain the most innovative economy, with good jobs and greater earning powers. Every region in the UK has a role to play, and we have an ambitious agenda of devolution deals,

working with the newly elected metro mayors and with local enterprise partnerships, and another £1.6 billion for the Stronger Towns Fund, which we hope will come.

We are absolutely committed to helping people progress from low pay. The Government have already introduced the national living wage, as I have said, and the Chancellor has announced our aspiration to end low pay. There is more that we can and should do, and will do.

I thank my noble friend Lord Freud for his contribution and for the sterling work that he did in reviewing and revising the benefits system. It is a great piece of work that has made a difference to a huge number of people in our country. The noble Baroness, Lady Sherlock, has highlighted some of the issues which, obviously, are concerning; the noble Baroness, Lady Meacher, has done the same. I have not got the time to go into great detail, but all I would say is, "Please do not think that we are complacent". We have a compassionate Secretary of State, who is very committed to trying to make life better for people.

The noble Lord, Lord Monks, mentioned the situation where people are potentially losing their jobs. This gives me the opportunity to talk about the national retraining scheme, and getting to people quickly to ensure that they can be prepared for future jobs.

My noble friends Lady Fall and Lord Lupton talked about disparity in pay and being transparent. Boardroom pay is not a matter that is dealt with by the DWP, but the department has done work on executive pay transparency and the representation of women in senior leadership roles.

I am running out of time. Please do not take it personally if I have not responded to your Lordships' questions, but I must address the noble Lord, Lord Addington, who put a late addition to his question. He spoke about the need for technology to be used in helping people with severe difficulties. Regarding the employer contributions to assistive technology under the Access to Work scheme, it is my understanding that the tech fund pays the full cost of the tech solution. There is no employer contribution. If the noble Lord requires more details, I can help him by writing to the department.

I must conclude there or I will be in trouble again, but I would like to echo the words of my noble friend Lord Leigh and pay tribute to the Prime Minister, who leaves office today. When I first met her, it was in Portcullis House at a poverty meeting about employment and making life better for people. The burning injustices that we all hate are felt greatly by her, and I know that when she is in a different role those burning injustices will not leave her. I too pay tribute to the outstanding work she has done and the difference she has been able to make to people's lives. I wish her well for the future, as I hope the House does.

I thank my noble friend Lord Leigh for securing this debate and thank everybody for the time they have spent preparing for it. I hope that, together, we can all move on to take up some of the points that everybody has raised.

5.05 pm

Lord Leigh of Hurley: I thank my noble friend the Minister for her remarks and thank every Member who has participated in this debate. I can honestly say that I have taken something from every single speaker, and that every single speaker has given me some new information and pause for thought. In many cases, they have countered my arguments absolutely with some interesting observations. I am clearly on the sunny side of the House, hence my positivity. If you look at things such as the FDI coming into the UK, you cannot help but feel positive about the road ahead in many respects, tempered by the circumstances in which we find ourselves. Clearly, we are not going to agree about productivity but perhaps we can agree that we have done extremely well to reduce a two and a half hour debate to a much shorter time, showing your Lordships' House at its best.

Motion agreed.

Church Representation and Ministers Measure

Motion to Direct

5.06 pm

Moved by The Lord Bishop of Leeds

That this House do direct that, in accordance with the Church of England Assembly (Powers) Act 1919, the Church Representation and Ministers Measure be presented to Her Majesty for the Royal Assent.

The Lord Bishop of Leeds: My Lords, it was 100 years ago this week that your Lordships' House gave a Second Reading to the National Assembly of the Church of England (Powers) Bill. Speaking in support of the Bill, Lord Parmoor said:

"If this Bill is passed, for the first time the laity of the Church will have a recognised and substantive position in the corporate expression of church life ... The very object of the Bill is to give an effective part to a large number of Church men, earnest and eager to do their best for the Church and who cannot have an effective influence at the present time. That is why I, as a layman, have laboured for this Bill".—[*Official Report*, 3/6/1919; cols. 1028-29.] The Bill was passed and became the Church of England Assembly (Powers) Act 1919. It devolved legislative power to the Church Assembly, which has since become the General Synod. It is pursuant to Section 4 of the 1919 Act that this Motion is before the House today.

The constitution of the Church Assembly included rules for the representation of the laity. It was as a result of those rules that the laity obtained the, "recognised and substantive position in the corporate expression of church life",

referred to by Lord Parmoor; and it was under those rules that he became the first chairman of the House of Laity. I should add that the non-gender inclusive language of that time hides the fact that churchwomen, as well as churchmen, were members of the House of Laity of the Church Assembly from the very beginning.

In 1969, the rules for the representation of the laity were replaced with the Church Representation Rules. The life of the Church has changed in a number of

[THE LORD BISHOP OF LEEDS]

ways over the past 50 years, and the time has now come to replace the rules once again. The Measure, and the new rules it contains, emerged from the work of a simplification task group established by the Archbishops' Council. The task group's role was to bring forward proposals to remove constraints on the mission and growth of the Church of England that result from existing legislation and processes. It recommended that there were three major ways in which the Church Representation Rules should be reformed.

First, they needed to be made less burdensome to the clergy and laity in the parishes who have to operate them. Unnecessary provisions needed to be identified and removed; other provisions needed to be streamlined. Secondly, parishes should be given much greater flexibility over their constitutional arrangements so that they can operate in the way that is most effective for the mission, life and work of the local church. Thirdly, the administrative burdens for those involved in running multi-parish benefices, especially in a rural context where the number of parishes and benefices can be considerable, needed to be radically reduced. It should be possible to establish benefice-wide structures to take the place of individual parochial church councils.

The Measure replaces the existing Church Representation Rules with a completely new set of rules. Many of the concepts remain familiar: church electoral rolls, annual meetings, parochial church councils, deanery and diocesan synods, and the House of Laity of the General Synod. But there are significant changes to the way in which the rules are presented and their substance. The new rules have been completely redrafted and are a great deal easier to understand. They are no longer characterised by overlong sentences; provisions are broken down into more easily digestible parts. Further, all the provisions relating to parish governance are now in a self-contained part of the rules. This should make navigation around the rules easier for those in parishes and others who need to refer to them.

In substance, one of the most significant reforms is provided for in Part 2. The default position is that the model rules set out in Part 9 apply to each parish, but the annual meeting of any parish can make a scheme to amend, supplement or replace the model rules. This will make it possible for a parish to make governance arrangements that are best suited to the mission and life of the church in that parish. There are some significant safeguards. A small number of essential provisions will be mandatory, and a scheme making rules for a parish will have to be approved by the bishop's council, which must be satisfied, among other things, that the scheme makes due provision for the representation of the laity and ensures the effective governance of the parish.

Another major reform is the provision for joint councils. Under the new rules, joint councils can replace the individual PCCs. Where that happens, the number of local bodies and meetings will reduce, in some cases significantly, which should result in a significant reduction of the administrative burdens imposed on clergy and laity. In addition, various provisions of the current rules that were thought to be unnecessary or unduly burdensome have been pruned. Anomalies have been addressed and doubts as to meaning have been removed.

The rules are intended to be compliant with recent data protection legislation; they provide for electronic communication and for better representation of mission initiatives in the Church's structures; they enable parochial church councils to do business by correspondence; and they provide that lay people must form the majority of a parochial church council.

I briefly mention Section 2. It provides the statutory basis for the General Synod to make a provision by canon to extend the range of situations in which a newly ordained deacon or priest can serve his or her title. The Measure was carried by substantial majorities in all three houses of the General Synod. The Ecclesiastical Committee of Parliament has reported that it is of the opinion that the Measure is expedient. I beg to move.

Baroness Butler-Sloss (CB): My Lords, I am chairman of the Ecclesiastical Committee and confirm what the right reverend Prelate said. We heard oral evidence from Church House and were satisfied that this is a non-controversial Measure, which I am happy to commend to the House. As the right reverend Prelate said, we held that it is expedient, which is our duty.

Lord Griffiths of Burry Port (Lab): It may be unusual for someone who has had no part in the proceedings until now to speak in such a debate. There were some sentences that the right reverend Prelate said that were perhaps lengthier and more convoluted than the report to which he was referring—but I congratulate the Church of England on taking into its systems procedures that seem to bring Methodism and Anglicanism much closer together.

Baroness Jolly (LD): My Lords, I should declare a family interest. My husband is the secretary and treasurer of Lewannick PCC and has been churchwarden on and off for the past 15 years—currently off for a year, but likely to be on for another lengthy stint next year. He is also lay chairman of the deanery synod of Trigg Major.

It is worth pondering the deanery, which may be typical of many rural deaneries in the country. There are 17 rural ecclesiastical parishes, each with a medieval church that is probably in need of extensive repair, and one town parish with four churches in a similar state. We may also wish to consider the average age profile in our rural parishes. The vast majority of congregations are elderly and, as nature takes its course, in decline. So, while Church representation rules are important, and these changes to simplify and modernise are welcome, it has to be said that in all the complexities of establishing and revising a church electoral roll, and administering a local parish council and synod, which will indeed be improved by the Measure, the thought of ever having such a long list of candidates for any election to any position in a rural parish church council will bring a wry smile to many churchgoers. In Lewannick, there has been no such election in modern history.

5.15 pm

The only area of contention I see is the limitation on the terms of deanery synod members. The reasoning behind the proposal to limit service to six years, to ensure that new blood comes in to give fresh thought

and enthusiasm, is welcome. However, in practical terms, in many rural deaneries such as I have described, a sensible balance may have to be allowed to ensure that a willing volunteer is not unnecessarily barred and replaced by a press-ganged member of the congregation. I would, therefore, in the first instance limit the six-year restriction to the lay chair of the synod, and encourage deanery synods to find new sources of wisdom and enthusiasm through persuasion rather than regulation. Otherwise, as I have indicated, I support the Measure.

The Lord Bishop of Leeds: My Lords, I thank noble Lords for their comments. The important point to assert is that this takes seriously the importance of local circumstances and the need for local adaptation. So the rules are permissive; they introduce a degree of permission, instead of constraint or restraint. So, for example, one of the most helpful things is that you could maintain a parochial church council with the subsequent deanery synod representation in every parish, or there is permission under these rules to merge that into one council for the whole benefice. But that

decision will be taken locally—it is permissive rather than restrictive. I think that is the only response I need to make, so I ask the House to approve the Motion.

Motion agreed.

Sentencing (Pre-consolidation Amendments) Bill [HL]

Motion to Refer to Second Reading Committee

5.18 pm

Tabled by Lord Keen of Elie:

That the Bill be referred to a Second Reading Committee.

Lord Young of Cookham (Con): My Lords, on behalf of my noble and learned friend Lord Keen of Elie, I beg to move.

Motion agreed.

House adjourned at 5.18 pm.

Volume 798
No. 309

Thursday
6 June 2019

CONTENTS

Thursday 6 June 2019
