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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

OFFICIAL REPORT

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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

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House of Lords

Thursday 17 October 2019

11 am

Prayers—read by the Lord Bishop of Coventry.

Introduction: Lord Barwell

11.07 am

The right honourable Gavin Laurence Barwell, having been created Lord Barwell, of Croydon in the London Borough of Croydon, was introduced and made the solemn affirmation, supported by Lord Young of Cookham and Lord Gilbert of Panteg, and signed an undertaking to abide by the Code of Conduct.

Introduction: Lord Davies of Gower

11.12 am

Henry Byron Davies, Esquire, having been created Lord Davies of Gower, of Gower in the County of Swansea, was introduced and took the oath, supported by Lord Stevens of Kirkwhelpington and Lord Bourne of Aberystwyth, and signed an undertaking to abide by the Code of Conduct.

South Africa: Money Laundering and Corruption Question

11.17 am

Asked by Lord Hain

To ask Her Majesty's Government what plans they have to impose similar sanctions to those announced by the United States Department of the Treasury on 10 October against Rajesh Gupta, Atul Gupta and Ajay Gupta for money laundering and corruption in South Africa.

The Minister of State, Foreign and Commonwealth Office (Lord Ahmad of Wimbledon) (Con): My Lords, I thank the noble Lord for raising this important issue and also for his recent letter to my right honourable friend the Chancellor of the Exchequer. We note with interest the recent announcement by the US Administration and will consider the noble Lord's request very carefully. We are aware fully of the allegations relating to these individuals and are discussing with the South African National Prosecuting Authority how we can best support its work to pursue proceedings against those implicated in corruption.

Lord Hain (Lab): I am grateful to the noble Lord for his Answer. Will the Chancellor follow the US Treasury in imposing sanctions on Rajesh Gupta, Atul Gupta and Ajay Gupta, to block all of their property and interests in property within the UK's jurisdiction and, like US persons, prohibit UK citizens and UK-based financial institutions and other UK-based entities from engaging in any transactions anywhere

across the world with them? Will the Chancellor also immediately contact the Dubai, Hong Kong and Indian authorities and ask them to do the same?

Through their corrupt criminality and shameful looting, blessed by former President Zuma, the Gupta brothers have ripped off South African taxpayers by well over £500 million, a lot of it laundered through London, Dubai, India and Hong Kong, and assisted by London-based corporates such as McKinsey, KPMG, Bain & Co and Hogan Lovells. Any failure by global Governments to act against all this would echo their failure to impose sanctions on apartheid South Africa.

Lord Ahmad of Wimbledon: My Lords, I am sure the noble Lord will appreciate that I cannot say any more on the specific matter he has raised at this point. We are in touch with the South African authorities. The noble Lord is also very much aware of the strong stance that the UK Government and indeed the United Kingdom have taken over several years in further strengthening our work on tackling corruption and illicit finance. He raised a specific question on the UAE and India and whether my right honourable friend would write. I have been informed that the South African authorities have already made mutual legal assistance requests to the Governments of those countries. Additionally, similar requests have been made to the Governments of Canada, Switzerland, Mauritius, Hong Kong and China. As I said, I am aware of the letter the noble Lord wrote to my right honourable friend and I know the Chancellor will respond to him shortly.

Lord St John of Bletso (CB): My Lords, at a time when South Africa is suffering the aftermath of a decade of the massive corruption of the Jacob Zuma regime, as well as an undermining of state institutions, what measures can be taken to root out the perpetrators of this corruption and assist the South African Government in reviving their moribund economy?

Lord Ahmad of Wimbledon: The noble Lord is right to raise that. We are working very closely, through not just the Foreign Office but the Treasury and DfID, with the South African authorities. I assure the noble Lord that the UK is playing a leading role, not just with South Africa, but in the global fight of fighting corruption. We have already committed £45 million over the next five years through the FCO-led, cross-HMG global anti-corruption programme. On South Africa specifically, we are engaging with a wide range of South African institutions to provide support to investigations with a potential UK link and to build capacity and capability, including specific support in areas such as procurement reform and promoting and facilitating regional co-operation. There are other schemes, including those in multilateral agencies through various UN representative offices, that we are also working together with South Africa on.

Lord Collins of Highbury (Lab): My Lords, we all know that, for sanctions to be truly effective, it requires a concerted action on behalf of the international community. I note what the Minister has said, but can

[LORD COLLINS OF HIGHBURY]

he tell us whether there has been any consultation with the US Government and, of course, our partners in the EU, where we are still part of a sanctions regime? Can he tell us what we can do to try to get that concerted international action against these people?

Lord Ahmad of Wimbledon: I assure the noble Lord that this is very much ongoing, not just on the particular individuals concerned, but more specifically across the piece, both with the US and our European partners. In that respect, he will be fully aware, and as I have said repeatedly from the Dispatch Box, that for sanctions to be effective co-operation is required to stop the scourge of illicit financing and money laundering more generally. On sanctions specifically, we hope to introduce secondary legislation in due course very shortly, as part of the Sanctions and Anti-Money Laundering Act, specific provisions on the human rights element of the sanctions regime. I will update the House accordingly in that respect.

Baroness Kramer (LD): My Lords, I think the whole House would agree that the best way to prevent corruption is transparency, particularly of the various organisations that can be enablers. On that point, could the Minister tell us what progress has been made on public registers of beneficial owners in the overseas territories and Crown dependencies—an area where the Government have resisted many of the pressures introduced by this House?

Lord Ahmad of Wimbledon: I disagree with the noble Baroness's final point. The Government have accepted the amendment that was made, and we are working closely with the overseas territories. She will also be aware that we have a very effective exchange of notes scheme already operational with key overseas dependencies, which provide law enforcement agencies and tax authorities with direct access. On the specific issue of registers, I am sure that she has observed very closely recent statements that have been made publicly, such as those by the Turks and Caicos Islands and by the Cayman Islands only yesterday, that they will be in line with the whole issue of public registers, reflecting European Union priorities and consistent with European priorities as will be required. The noble Baroness will be further aware that we are working directly with the OTs. We have technical groups set up to ensure public registers will be operational by 2023.

Lord Lexden (Con): What assessment has the Foreign Office made of the efforts by the current South African Government to crack down on corruption?

Lord Ahmad of Wimbledon: As I have already said, we are working very closely with the South African authorities and the South African Government. The action that they have already taken is reflective of how they are tackling corruption at the core and heart of government which has plagued South Africa since the initiation of democracy. I assure my noble friend that we continue to support and co-operate with our South African colleagues through all channels.

Lord Eatwell (Non-Affl): My Lords, following on from the point made by the noble Baroness, Lady Kramer, can the Minister tell us when there is going to be a verified register of beneficial ownership in the United Kingdom?

Lord Ahmad of Wimbledon: A public register is already operational, and because of it we have already seen certain illicit flows of finance being tackled directly. The noble Lord shakes his head; I disagree with him. He will also know that the Government have prioritised this whole issue of tackling corruption and illicit finance. There are further proposals that will come forward, but public registers in themselves are not the only solution. It requires work across the piece, including tackling money laundering and having an effective sanctions policy. We are working on those proposals, as I told the noble Lord, Lord Collins.

Bailiff Reforms

Question

11.26 am

Asked by **Baroness Meacher**

To ask Her Majesty's Government what plans they have to publish policy recommendations following their consultation on the review of bailiff reforms, which closed on 17 February.

The Advocate-General for Scotland (Lord Keen of Elie) (Con): My Lords, in a Statement on 22 July, the Government set out their initial response to the call for evidence on the enforcement agent reforms. We intend to make body-worn cameras mandatory for private enforcement agents and the complaints system against agents more effective. We are also considering strengthening regulation of the industry. Officials have since met further with a range of stakeholders; we hope to set out our proposals as soon as possible.

Baroness Meacher (CB): My Lords, as we debate Brexit for hours and days on end, some of the most vulnerable people in our country are suffering. Every minute of every day, somebody in dire poverty is suffering the humiliation and fear of a bailiff banging on their door. In about 300,000 cases a year, the bailiffs break the rules. Self-regulation is not working. They may send strings of texts to the person concerned threatening that the whole debt must be paid immediately—or else. None of that is legal, and none of it will be resolved by body-worn cameras. The Justice Committee reported on the bailiff problem in April and recommended an independent regulator. Twenty organisations worked for two years on this and came to the same conclusion. Will the Minister be so kind as to meet at least two of the main experts and me to discuss the best way forward on this very tricky issue?

Lord Keen of Elie: My Lords, we appreciate the work done by the Justice Committee, which was published in April 2018, and have taken up some of its recommendations already. There are discrepancies over the number of complaints, but that may in part be explained by difficulties that some people perceive in

following through on complaints. We are concerned when enforcement officers do not comply with the law and with regulations, but we must remember that there is not only a group of people out there who are “can’t pay” but a very large group who are “won’t pay”. Individuals and small businesses need the ability to recover money lawfully due to them. I am happy to meet the noble Baroness and her experts and associates to discuss the matter further.

Lord Howarth of Newport (Lab): My Lords, while creditors are entitled to take steps to obtain money properly due to them, does the noble and learned Lord agree that what is not legitimate is the harassment and bullying perpetrated by some bailiffs and some of the profit-driven organisations that employ them? Will he go beyond an expression of concern and tell the House more fully what the Government intend to do to improve this culture and to ensure that those bailiffs who commit excesses are brought to book?

Lord Keen of Elie: My Lords, there are regulations in place and there are those—a minority—who do not comply with those regulations. The position at present is that there are about 2,500 civil enforcement agents. They have to appear before a county court judge every two years, where their conduct will be the subject of consideration. We are looking at further regulation and at the means of ensuring that a small minority of enforcement agents do not break the law. Clearly, we do not condone aggressive and inappropriate behaviour, no matter what the circumstances may be.

Lord Marks of Henley-on-Thames (LD): My Lords, the Government are publicly committed to ensuring that enforcement agents treat debtors fairly, responsibly and proportionately. The proposed breathing space scheme, the Government’s civil enforcement project and, indeed, the Minister’s answers so far suggest that they also agree on the need for a sympathetic approach to problem debt. Will the Government therefore now consider requiring enforcement agents to advise debtors of the availability of the breathing space scheme and of debt management assistance more generally? Are the Government now more receptive to the call of many for independent regulation of all enforcement agencies?

Lord Keen of Elie: It would be premature to commit on a matter still under consideration by the ministry. We have proposed as a manifesto commitment to introduce the breathing space scheme, which will give debtors 60 days in which interest charges on their debts are frozen and in which they can seek further advice. We also established the Money and Pensions Service in January 2019, merging three former organisations to provide free-to-use financial guidance for those who find themselves in debt.

Lord Howell of Guildford (Con): My Lords, I think I am right that paragraph 14 of Magna Carta undertakes to halt unreasonable and unfair bailiff entry behaviour. Do we not need to proceed rather carefully on this matter?

Lord Keen of Elie: I bow to the noble Lord’s detailed knowledge of Magna Carta on this point.

Lord Pickles (Con): My Lords, with enormous respect to the Government Bench, those who will not pay are probably very familiar with Magna Carta and their rights. It is those who are vulnerable and those able to offer reasonable repayment terms who are being treated rather harshly. Clearly, cameras will help in this process but when the review comes out, will it specifically address reasonable repayment schemes?

Lord Keen of Elie: The Government have established a fairness group, which is working with the advice sector to implement a joint programme of work to examine practices in the context of, for example, the recovery of debt due to central and local government, and to support vulnerable people in the context of such debt. We are taking steps to try to accommodate those in a difficult or vulnerable position and unable to meet their debt liabilities. We continue to look at ways of improving that sort of facility.

Brexit: Customs Controls at Holyhead *Question*

11.33 am

Asked by Lord Wigley

To ask Her Majesty’s Government what are their latest proposals to avoid delays at customs control on goods being transported between Dublin and Holyhead, following the United Kingdom’s departure from the European Union.

The Minister of State, Department for Exiting the European Union (Lord Callanan) (Con): My Lords, I am pleased to tell the House that the Government have this morning concluded a new withdrawal agreement with the EU. Our intention is to agree an ambitious future partnership, including a best-in-class free trade agreement, which will establish an effective customs agreement for the movement of goods between the UK and the EU once we leave. In a no-deal scenario, the Government have agreed to prioritise flow and move to new border requirements over time to allow businesses to adjust.

Lord Wigley (PC): My Lords, we all realise that the trade relationship between Ireland, the north of Ireland and the United Kingdom has been a central sticking point in the Brexit process. But the devil is in the detail, and therefore the detail has to be transparent and watertight. Will the Minister tell the House what assessment the Government have made in the specific context of Northern Ireland-produced perishable goods bound for England, up to 60% of which go on lorries via Dublin and Holyhead, as to whether they will be subject to border controls at Holyhead? To avoid queues of 500 lorries stretching three miles long, the movement of goods through Holyhead has to remain seamless and unhindered, as it is today.

Lord Callanan: The noble Lord makes an important point. He can be assured that we are working hard to make sure that there are zero queues at Holyhead. We

[LORD CALLANAN]

want the new arrangements to be as seamless as possible so that the transport of perishable goods goes forward without any hindrance.

Baroness Hayter of Kentish Town (Lab): My Lords, yesterday we asked what would happen under the new deal about the length of the transition period, given that we originally asked for two years. I think that the Government the first time settled for 20 months; it now seems that, if the date of December next year is true, we would have only 14 months to put all this in place. Given that Holyhead is our second-busiest port, how does the Minister expect all the new checks on animal welfare, perishable goods, customs and VAT to be implemented by December next year?

Lord Callanan: The noble Baroness is correct that the end of December 2020 will be the end of the implementation period, should the deal be agreed—which I hope it will be. But there is of course the option to extend if that is necessary. But we are confident that the new arrangements can be put in place during that period, provided that there is good will on both sides.

Baroness Randerson (LD): My Lords, a border in the Irish Sea is a hurdle, whichever way you look at it. What estimates have the Government made of the impact of this arrangement on the volume of trade between Great Britain and Ireland, both north and south? Can the Minister tell us whether additional funding will be provided to the Welsh Government to help them deal with the logistical problems of the back-up of lorries referred to by the noble Lord, Lord Wigley?

Lord Callanan: The noble Baroness is being too pessimistic. We hope that there will not be the back-up of queues to which she refers. We want to agree a best-in-class free trade agreement that will make sure that there are no tariffs and no quotas and, therefore, that minimal checks will be required. There should be no queues—but, of course, we are working closely with the Welsh Government, the Northern Ireland Civil Service and the Scottish Government to ensure that all these arrangements are as seamless as possible.

Lord Bowness (Con): My Lords, my noble friend tells the House that a deal has been agreed. If the Government propose to proceed with the Saturday sitting, can he at the same time assure us that we will have a definitive, authoritative text before us, and not merely a Statement?

Lord Callanan: Whether we proceed with the Saturday sitting is a matter for the House of Commons, but we have said that we want to do that. There will of course be a text for noble Lords to consider.

Lord Blunkett (Lab): My Lords, can the Minister tell the House what arrangements might be put in place if there were a small group of Welsh MPs of different parties whose price for voting for the deal

was the same as the DUP managed to achieve two years ago? Have the Government given any thought to this?

Lord Callanan: We want all MPs, whether from Wales or from Northern Ireland, to back the deal because we think that it is a good deal for the United Kingdom. We should pay credit to the Prime Minister, who has done what all the opposition parties said was impossible. They said that it was impossible to reopen the agreement, but we have done that and concluded a new deal. Yet again, he has proved the gloomsters wrong.

Viscount Waverley (CB): My Lords, does the Minister wish to pay tribute also to Mrs May for the work that she did to bring us to this point—albeit that Prime Minister Johnson has taken us to the final hurdle?

Lord Callanan: Yes, of course. I loyally served in her Government. As Prime Minister she put a great deal of work into getting the original withdrawal agreement. Of course, there is a new backstop now—but, substantively, most of the rest of the withdrawal agreement is as previously negotiated.

Education: Special Educational Needs Budget Question

11.39 am

Asked by **Lord Watson of Invergowrie**

To ask Her Majesty's Government what steps they will take further to the recent survey of local authorities in England which found that since 2014 approximately £400 million has been diverted from mainstream education budgets in order to pay for special needs education.

The Parliamentary Under-Secretary of State, Department for Education (Lord Agnew of Oulton) (Con): My Lords, we allow transfers of up to 0.5% from local authorities' mainstream school budgets to pay for special needs education. This requires agreement from the local schools forum. Larger transfers must be approved by the Secretary of State. Next year we will increase high needs funding by £780 million. This increase in a single year should be compared with the reported £73 million that local authorities transferred from mainstream schools to high needs in 2018-19.

Lord Watson of Invergowrie (Lab): My Lords, the survey by the *Times* laid bare the extent to which local authorities are desperately trying to compensate for the lack of resources provided by central government to enable them to meet their funding requirements under the 2014 changes for SEND pupils. Yet even after the raiding of mainstream education budgets, thousands of SEND parents are left in despair as they attempt to get the support that their children need and are entitled to. It is no good the Minister referring to the election sweetener of additional funding for SEND, which is obviously too little and certainly too late. Annually, it would meet less than half the needs for

special needs provision and would in no way reverse the cuts of recent years. Protecting the most vulnerable in society ought to be a priority for any Government. Why is it not for this one?

Lord Agnew of Oulton: My Lords, it is absolutely a priority for this Government; that is why we have just announced a very substantial 8% increase per head of population for those aged between two and 18. It is put in place with a 5% uplift to the schools budget, which will also support lower SEN.

Lord Lexden (Con): Does my noble friend agree that local authorities must accede to, and not obstruct, applications from parents of children with special needs who seek places in independent schools, where good provision is currently being made, usually in small classes, for around 85,000 children with special needs? I declare my interest as president of the Independent Schools Association.

Lord Agnew of Oulton: My noble friend is correct that local authorities should not impede parents who want particular solutions. That is why, when the EHC legislation came through in 2014, we put parents much more at the heart of the entire process. We accept that the process has not been without teething troubles and are carrying out a review of it, which we had committed to previously.

Lord Addington (LD): My Lords, would the Minister not agree that any system that spends tens of millions of pounds on local authorities fighting unsuccessful appeals against EHCPs has fundamentally failed? If you are in a situation where parents have to fight the system to get what is given to them by law, something is fundamentally wrong.

Lord Agnew of Oulton: I respectfully disagree with the noble Lord, because while local authorities lose a proportion of these appeals, they do not lose the entirety of each appeal. For example, a parent might win through appeal the right to send their child to a certain school but elements of the support that they asked for would not be granted.

The Lord Bishop of Coventry: My Lords, several heads in Coventry and Warwickshire have told me about the heavy demands on their energies and budgets from, to quote one primary head, children who are not on the SEN register but face horrific circumstances at home and so need extra help; for example, families who are homeless through domestic violence and children whose mental health is so poor—these are nine year-olds—that they threaten suicide. Does the Minister recognise the pressures on schools in mainstream education from children who do not meet the thresholds of special needs but who nevertheless have severe needs and require acute support? Is he confident that there is sufficient funding for them?

Lord Agnew of Oulton: The right reverend Prelate is correct that there seems to be an increasing trend of mental health needs in young people, and I urge all

noble Lords who are concerned with this area to look at why this is happening. It is certainly happening, but there is not enough discussion around why it is happening. To restate our commitment, we have increased high needs funding from £5 billion a year in 2013 to £6.3 billion this year and over £7 billion next year. As I mentioned in an earlier answer, we have increased core school budgets by 5%, which will indeed help with the lower levels of SEN not specifically addressed in the high needs budget.

Baroness Browning (Con): In respect of children with special needs who require diagnosis and then further assessment—I am particularly thinking of those on the autism spectrum—when they reach the age of nine or 10 and the prospect of having to go on to a more senior school, that is a critical point for parents who are still waiting for diagnosis and assessment. One of the weaknesses is of course the question of the resources of CAMHS. How regularly does my noble friend's department discuss the particular problems of this age group with CAMHS?

Lord Agnew of Oulton: My Lords, I cannot answer that specific question but I am happy to write to my noble friend on the matter. As I mentioned earlier, we are carrying out a review of the SEN code of practice, which will be completed by the end of next year, and I will ask the relevant Ministers to ensure that that is part of that review.

Lord Blunkett (Lab): My Lords, the modest increase in funding and the review are welcome, but very many parents and young people are extremely worried at the moment, as are the institutions they are applying to. Would the Minister, with his department, take a look at the serious financial situation of the Royal National College for the Blind in Hereford and its potential lack of viability? I declare a historic interest in that I went to the Royal National College in its previous guise.

Lord Agnew of Oulton: My Lords, I am very happy to accede to the request of the noble Lord, Lord Blunkett, to do that, and I will carry out some inquiries.

Baroness Hussein-Ece (LD): My Lords, can I take the Minister back to the reply he gave to the noble Lord, Lord Lexden, on state schools impeding parents from applying to private schools for special educational needs? I declare an interest as I have a grandson who has special needs and who has applied to a special needs school outside the system. In most instances, state schools have to fund these private places, which do not come cheap. Can the Minister give an assurance that these schools, which provide excellent facilities that the state system may not supply, will have sufficient funds so that some of these children can access these services in the private sector?

Lord Agnew of Oulton: My Lords, part of the reason for the very substantial increase in funding we have just announced is to provide more resources. I certainly cannot promise unlimited resources for all requests, but I believe that the £780 million we have just announced is substantial.

Lord Hunt of Kings Heath (Lab): My Lords, the noble Lord will be aware that because of the funding problem for many schools, some primary schools have started to close their premises at Friday lunchtime. Can he now guarantee that all those schools will open for the full five days in quick time?

Lord Agnew of Oulton: My Lords, I strongly object to the policy of the very limited number of schools that are doing this. There is absolutely no need for it; any school that feels the need to do it should write to me so that we can examine the budgets and see how well resources are being run. It makes me extremely angry and it is unnecessary.

Higher Education Cheating Services Prohibition Bill [HL]

First Reading

11.48 am

A Bill to make it an offence to provide or advertise cheating services for Higher Education assessments.

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

Unaccompanied Asylum Seeking Children (Legal Advice and Appeals) Bill [HL]

First Reading

11.48 am

A Bill to make provision for unaccompanied asylum seeking children to receive legal advice and for extending the deadline for an unaccompanied asylum seeking child to appeal an asylum decision.

The Bill was introduced by Baroness Hussein-Ece (on behalf of Lord Roberts of Llandudno), read a first time and ordered to be printed.

Traffic Management (Amendment) Bill [HL]

First Reading

11.49 am

A Bill to make provision in relation to the civil enforcement of speeding contraventions.

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

Gambling Act 2005 (Amendment) Bill [HL]

First Reading

11.49 am

A Bill to prohibit payments for remote gambling to be made using money obtained on credit; and to prohibit the use of cash machines on premises licensed for gambling.

The Bill was introduced by the Lord Bishop of Coventry (on behalf of the Lord Bishop of St Albans), read a first time and ordered to be printed.

Duchy of Cornwall Bill [HL]

First Reading

11.50 am

A Bill to amend the succession to the title of the Duke of Cornwall; to remove various powers, exemptions and immunities from the Duchy of Cornwall; to make provisions relating to the Treasury Solicitor and any solicitor or attorney appointed in the affairs of the Duchy; and for connected purposes.

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

Online Pornography: Age Verification

Statement

11.50 am

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con): My Lords, with the leave of the House, I will now repeat as a Statement an Answer given in the other place earlier today by my honourable friend the Minister for Digital and Broadband. The text of the Answer was as follows:

“Mr Speaker, I thank my honourable friend for her Question this morning and for the work she did while she was a DCMS Minister on this policy. As she knows, the Secretary of State tabled a Written Ministerial Statement on this issue yesterday. I come to the House further to that Statement.

Protecting children is at the heart of our online harms agenda, and is key to wider government priorities. When she was a Minister, my honourable friend was of course responsible for the publication of the online harms White Paper in April this year. The White Paper proposed the establishment of a duty of care on companies to improve online safety, overseen by an independent regulator with strong enforcement powers to deal with non-compliance.

Since the White Paper’s publication, the Government’s proposals have continued to develop at pace. The Government announced in the Queen’s Speech that we will publish draft legislation. It is important that our policy aims and our overall policy on protecting children from online harms are developed coherently in view of those developments, with the aim of bringing forward the most comprehensive approach possible to protecting children.

The Government have concluded that this objective of coherence will be best achieved through our wider online harms proposals and, as a consequence, will not be commencing Part 3 of the Digital Economy Act 2017 concerning age verification for online pornography. The Digital Economy Act objectives will therefore be delivered through our proposed online harms regulatory regime.

As currently drafted, the Digital Economy Act does not cover social media platforms, something which my honourable friend and I both know was of concern to this House, and indeed warranted substantial debate in December 2018. It will also give us an

opportunity to revisit the definitions of pornographic material, which I know have been a concern of some Members of the House—one which my honourable friend has shared.

I assure my honourable friend that the Government's commitment to protecting children online is unwavering. Adult content is too easily accessed online and more needs to be done to protect children from harm. We want to deliver the most comprehensive approach to keeping children safe online, and recognised in the online harms White Paper the role that technology can play in keeping all users, particularly children, safe.

We are committed to the UK becoming a world leader in the development of online safety technology and to ensure that companies of all sizes have access to, and adopt, innovative solutions to improve the safety of their users. This includes age-verification tools and we expect them to continue to play a key role in protecting children online.

I would welcome my honourable friend's engagement, along with that of all Members of this House, while we continue to engage with Members of Parliament on the provisions of the online harms regime, to ensure effective online harms proposals which deliver on the objectives of the Digital Economy Act".

11.55 am

Lord Stevenson of Balmacara (Lab): My Lords, the House will be aware of my long-standing view that it is wrong in principle for the Government to require private companies, such as the BBFC, to carry out statutory functions. We had considerable reservations about the original approach taken by the Government in the Digital Economy Act, with its reliance on age verification as a surrogate for requiring companies to do much more to protect children and other vulnerable people online, but we support the duty of care approach set out in the recent White Paper.

However, yesterday's announcement will undoubtedly mean that children will be exposed to unsuitable material for two or three years more than originally planned. This is shocking. A few months ago, we were told that the delays were due to an "administrative oversight". Is that still the reason that the Government use? When will the report on that incident be made available?

Baroness Barran: I am glad that the noble Lord supports the duty of care approach, as set out in the online harms White Paper. I think all sides of the House can agree that a voluntary approach has not worked to date. In terms of the administrative oversight, that is still the reason for the original delay.

Lord McNally (LD): My Lords, there is an old way of testing a Statement—look at who is smiling and who is not. Is the Minister aware that this Statement will bring profound disappointment to many, including many in this House, who worked long and hard to get a system that would work, and work now, into the Bill? We were promised this for next month. Her colleague who answered my question on 30 September said:

"Policymakers around the world are watching the code's progress and waiting to follow our lead".—[*Official Report*, 30/09/19; col. 1556.]

Our lead is to now postpone this protective measure for at least three years. The Government should be ashamed of themselves.

Baroness Barran: I do not think that anyone is smiling about this. I hope the noble Lord will accept that. Dealing with online pornography is not a smiling matter. Clearly, both the Secretary of State and the Minister in the other place reflected long and hard before making this decision. They genuinely believe that by applying a more comprehensive approach we can end up with a better result for our children and grandchildren.

Lord Gordon of Strathblane (Lab): My Lords, does the Minister agree that there is a real danger here of the best being the enemy of the good? The previous proposals might have been imperfect, but they would at least have come into force quite quickly. By delaying, there is a real risk that children over the next intervening period—I did not think it would be as long as three years, but it could well be—will be exposed to life-changing, harmful online pornography. We simply cannot wait.

Baroness Barran: The noble Lord is right that children are exposed to harmful pornography every day. I heard a statistic recently that half a million images are uploaded on to social media, I think, on a daily basis. If that is wrong, we will correct it. Shocking things are going on. The noble Lord will be aware that the original Digital Economy Act did not cover social media, so we really hope that this will be more comprehensive. We are doing a number of things in the meantime, such as sex and relationships education—helping children understand the impact of pornography—and we hope to introduce soon the age-appropriate design code, which was included in the Data Protection Act thanks to the noble Baroness, Lady Kidron.

The Earl of Erroll (CB): Why is DCMS against protecting children from absorbing unsavoury sexual practices at a formative age? I do not understand why it wants to delay so much. Most adult websites are onside for doing something and adopting age-verification controls, as long as rivals are compelled to do so as well. There has been a lot of publicity about this in that world, I am assured. Over a year ago, I chaired BSI Publicly Available Specification 1296 on how to do this anonymously and check anyone's age online, so it can also be used for other child-protection issues. It also worked with the Home Office online harms issues. It will protect people's privacy, which is what everyone is worrying about. The Home Office is not charged with our children's mental health. Equally, DCMS is not charged with data protection, which is what the BBFC has gone and done; that is the job of the ICO. We can sort all this out. The stuff is there; you just need to implement it. The other real problem—

A noble Lord: Question!

The Earl of Erroll: Okay, right. The question was right at the start. Several AV providers have spent a lot of money on implementing this and getting it all ready to go. Who is going to compensate them? A lot of money has been spent to get this ready in time.

Baroness Barran: I refute as firmly as possible any idea that DCMS is against protecting children; clearly, that could not be further from the truth. On the work that I know the noble Earl has done in relation to introducing more digital ways of establishing age verification, we are working actively with the industry on that and absolutely recognise the potential role that technology can play. Those costs are not wasted, because age verification will clearly be part of any solution going forward.

The Lord Bishop of Oxford: My Lords, I declare an interest as a member of the advisory board of the Centre for Data Ethics and Innovation. In that capacity I also express regret at the delay to the age-verification proposals. It is very good to see the Government's commitment to comprehensiveness in looking at this but, as has been said, this is a fast-moving field and we will never catch everything and keep up with the technology. Can the Minister complement the emphasis on comprehensiveness in the Statement with a parallel commitment to urgency in the action that will be taken? Can she comment on the likely timetable for the online harms Bill?

Baroness Barran: I thank the right reverend Prelate for his question and the work he does in the Centre for Data Ethics, which clearly has an important role in this space. In relation to urgency, I hope I can reassure him that my honourable friend the Minister is absolutely determined to do this as quickly as is feasible. We plan to respond to the consultation before the end of the year and to introduce a draft Bill in the new year. Obviously, as noble Lords are aware, we announced pre-legislative scrutiny of that Bill, which we very much hope will make it as future-proof as possible.

Lord Cormack (Con): My Lords, why do we not protect everyone from pornography? Why cannot the transmission of pornography online—to children and to everyone—be a criminal offence?

Baroness Barran: My noble friend raises a much wider issue about individual freedoms, which I am aware have been debated on many occasions in your Lordships' House. The encouragement I offer him in that regard is twofold. First, I make a clear distinction between illegal and legal pornography. The online harms work gives us an opportunity to look again at the definition. Secondly, whether to look at pornography or not is clearly a choice.

Baroness Benjamin (LD): My Lords, I am bitterly disappointed by this Statement. We are letting our children down. By the Government's own statistics, every month that passes without legislation, 1.4 million children access pornography unintentionally. Research by the BBFC found that 80% of parents want robust

age-verification controls in place. I understand the BBFC could implement this new regime straightaway, so can the Minister tell me why we have this delay, why we are letting our children down and why we are not putting age gates in place straightaway? Children are being affected and traumatised at this very moment.

Baroness Barran: I respect the noble Baroness's concern. I repeat that we believe that a more comprehensive approach will include social media, which, as the noble Baroness knows, is a channel through which children access pornography. It will be in scope and it was not in the original legislation. But she makes the fair point that we have to rebuild trust, and we will demonstrate that by the urgency with which we pursue this.

Queen's Speech Debate (4th Day)

12.06 pm

Moved on Monday 14 October by **Baroness Anelay of St Johns**

That an humble Address be presented to Her Majesty as follows:

“Most Gracious Sovereign—We, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to thank Your Majesty for the most gracious Speech which Your Majesty has addressed to both Houses of Parliament”.

The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con): My Lords, I am honoured to open this debate on Her Majesty's gracious Speech, and I look forward to many valuable and insightful contributions, particularly from the right reverend Prelate the Bishop of Bristol and the noble Baroness, Lady Bennett, both of whom will make their maiden speeches. I thank my noble friend Lord Gardiner, who will wind up today's proceedings.

This Queen's Speech lays out a bold vision for Britain: a country where investors want to do business, where opportunity is open to all and where more people are in work than at nearly any time in our history; a country where every city, town and region has the tools to fulfil its economic potential, but in a sustainable way; and a country that is stronger for having been prudent with our finances over the past decade, but is now able to boost investment in public services and vital infrastructure. Today's debate will consider the Government's approach to public finances in the next Parliament, alongside plans for transport, business, financial services, and the environment and rural affairs. Each of these areas makes a crucial contribution to the development of a strong, secure and prosperous nation.

I turn first to spending and financial services. As Her Majesty's gracious Speech made clear, the Government's economic plan will be underpinned by fiscal responsibility—investing in economic growth while maintaining the sustainability of public finances.

As a country, we are in a strong position. The deficit has been reduced by four-fifths since 2009-10 and we have seen the economy grow every year since 2010. There are 3.6 million more people in work, and the proportion of low-paid jobs is at its lowest in 20 years. Wage growth has outstripped inflation for over a year, putting more money in people's pockets, and inward investment in the UK has created more than 200,000 new jobs over the last three years. With our robust fiscal position, day-to-day spending under control and a near-record low cost of borrowing, we can now invest more in boosting our economy and supporting the things that we care most about.

That is why, ahead of November's Budget, the Government will review our fiscal framework to ensure that it not only meets the economic priorities of today but succeeds in delivering a decade of renewal for our country. The review will be coupled with the development of a clear set of rules that will anchor our fiscal policy and enable us to keep control of our national debt.

Our continued ability to compete for investment and jobs depends on our competitiveness. Financial services are critical to the UK economy. The sector employs more than 1 million people in all four UK nations, contributes more than £127 billion to our national economy, and helps provide a trade surplus of over £61 billion. That is why in the Queen's Speech we included measures to provide certainty and stability for this crucial sector through the financial services Bill. The Bill seeks to enhance the UK's competitiveness as an international financial services centre, while maintaining our current robust consumer protections. It will deliver on previous government commitments: it will deliver long-term market access arrangements to the UK for financial services firms in Gibraltar; simplify the process which allows overseas investment funds to be sold in the UK, a step that will allow this country to maintain its position as a centre for asset management; and implement the Basel standards, strengthening the regulation of global banks in line with previous G20 commitments.

This Government are determined to ensure that productivity and opportunity are spread to every part of the country. Infrastructure is key to unlocking those benefits. Over 4,900 infrastructure schemes, both public and private, have been completed since 2010. The Queen's Speech includes plans to build further on these projects, by this autumn publishing a national infrastructure strategy, which will be a blueprint for the future of infrastructure investment across the whole UK. The strategy will set out plans to close the productivity gap between the south-east and the rest of the country, raise living standards and ensure that no community is left behind. It will examine how, through infrastructure, we can address that most critical and pressing of challenges—decarbonisation. It will also set out plans to turbocharge a gigabit-capable broadband rollout and improve energy and transport infrastructure, helping to boost opportunity and spread prosperity throughout the UK.

I am proud to be part of a Government who fully recognise the value that transport brings to the country. Our roads, railways, ports and airports are the arteries that carry the lifeblood of our economy and provide

the ties that bind us all together. Our commitment to modernising and extending Britain's transport network is unprecedented, and our aviation sector is at the heart of our efforts to transform domestic and international connectivity. The UK aviation industry generates £22 billion a year for our economy and provides over a quarter of a million jobs. It is crucial that we support the sector because it makes such an enormous contribution to our nation's strength.

Our complex and ageing airspace system has not been modernised since the 1960s and is now reaching capacity. Therefore, the air traffic management and unmanned aircraft Bill, contained in the Queen's Speech, will give the Government the powers to ensure that vital airspace modernisation work can continue without delay to meet future aviation needs and deliver quicker, cleaner and quieter flights. It is essential that, as we help the aviation sector to thrive, we support it to decarbonise to help meet our national net-zero 2050 commitment.

The Bill will also help us combat a new threat—the illegal use of unmanned aircraft, such as drones. In the aftermath of the malicious drone disruption at Gatwick Airport last December, we brought in a range of measures to protect the public. Now, we are going even further and introducing new police powers that will help tackle the misuse of drones not only near airports but around prisons, over crowds and near important national infrastructure and protected sites. These powers include the ability to make someone land an unmanned aircraft and an enhanced ability to stop and search where the illegal flying of unmanned aircraft is suspected.

We are also taking action to deal more effectively with airline insolvencies, which, as we saw with the recent demise of Thomas Cook, can have profound implications for customers, taxpayers and the industry. We successfully brought home 140,000 Thomas Cook passengers from over 50 locations worldwide. It was one of the biggest ever peacetime repatriations, but it underlined the complexity and cost of such an operation. Therefore, we will bring forward legislation to enhance the Civil Aviation Authority's oversight of airlines. It will create a new airline insolvency process to provide a means to keep the fleet flying and to get passengers home quickly and efficiently if the worst happens.

Lord Rooker (Lab): It is remarkable how little support for the achievement of the Civil Aviation Authority there has been in our public prints. There has been very little coverage. We all owe a lot to the planners involved in the operation: they are in the public sector—which is why some of the press does not support them—and they did a remarkable job. They deserve our thanks for that.

Baroness Vere of Norbiton: The noble Lord is completely right and, as he will know, I am a Transport Minister and was involved in the repatriation and obviously in its planning. Within the Department for Transport we are enormously grateful to the CAA and the DfT team who worked so hard on it, but the sad thing is that sometimes the media does not really like good-news stories. Once it was not a disaster, it fell out

[BARONESS VERE OF NORBITON]

of the news very quickly, which rather limited our ability to say thank you to the CAA. Certainly, the Secretary of State, other Ministers and I have all thanked the CAA and said that it did a tremendously good job, and all credit to it.

This year marked the 25th anniversary of rail privatisation. Over that quarter of a century, passenger numbers have doubled; we are running more trains than at any time on record and we enjoy a safety record that is world class. Yet these accomplishments have come at a price and we have become victims of our own success. The UK's railway network is now twice as heavily used as the networks in France and Germany, and delays and disruption are all too frequent. Therefore, while we are pumping an unprecedented £48 billion into rail improvements over the next five years, the railway needs to evolve to deliver for its customers.

In the aftermath of the May 2018 timetable disruption, the Government commissioned Keith Williams to carry out the most comprehensive review of the sector in a generation. His reforms will focus on five key areas: getting the trains to run on time; simplifying fares and ticketing; developing a new industry structure; creating a new commercial model; and unveiling proposals on leadership, skills and diversity. We will publish a White Paper on the review's recommendations this autumn and, as stated in the gracious Speech, the Government have committed to bring forward proposals on railway reform. It is absolutely imperative that railway customers feel the benefits of these changes as soon as possible.

I turn now to matters relating to business, energy and industrial strategy. This is a Government who want everyone to enjoy the full fruits of their hard work. However, when the Government consulted on the issue of worker tips, we found that two-thirds of employers in the hospitality sector were making deductions, some of which were around 10%. This practice has to stop. The allocation of tips Bill, announced in the gracious Speech, will promote fairness for workers by creating a legal obligation to pass on all tips and service charges to workers in full and to distribute tips on a fair and transparent basis.

In this Queen's Speech we have pledged to take steps to make work fairer for all. This Government have committed to deliver on the steps set out in our *Good Work Plan*—published late last year—which sets out our vision for the future of the labour market. These measures will ensure that employment practices keep pace with modern ways of working and that employees have access to the rights and protections they deserve. These reforms will also protect businesses that do the right thing for their workers from being undercut by a small minority that seek to circumvent the law. In addition, we are bringing forward national security and investment legislation to strengthen the Government's existing powers to scrutinise and intervene in business transactions that are a threat to national security. These measures will give businesses and investors the certainty and transparency they need to do business in the UK.

This Government are committed to ensuring that the UK not only remains a champion of free trade and investment but becomes a global leader in scientific

capability and space technology. In the gracious Speech we set out our commitment to significantly boost R&D funding, which will give long-term certainty to the scientific community. We have also laid out plans to introduce a more accessible visa scheme to attract the best and brightest global scientific and research talent. We will establish a new national space council and launch a comprehensive UK space strategy—measures that will transform this country into a global science superpower.

Finally, we are equally ambitious in the scale of our commitment to the environment. We are the first country to legislate for long-term climate targets; after nearly half a century under EU rules that dictate how we manage our nation's environment, now is the time to go further and faster, to lead the world in safeguarding the environment for our children and future generations.

The Environment Bill will embed environmental ambition and accountability at the heart of government through legislative measures to improve air quality, nature recovery, waste and resource efficiency and water resource management, in a changing climate. These changes will be supported by new legally binding environmental improvement targets, while a new independent regulator will be established to scrutinise environmental policy and law, investigate complaints and take enforcement action.

This Queen's Speech demonstrates our clear ambition to leave the natural environment in a better state than we found it, delivering a cleaner and healthier environment for future generations while securing the nation's food production and revitalising our rural and coastal communities. Through the agriculture Bill, we will reward farmers for tackling the causes and effects of climate change and enhancing the environment; and through the fisheries Bill, this Government will manage fishing stocks more sustainably and protect our waters.

We will ensure that the UK sets a global gold standard for animal welfare, enhancing our reputation as a world leader and allowing us to lead from the front as we leave the EU, recognising animals as sentient beings in domestic law and increasing the maximum custodial sentence for animal cruelty from six months to five years.

These are measures that demonstrate this Government's clear ambition to leave a positive environmental legacy for those who follow us. This theme of ensuring that our nation is the very best it can be in the decades to come runs right through the Government's plans. The Queen's Speech sets out a clear legislative programme that will prepare this country for the future and help us to build a stronger, greener, more prosperous Britain.

Our nation's exit from the European Union dominates events in Westminster, but today there is an opportunity to debate and scrutinise our wider plans for the months and years ahead.

12.22 pm

Baroness Jones of Whitchurch (Lab): My Lords, I am grateful to the Minister for her contribution to the debate on the gracious Speech today, but she will know all too well that we are being asked to participate in a charade, in which the Queen's Speech is not a

serious plan for government and in which most of these Bills will never see the light of day. It is quite clear from everything that the Prime Minister has said that he intends to call a general election at the earliest opportunity. We will then find ourselves back here, with a different Government, we hope, and certainly with a new Queen's Speech. So, we cannot be asked to consider this proposition seriously. It is as near to an election broadcast as we are likely to see, with uncoded promises, sweeteners and posturing that do nothing to address the real economic and climate change crises that challenge this country.

Let us be honest: the crises that face us today are all of this Government's own making—nine wasted years of failed economic policies, a divided nation and the madness of a Brexit policy that will rip up our trading relations with our closest partners, undermining our trade with 500 million consumers across 27 countries. This is the inevitable consequence of leaving the single market and the customs union, which, Mark Carney has made clear, will lead to escalating job losses and business closures. Just as inevitably, it will lead to lower food, consumer, employment and environmental standards in the push to do cheap trade deals with free-market cowboys and protectionist-in-chief Donald Trump.

Let us look at the economic legacy an incoming Government will inherit. Nine years of ruthless austerity Budgets have squeezed the life out of public services and left local government unable to fund even its statutory services. There is a crisis of low pay and stagnating wages, with workers' real wages still lower than they were before the financial crisis. The productivity of British workers fell at the fastest pace for five years in the second quarter of 2019. A struggling construction sector faces a growing skills crisis. The Government's botched business-rate revaluation has created a huge destabilising burden for businesses, with many high streets becoming ghost towns. And the UK's longer-term economic outlook is darkening, as years of uncertainty have prevented businesses investing in people or capital.

As ever, the Government's response has been too little, too late. On 4 September the Chancellor announced his spending plans for 2020-21, with departmental spending increases of 4.1%. However, the £13 billion that this plan represents is less than one-third of the £47 billion of cuts introduced by the Government since 2010. It goes nowhere towards resolving the backlog of funding in the NHS and social care, for example, which is seeing standards falling and the elderly suffering alone. No wonder it was met with a universal shrug of the shoulders when it was announced.

Baroness Browning (Con): I am listening very carefully to what the noble Baroness is saying but, when she goes back to 2010, does she not remember that little note left by one of her Ministers at the Treasury that said, "There's no money left"?

Baroness Jones of Whitchurch: Absolutely. That was a world crisis that we were dealing with, and would have carried on dealing with if we had been given the opportunity. The Government's response to that crisis, which was to drive down austerity for nine

years, has done nothing to improve the economy, as we have seen and as I have just outlined. So I do not think we can take lessons from the current Government on how to maintain economic security.

Lord Hain (Lab): My noble friend might also remind the noble Baroness who interjected on her that until the financial crisis, borrowing was actually at record lows—lower than we inherited from the Major Government—and the national debt was low. We were running sound public finances. It was the global credit crunch that blew that out of the water, not Labour government policies.

Baroness Jones of Whitchurch: I am grateful to my noble friend, and of course I concur with his analysis.

I want to talk about what we believe is the Government's legacy on the biggest crisis of our generation: the impact of climate change. Of course we welcome the announcement of the new Environment Bill, which is very long-awaited, and we look forward to giving it robust and energetic scrutiny when it arrives in this House. We will want to see legally binding targets on air quality, water, waste and biodiversity, and we want to ensure that the Office for Environmental Protection has the necessary powers to hold the Government and public authorities properly to account.

However, the Bill deals with only one department's contribution to improving our environment and cutting carbon emissions, when what is needed is a whole-government plan on a transformative scale to tackle the climate change emergency. According to the Committee on Climate Change, the UK is way off target to meet its fourth carbon budget of 2023 to 2027 and its fifth carbon budget of 2028 to 2032. Last year, the committee set out 25 headline policy actions for the year ahead, but 12 months later only one has been delivered in full and 10 of the actions have not even shown partial progress. The noble Lord, Lord Deben, who chairs the committee, was absolutely right when he said recently, "The whole thing is run by the Government like 'Dad's Army'. We can't possibly go on with this ramshackle system. It doesn't begin to face the issues".

The young people of this country understand the climate change emergency all too well, and even some of us crusties understand why the time for action is now. Sadly, the Government consistently fail to give the issue the priority it demands, and this Queen's Speech represents another failed opportunity. For example, in energy, the collapse of the Government's new nuclear programme, combined with their opposition to onshore wind and their removal of support for other forms of energy, raises huge questions about how we will source our energy by 2030 and beyond. The Government's offshore wind sector deal is a helpful step, but there are no consequences if the targets are not met. As we know, the Government's closure of access to the feed-in tariff for solar power sabotaged the industry before it really got going, with new installations falling by some 90%.

Meanwhile, the Government have failed to capitalise on the enormous potential of tidal power, with first the Severn barrage and now the Swansea Bay project

[BARONESS JONES OF WHITCHURCH]
failing to win government support. Instead, the Government seem intent on promoting fracking in the face of overwhelming local opposition to the air pollution, earthquakes and risks to local water quality that it would bring about. Where is the energy Bill in this Queen's Speech that would deliver the transformation to renewables essential to meeting our climate change targets?

Similarly, we know that transport is the most emitting sector of the UK responsibility, responsible for 27% of our greenhouse gas emissions. Yet it is also the worst performing sector when it comes to reducing carbon emissions, which continue to increase as a result of traffic growth and a lack of public transport alternatives. The lack of electric charging structures for cars continues to hold back our transition to cleaner vehicles. The Government's *Road to Zero* strategy to decarbonise road transport, with a plan to end the sale of petrol and diesel cars by 2040, is widely considered weak and unambitious. Clearly, what we need is a major push for electric vehicles and charging points, incentivised by a scrappage scheme for the most polluting vehicles. This would help to deliver our carbon reductions, as well as tackle the scourge of air pollution that is poisoning our children's health. Where is the transport Bill in this Queen's Speech, which would have delivered our transformation to a world-leading clean transport economy?

We also need to ensure that agriculture plays its part in reducing greenhouse gases. Intensive agriculture currently contributes nearly 10% of our carbon emissions. Of course, this was an issue beginning to be addressed in the agriculture Bill, which this Government seem in no hurry to debate. However, we welcome the shift in the Bill from supporting land ownership to the principle of delivering public money for public benefit, to improve our natural environment, restore habitats, plant trees and tackle carbon emissions. Sustainable food production is a vital component of that, including action to rethink our diets and understand the provenance and nutritional value of the food we eat, and its impact on biodiversity.

However, this Government have already lost the confidence of farmers, with continuing uncertainty about future funding and punitive no-deal tariffs which would make our farm products uncompetitive. The agriculture Bill will fail in its objectives if we do not prevent farmers and food manufacturers being undercut after Brexit by countries with lower employment, animal welfare and environmental standards.

There is an alternative to a future of economic decline and climate change devastation. This is why, when the election is called, our party will put forward a programme that is truly transformative. It will build an economy that works for all. It will deliver a comprehensive industrial strategy with a national investment bank and regional development banks to help unlock £250 billion of investment for businesses. It will tackle the climate emergency with robust new deadlines for action and a target of 2030 for net-zero emissions. It will invest in renewable energy, utilising the full potential of offshore wind, solar and tidal

projects. It will harness the huge opportunities that a green economy can bring, with new jobs and investment putting us at the forefront of global innovation.

These are the kind of radical reforms needed to kickstart our economy. I look forward to hearing the contributions from other noble Lords, particularly the maiden speeches we will hear today. I am sure noble Lords will add their expertise to the list of necessary and radical reforms needed today.

12.34 pm

Baroness Kramer (LD): My Lords, when we debated the Chancellor's Spring Statement not very long ago, it became clear that the Government had spent the entire Brexit contingency fund on election promises. I remind the House that that was a contingency fund not just for a no-deal Brexit but for the damage that any form of Brexit would commit to our economy.

UK in a Changing Europe has pointed out that the Johnson version of a deal—which I assume will be incorporated in language that we may see later today—which requires a departure from the customs union and rejects the level playing field, a really critical issue, would hit the UK's GDP even more than the May deal. It drops its running rate by about 2% on a long-term basis, which would have a really serious impact on the prosperity of this country. The aerospace, automotive, chemicals, food and drink and pharmaceutical sectors, which employ more than 1 million people, have warned that the Johnson determination to abandon the level playing field and essentially eliminate regulatory alignment with the EU poses a "serious risk" to the manufacturing sector, and go on to talk about how it would disrupt the supply chain and undermine UK exporters. To underscore the consequences, the automotive sector has confirmed that one in three firms is already shedding jobs. On its website, it makes it clear that this has little to do with the global turndown and everything to do with Brexit.

I speak for a party that, if put into power in a general election, would end Brexit and the damage it inflicts on the UK economy. My colleagues and I can commit significant new money for public services, welfare and proper long-term funding for infrastructure, including housing, broadband and transport; we can take measures to boost skills and productivity and to support growth businesses all across the regions; and we can provide the investment and safeguards necessary to achieve net-zero carbon by 2040, because we will not do the damage of Brexit. And, because we are willing to raise taxes, including 1p in the pound on income tax hypothecated to the NHS and social care and the reversal of cuts in capital gains and corporation taxes, we can do so with the complete assurance of fiscal responsibility and stability, which is crucial to future economic growth. We alone have no Brexit burden and do not ask for a magic money tree.

The Queen's Speech reads very clearly as a Tory election manifesto. I find even the titles of the Bills fascinating—because, let us be honest, they are dog whistles—such as "foreign national offenders". Somebody worked really hard to get the words "foreign" and "offenders" in the same phrase. They tell us who, in the view of the Tory party, is now its core voter: people

who will respond to a right-wing message. That, of course, is reinforced by what is left out of the Queen's Speech: any measures to relieve children in poverty, to expand youth services or to increase social housing, because those are not considered appealing to the now hard-right Conservative Party.

As I look at the description of the financial services Bill, I see the words "new opportunities". We all know what that means. It is regulatory dilution: an appeal to the casino element of the financial services industry, which has been chafing at the safeguards imposed after the 2008 crash, to which those casino financiers so powerfully contributed—casino players who have put so much money behind the Brexit campaign. The good companies want none of the reputational damage that comes from regulatory dilution. Financial services as an industry have minimal interest in "new opportunities" where that means "regulatory divergence" from the EU. Every sliver of regulatory divergence makes even more tenuous the hope to negotiate long-term equivalence across the sector. New opportunities fail to make up for even a small part of the business the UK is losing. The financial services industry has spent in excess of £4 billion on Brexit, trying to protect its customers and its operations, both current and future. To give just one example, Lloyd's of London is moving so many insurance and reinsurance policies—everything with any EEA connection—to Lloyd's of Brussels that, even working at top speed, the process will not be complete before the end of 2020.

Can the Minister confirm that about 15% of the financial services industry has already been shifted to the EU 27, with another 15% lined up to leave if Brexit happens, regardless of a deal? Many have gone to Frankfurt or Dublin, some to Brussels, Amsterdam, Luxembourg, Madrid or Milan, seeding them with the know-how to become serious competitors, but interestingly, trading—which in so many ways has been the distinctive flagship of London—has chosen Paris, where it is now working closely with AMF the French regulator. More than 35% of firms have announced their relocation. Historically, this is the part of financial services that has contributed most strongly to the UK tax base, and where trading goes, asset management and treasury operations eventually follow. Certainly, the measure on overseas investment funds, which seems to be the highlight of this weedy little financial services Bill, is an exceptionally sad little response to what is, frankly, a major calamity. I assume it is a sop to Jacob Rees-Mogg, who has been politically embarrassed—though not embarrassed in the pocket—by Somerset Capital's decisions to site new funds in Dublin.

There is nothing but nothing in the Bill to assist the fintechns, who are the future but who cannot afford multiple locations and so will be among the hardest hurt by the loss of passporting, the e-commerce directive and the prospectus directive. Even more than the big players, they will suffer from the ending of freedom of movement, which has supplied so many of the entrepreneurs as well as at least 30% of staff. Even if they qualify for a visa, these people, who are in demand all over Europe, will not come to the UK on a visa that is limited by time, does not let their partners work and prevents older children from living with them.

This has to be one of the most insubstantial Queen's Speeches I have ever seen. Even for a lazy manifesto committee, the descriptions of most of these Bills are essentially a void. It really is a revelation to see so graphically that the Brexiteer vision for Britain has no substance and certainly nothing that would provide a framework for a successful economic future. It is all hubris. It is all nostalgia for a past that never was. I have never been more convinced that this Government do not deserve to govern, and that we have to stop Brexit.

12.42 pm

Lord Macpherson of Earl's Court (CB): My Lords, I am grateful for this opportunity to discuss the Government's economic strategy, and I look forward to hearing the maiden speech from the right reverend prelate the Bishop of Bristol.

The economy has been slowing, the labour market is on the turn and the monthly public finance figures suggest that borrowing is beginning to rise. I welcome this morning's news that the Government have reached a withdrawal agreement with the European Union, and I have been encouraged by the recent rise in sterling on the prospect of that deal. It is a reminder of the virtuous circle of economic management. If the markets have confidence in the Government's policy, the exchange rate strengthens. That in turn makes British citizens better off and instils further confidence. I hope that the Government will bear that in mind during the interminable trade negotiations which will dominate their time—and Parliament's time—over the next decade.

I also welcome the statement in the gracious Speech that,

"the Government's new economic plan will be underpinned by a responsible fiscal strategy, investing in economic growth while maintaining the sustainability of the public finances".

I suspect that I am not the only person to play Queen's Speech bingo. Words such as "plan", "responsible", "investing", "growth" and "sustainability" are all reassuring, but I suspect that they have featured in many a Queen's Speech over the last 50 years. I know because I helped draft some of them. I hope that I will be forgiven for regarding them with a degree of scepticism.

It is best to judge economic policy by actions rather than words. The Government had an excellent inheritance. Thanks to the work of successive Chancellors in Alistair Darling—now the noble Lord, Lord Darling—George Osborne and Philip Hammond, the public finances were broadly back on track by the beginning of this year. Mr Hammond deserves particular credit. Whatever you think about the levels of taxation and spending, he presided over the Treasury at a difficult time. But he stuck to his task and last year's deficit of £41 billion—a little less than 2% of national income—was a major achievement.

However, since he stood down the mood music has changed. One unfunded spending announcement has followed another. We had a mini-spending round last month and a Budget will take place next month. I feel for Treasury officials: you spend a decade putting things right and then, like Sisyphus, you see the rock falling down the hill as the Government pursue a

[LORD MACPHERSON OF EARL'S COURT]
policy of fiscal incontinence. I may be being unfair to the Chancellor; he may yet set out how the spending pledges will be paid for and how he can still meet Mr Hammond's fiscal rules. Meanwhile, I would like to make four brief points that in my experience generally inform a successful economic strategy.

First, the Government need to recognise that when the public finances turn against you, they can deteriorate very quickly. That certainly happened in 1992; it happened again in 2009. It is a reminder that spending windfalls in the good times while borrowing to finance shortfalls never ends well. We will enter the next downturn, as and when it comes—and believe me, they always come in the end—with higher debt in relation to national income than in any previous downturn of my working life. I would advise the Government to be prudent. They should be building a contingency to guard against a downturn—or, to use a phrase much beloved by our last Prime Minister but one, we should mend the roof while the sun is shining.

I would also advise against dressing up a widening deficit as clever Keynesian demand management. There is a case for supporting demand through fiscal policy, but it should be from a much stronger position. The present problem that Britain faces is of supply rather than demand. Fiscal fine-tuning rarely works. As the noble Lord, Lord Lawson, said as far back as 1962:

“The Treasury has never done anything too soon ... its actions fall neatly into two categories, too little too late and too much too late”.

Secondly, the Government need to keep an eye on the longer term. It is in the next two decades that the long-foreseen ageing of the population will become all too apparent. As the independent OBR has made clear, even on unchanged policies the Government will face continued pressures on the NHS, on long-term care and on pensions. These spending pressures will take the form of current consumption. A sound fiscal policy requires consumption to be financed out of taxation rather than borrowing.

My third point is that the Government need to prioritise relentlessly. Last week, the ONS confirmed the dire state of British productivity. Output per hour has risen by just 2% since the last quarter of 2007—a trend reflected in stagnant living standards. Brexit is going to put further pressure on productivity, so it is more important than ever that the Government prioritise skills and infrastructure. If a Polish taxpayer is no longer going to pay for the skills of our workforce, we are going to have to pay for them ourselves. Similarly on infrastructure, the Government have made real progress in recent years in coming up with a national plan—but that still contains projects such as HS2, which deliver insufficient returns. Those projects with the highest economic returns must come first.

Finally, the Government need to create an environment conducive to trade and prosperity. That is partly about implementing a competition policy at least as rigorous as the European Union's state aid regime. When I started at the Treasury some 35 years ago, the first paper which landed on my desk was entitled *Lessons*

of *DeLorean*. It made bleak reading—so let us not prop up lame ducks or adopt protectionist procurement deals at the expense of the taxpayer.

We also need a sensible trade regime. Gladstonian liberalism has been fundamental to the success of the British economy. This is not the time to erect barriers with our closest trading partners. The Government cannot admit it now, but when the dust settles and the revolutionary fervour of the ERG burns itself out, I confidently predict that we will remain close to the single market and to the customs union—and that will be progress indeed.

12.49 pm

The Lord Bishop of Bristol (Maiden Speech): My Lords, it is an honour to be here to speak and, after nearly a year of watching and learning, to begin to find my voice. I am grateful to the noble Lords who have welcomed me so warmly after my introduction today and to the officials and staff who have guided me so well—not least the Church of England Parliamentary Unit.

Much has been unfamiliar but, having spent most of the last 30 years working in cathedrals, for the last 18 years as a dean, there was a certain familiarity on entering a building in need of significant structural attention. As provost, then Dean of Leicester, I worked on plans for the reordering of the interior and landscape setting of that largely Victorian building so that the cathedral might be brought back into the heart of that extraordinary, multicultural city. As chair of the cathedral council, the noble Baroness, Lady Byford, was a vital source of wise guidance during those years of rapid change.

Shortly before my appointment to York Minster was to be announced, I received a message from across the road in Leicester that archaeologists had, they believed, found the burial place of Richard III and identified his body. That news, when made public, would transform the life of Leicester Cathedral and set a narrative for my start at York which was not altogether easy, as York and Lancaster competed for his bones.

I began in ministry as a lay worker and deaconess in Liverpool, some time before the possibility of priesthood for women. As will be familiar to so many women in many fields, I had few role models or established employment paths. I became a college chaplain, then a cathedral chaplain, because there were teams in those places prepared to make space and find funding for me. I flourished in those spaces, not least because I enjoyed presenting what was then a rather unexpected female aspect to the Church.

At the start, however, my family—particularly my mother—was profoundly concerned at my sense of vocation. My mother was a Bristolian from a family firebombed out of the ward of Redcliffe, in the city's heart. While continuing their war work, my grandparents were housed in a prefab and then in Sea Mills, which is still a fine example of a community designed and funded by a local authority. My mother was evacuated to Cornwall, served with the Wrens and was awarded a scholarship to the London School of Economics. Once she had overcome her anger at her daughter's calling

to, as she saw it, a vocation that could not be received by the Church, she became a founding member of the Movement for the Ordination of Women—so here I am.

I have, to my surprise and delight, returned to my mother's city. The diocese of Bristol exists because the citizens of Bristol wished it so, petitioning Henry VIII to stand alongside Gloucester. However, the diocesan funding model was never entirely realistic. Lands were added over time, including, for a while, the county of Dorset as no other see seemed to want it. Bishops of Bristol had to find their fortune, often via livings held in plurality. One of my predecessors was simultaneously both Bishop of Bristol and Dean of York and was, I think, not often seen in Bristol. In the 19th century, Bristolians regretted the grant of the see, burning the bishop's palace down and threatening the cathedral after the bishop voted against the Great Reform Bill.

Bristol remains politically lively. It has been, and remains, a space where ideas are contested. At its civic heart, on the public space that was once the harbour quay, sit the statues of two men once seen as models of virtue, now a focus for impassioned debate about virtue. The first is Edmund Burke, the parliamentarian, who insisted on representative rather than direct democracy. The second is Edward Colston, the benefactor, who probably derived his great wealth from the proceeds of slavery. Slavery, as we know, is not simply confined to the past, and tackling the scourge of human trafficking is one of the areas I hope to be involved in during my time as a Member of this House.

Bristol is also a city of engineers, where ideas are turned into things which change our lives. My grandfather was an engineer who worked his way up from an apprenticeship to the line, as foreman for Hawker Siddeley. His stories were of his pride in Brunel, Rolls-Royce and, above all, Concorde. Concorde's home is beyond the city but in the diocese, which is more than the city of Bristol.

Air travel is another focus for dissent. In recent years, Bristol and its hinterland have emerged as an area where ideas and responses to the harmful human impact on our planet have priority on the public agenda. The long-standing research and educational work of the Bristol Zoological Society and the Bristol-based BBC Natural History Unit, and in Westonbirt arboretum and Slimbridge to the north of the diocese and the innovative sustainable farming of the Chew Valley to the south, has demonstrated the extent of the threat, need and opportunity. Bristol engineers are now turning their practical ingenuity to sustainable building materials, decarbonised transport systems and waste-to-power plants.

The public mood in Bristol on climate change shifted some time ago, and church people are among them, leading in a whole-Church response. The youngest diocesan synod member chose to give a maiden speech in the Church of England General Synod inspired by the school strikes. Church communities are being challenged to meet the Eco Church award, to green their churchyards and to walk to church. One Church primary school is teaching others about beekeeping and, in Swindon, our newest secondary school's uniform is made from reworked plastic bottles. The whole

diocese has, through our close links with the Church of the Province of Uganda, been reminded that climate change will have its first and greatest impact on those living in poverty with least protection from flood, drought and the consequent population displacement.

I therefore commend the measures outlined in the gracious Speech for a new world-leading independent environmental regulator, the progress of which I will follow with interest. I look forward to continuing to contribute to debates on that legislation. I pray that Almighty God's blessing may indeed rest upon the counsels of this House.

12.57 pm

Baroness Byford (Con): My Lords, it is a huge privilege and joy to follow my noble friend—if I may call her that, as we have worked together, as she has said, for many years in Leicester Cathedral.

Her journey through the Church of England has been remarkable. She originally came from the Wirral and, as she has told us today, her grandparents have a long association with Bristol. She began her ministry in 1990 as a chaplain at Gloucester Cathedral, where she met and married Michael and was ordained a priest in 1994. That year she moved to become canon pastor, and later vice-provost, of Coventry Cathedral. She became the first woman to lead a Church of England cathedral in 2000, as Provost and then Dean of Leicester. In that role she led the Cathedral Church of Saint Martin, Leicester, a city with significant diversity and areas of great deprivation. In 2012 she was appointed Dean of York. As she told us today, the finding of Richard III in Leicester gave us, as a small cathedral, a huge challenge. From having probably 35,000 visitors, we were landed with 160,000 visitors in one year. It became a huge challenge, in which my right reverend friend played a very important part.

In 2009, she was elected chairman of the Association of English Cathedrals, the representative body for cathedrals, and she is serving her second term on the English Roman Catholic Committee. She was chair of the Deans' Conference and in 2013 she was elected as one of the female representatives in the House of Bishops. We warmly welcome her today and we are deeply grateful for what she has brought in sincerity, breadth of knowledge and commitment. We particularly look forward to her work on human trafficking, to which she has committed herself.

I should first declare my own and my family's farming interests as set out in the register. The contents of the gracious Speech are to be welcomed. Today's principal topics for debate are interlinked. While my contribution will be mainly about agriculture, horticulture, fishing, animal welfare, food production and the environment, I shall also highlight the importance of three other proposals which are not included in today's debate.

I welcome the commitment to support and strengthen the NHS, the proposals to reform adult social care and the commitment to ensure that all young people have access to an excellent education. These are much-needed commitments, but I draw to the Minister's attention the fact that in rural areas the challenges are greater than those in urban communities. It is simply

[BARONESS BYFORD]

more expensive for departments and local authorities in rural areas to provide those services. This, plus the fact that the funding formula gives less per head of population to rural areas, makes the task an even bigger challenge.

I welcome the Environment Bill introduced into the Commons two days ago, and I look forward to debating the proposals set out in the agriculture, fisheries and animal welfare Bills announced in the gracious Speech. For the first time, the Environmental Bill sets out environmental principles which will be enshrined in law. It introduces legally binding targets and will establish a new office for environmental protection. The Bill covers a vast range of issues, from waste and resource efficiency to air and water quality. It introduces charges for single-use plastic items, extends producer responsibility to ensure a consistent approach to recycling and introduces a deposit return scheme, so there is much in this Bill. It also has an important section on nature and biodiversity, and it formalises conservation covenants, to name but a few. All these aspirations are to be welcomed. The proposed new office for environmental protection will be yet another non-departmental body. Its independence and financial security will be crucial if it is to succeed. It must be adequately staffed and funded. We can think of other such bodies which have seen their budgets squeezed over the years, resulting in cuts to services and aims unachieved. What assurances can the Minister give that realistic support will be given to this new body?

We await the details of the agriculture Bill. Will it be exactly the same as the previous Bill which was held over in the Commons last year or, as with the Environment Bill, will it cover a wider range of aspirations? Under Henry Dimbleby, the Government are setting up a new national food strategy which is committed to providing safe, healthy, affordable food. Will that consultation finish in time and will its conclusions be included in the Bill?

The importance of the food industry, which is worth some £122 billion and employs 4 million people, cannot be overestimated. Agriculture and horticulture are the backbone of our food industry, which grows a wide variety of the crops that form our staple diet. Farmers are at the start of the food production chain, but like any business they need to be profitable and able to increase yields and invest in the new technologies which are transforming the way we produce our food these days. Farmers produce not only food, but energy crops, and at the same time they look after the environment. The work of LEAF is a good example of what can be achieved.

The UK has some of the highest animal welfare standards and UK farmers will continue to commit to them, but on leaving the EU, concerns are regularly expressed about leaving the EU and the importation of food which may not be produced to the same standard. These concerns and possible tariffs—I am grateful for the commitment made by the Government to making concessions on some of them—are making UK farmers concerned about their future. Lowland and upland farmers are particularly vulnerable, so I am grateful to the Government for their commitment to continue to pay for support.

I thank the Government for taking broadband across the UK. The recent announcement of some £5 billion towards this will be welcomed by businesses, many of which are based in rural areas. I believe that the gracious Speech contains exciting opportunities across the generations. It has a bold vision, and I commit to working on the Bills it proposes.

1.05 pm

Lord Hain: My Lords, I too welcome the speech of the right reverend Prelate the Bishop of Bristol, especially what she said on climate change. I also honour her mother as one of the suffragettes of the Church of England.

On the same morning that the UK Supreme Court judged the Prime Minister to have tried unlawfully to prorogue Parliament, Boris Johnson outlined to a New York business audience his vision of a post-Brexit Britain. It was one of the UK undercutting European tax rates and adopting lower regulatory standards than those set by the EU: a low-tax, lightly regulated haven on the EU's doorstep, uninterested in competing on a level playing field and intent on provoking and winning a race to the bottom to create a Singapore-upon-Thames. It was difficult to discern that dismal vision in the Queen's Speech, with rumours of a rift between the Chancellor and the Prime Minister over who gets to announce which tax cuts and spending plans, and when. The Chancellor wears his humble origins on his sleeve while the Prime Minister sees himself as the Incredible Hulk: the madder he gets, the stronger he gets. What a pair they are: Javid and Goliath.

The Government want us to believe that they are turning the page on austerity, abandoning the ideological approach that has driven Tory party policy for the past 10 years. Instead of "Keep Calm and Carry on Cutting" they have adopted the Vera Lynn wartime song, "It's a Lovely Day Tomorrow": you just wait and see. There is to be nearly £14 billion in extra public spending next year, with the priority going to health and social care, policing and prisons, and schools. That is in complete contrast with both David Cameron's recent verdict that his Government did not cut enough and George Osborne's boast that Britain had been squeezed more tightly than any of the advanced western economies. But on closer inspection, the Prime Minister's brave new world bears a striking family resemblance to the cruel real world that Britain has been enduring for the past decade. Next year's rise in public spending restores barely 10% of the £140 billion of public spending cuts and tax rises that 10 years of Tory austerity add up to. This decade of savage cuts puts next year's puny spending rises into perspective.

The Institute for Fiscal Studies reckons that next year's extra public spending will reverse only 15% of the per capita cuts to non-health areas since 2010. It falls well short of the amount needed to return all departments' budgets to their pre-austerity levels. The new Tory stance on austerity does not take us back to 2010 and it does not undo a decade of carnage. Public services that have struggled by on starvation rations are not suddenly being fully funded. The Tory squeeze may be less severe in the future, but the economy is still

in a fiscal straitjacket, so that even if, improbably, all goes swimmingly well over the next few years, Britain will not recover from past cuts for many years to come.

Since 2010, Tory austerity measures have overwhelmingly been public spending cuts, so the best way of ending austerity is surely to give top priority to boosting public spending to repair the damage done to public services. Tax cuts should take second place. However, in the Tory leadership election, the Prime Minister proposed to increase the higher rate threshold for income tax and to raise the point at which people start paying national insurance contributions. The former would cost some £9 billion a year, with most of the giveaway going to those on high incomes. The latter could cost up to £17 billion, depending on how high the national insurance threshold is raised. The Prime Minister clearly wants to include £10 billion to £20 billion of tax cuts in the Autumn Budget, plus the already announced £14 billion public spending increases. However, according to the Institute for Fiscal Studies, the last 10 years of austerity consisted of 80% public spending cuts and 20% tax rises. Nevertheless, the government-proclaimed way of ending austerity is to make tax cuts at least 50% of the package. Those are absolutely the wrong priorities. The compelling need now is surely to focus extra resources on rebuilding our public services, not on tax cuts, especially not for those on the highest incomes.

Boosting public spending also means expanding current public spending on staff and services, not just on extra capital spending on infrastructure. Both are needed. The *Economist* expects that UK growth this year will be only 1.1%. Even that looks optimistic. This is the fifth year in a row that growth has been slower than the year before. The economy has been falling further and further behind the Chancellor's new growth target, held back by Tory austerity and the 2016 Brexit vote. Britain is already back at the bottom of the G7 growth league table. We are uncomfortably close to recession and the budget deficit has stopped falling. The reason it is right to borrow and invest now is that the economy is running out of steam.

Monetary policy has lost its potency. Record lows leave minimal scope for further interest rate cuts. Quantitative easing by the Bank of England has flooded the economy with money that has been spent largely on existing assets, boosting property values and share prices, rather than on newly produced output. But these historically very low interest rates make extra public investment financed by borrowing both affordable and very attractive. Government should be using this opportunity to raise public investment to a new, prolonged plateau of higher spending, such as a green new deal to tackle the climate change emergency and building hundreds of thousands more homes. Instead, the Government have produced Britain's Brexit calamity, with disastrous results: business investment has stalled, last month's retail sales were the worst for 25 years, and productivity is poor and falling. Things could get still worse with Brexit—especially a still-possible no-deal Brexit—on the horizon. This is a disastrous picture with which to produce the Queen's Speech.

1.12 pm

Lord Fox (LD): My Lords, I join in the congratulations on the speech of the right reverend Prelate the Bishop of Bristol—a city from where my father's family emanated—and I look forward to the speech of the noble Baroness, Lady Bennett, later on.

I too played bingo with the speeches, and the words “fiscal responsibility” were also included in my game. However, I sign up to the definition given by the noble Lord, Lord Macpherson, of “fiscal incontinence” to define what we have been seeing over the last year or so. If you do not want to listen to us, the Institute for Fiscal Studies has been very clear in its own analysis. The Government have of course broken their 2% rule, and, in the institute's words,

“there ... isn't space ... for ... permanent giveaways”.

It dubs the spending round as on a par with Labour's 2017 manifesto plans—which of course Mrs May called the “magic money tree” manifesto. So “fiscal responsibility” would not be a way of describing the Government's performance. In addition, looking at the Budget ahead, the time that the Government have given the Office for Budget Responsibility to produce its analysis of the economy is very sharp, to say the least, when it does not yet know the Brexit environment for which it has to make that announcement. Again, that is hardly a prudent move.

The shadow of Brexit hangs over this debate and most others. Many people acknowledge that the economy and business need some sense of certainty, but the idea that whatever Boris brings back and is voted on will deliver certainty is of course foolish. Again, the noble Lord, Lord Macpherson, encapsulated that when he talked of “interminable trade negotiations”. There will be years, if not decades, of upset and lack of stability for our business communities. My noble friend Lady Kramer set out the challenges facing the manufacturing sector in this economy, and its desire for regulatory consistency and the need to avoid regulatory divergence. She also set out the pressures on the service sector, which is the larger part of our economy.

It is clear that no sensible commentator predicts that UK services will benefit from losing their current level of access to the European Union. Yet this minority Conservative Government march on. As the noble Lord, Lord Hain, set out, this Government's ambition is to compete with the EU, and they will compete on the grounds of lower regulatory standards—a point also made by the noble Baroness, Lady Jones. We saw good evidence of that when the Government dropped the international Trade Bill, which your Lordships worked long and hard on, which set out those standards. That Trade Bill was agreed in your Lordships' House and then parked for months. Perhaps the Minister can tell us how the new trade Bill that appears in this Queen's Speech will differ from the one that we worked so hard on in your Lordships' House.

It is useful to look at a Queen's Speech—even one that will not pass into legislation—because it indicates a direction of travel and the way a Government think. Nothing sums that up better than the Immigration and Social Security Co-ordination (EU Withdrawal) Bill, which would repeal EU free movement laws. It is wrong on many grounds, but it is disastrous for the

[LORD FOX]

economy and for British science. Plans to abolish the cap on numbers under tier 1 exceptional talent visas are wholly insufficient, and the Bill also fails to take into account the contribution made to the British economy by people who fall below the tier 1 threshold.

The points system disregards the need for vital but lower-paid workers in our economy—look at agriculture, the care professions and the hospitality industry—and it does not stop there. Her Majesty's Government, and the noble Baroness, Lady Vere, make much of plans to deliver full-fibre Britain. To do this, BT says that it needs an extra 35,000 people. Where do the Government think these people will come from? Where is this infrastructure, if it were ever to emerge? Who will build this? The Liberal Democrats would guarantee the rights of EU citizens in the UK now, and we would continue to welcome new entrants. They are a vital part of our economy.

The Minister talked about work being “fairer for all”. For that to be true, we need a thriving economy that provides opportunities for people in every economy, which will require a major rebalancing of our currently unequal regional economies. To do this, we need to convert the industrial strategy into a much more overt regional prosperity strategy. We need ambitious goals on which to focus, and for that we should change the *Industrial Strategy* grand challenges. I suggest: delivering carbon neutrality; creating a transport revolution; ushering in an era of zero-carbon housing and commercial buildings; and developing world leadership in health and well-being innovation.

Three key enablers will help us to meet these challenges. First, we must embrace the digital revolution, but in a way that is inclusive and a force for good, delivering well-paid jobs. Secondly, we need to create a national skills strategy with Cabinet-level accountability across government, which will have to deliver a skilled workforce—not just a future workforce, but the present workforce upskilled through lifelong learning accounts. There must be a major expansion of all apprenticeships, including higher-quality ones.

The third point is the science budget. I think all parties agree on an increase in the science budget. To address that, we need the finance, and the Liberal Democrats will expand the British Business Bank to perform a central role in the economy. We have to ensure that small, medium and entrepreneurial businesses have access to capital. This is not happening at the moment, and it is pulling back the supply side of our economy.

The business elements of this Queen's Speech fail on two counts. First, they are clearly not part of a sensible, deliverable legislative programme. Secondly, they fail as an election manifesto. This is not intended to draw the nation together. This Speech reveals the narrow, divisive plans the Government have for this country. By promising things they know they cannot deliver, the Tories are playing a dangerous game. By pointing the blame at others, the Tories are creating an environment of aggression and fear. By cynically playing on these fears, the Tories are dividing and hoping to rule people in this country. I have more faith in the robustness of our democracy and the spirit of the British people. They will see through this cynicism.

1.20 pm

Baroness Jones of Moulsecoomb (GP): My Lords, it is a pleasure to follow the noble Lord, Lord Fox. I agree completely with him about the Trade Bill: it is a disaster that we have lost a Bill on which we had a lot of cross-party agreement. The Minister at the time worked very hard on it with us, and it is an incredible shame that it has been lost because of what we are doing now. I welcome the right reverend Prelate the Bishop of Bristol: it is good to hear about her prospective work on trafficking and I would be happy to work with her on it.

I am really not sure what we are doing here today. We have had a Queen's Speech from a Government who have presented their agenda when they are 43 seats short of a working majority and therefore have absolutely no way of implementing it. This is a farce. However, we are dealing with it today, and there are a few—sadly, very few—welcome ideas in the gracious Speech. The Environment Bill is very long and wordy and rather empty, but at least we can attach a great number of amendments to help improve it. The agriculture Bill will apparently finally make its way to your Lordships' House so that we might amend it to implement the type of green, sane policies on food, farming and land use that Greens and others have been advocating for decades.

I welcome the proposed animal protection measures and am happy that we will be recognising animal sentience in law. The continuation of the Domestic Abuse Bill will transform lives and punish abusers.

On the other hand, the proposal for changes to the length of prison sentences for violent criminals goes against all informed advice and will make prisons even more dangerous. We have allowed prisons to deteriorate for the past 20 years, and this measure will make them worse. They are overcrowded, understaffed and underfunded. Death, violence and self-harm are at record highs. We do not need more prison places; we need more rehabilitation, more youth clubs and more social services. Training and education of prisoners is often non-existent.

Sadly, the Government's focus on election campaigning has unsurprisingly failed to propose the measures necessary to transform our economy and society in the 11 years that we have left to tackle the ecological and climate emergency. The Government do not yet seem to understand the scale and intensity of change needed as the clock ticks towards unavoidable feedback loops. Every day that they do not act is wasted time.

In response to the Queen's Speech, I beg leave to deliver the Greens' Speech. Greens will bring forward ambitious legislation to create a green new deal which will renew British industry and recalibrate our economy for a zero-carbon future. Avoiding climate catastrophe requires us to achieve net zero carbon emissions by 2030, not 2050, and to include aviation, shipping and offshoring within those targets. A massive investment programme, taking advantage of record low global interest rates, will commit at least 5% of public expenditure to rapidly reducing our carbon emissions and protecting the natural environment.

The green new deal will include an ambitious energy-efficiency programme to bring down the running costs of every household and business in the country while reducing the total amount of energy that we produce as a nation. Support will be given to democratise our energy supply so that individuals, schools and communities can club together to develop their own sources of renewable energy. The green new deal will reinstate the net zero housing standards abandoned by this Government and deliver a mass programme of zero-carbon social housing to tackle the housing crisis and eliminate homelessness.

Greens will bring forward legislation to end the failed railway franchise system and bring the operation of trains and track back into public ownership. Investment in public transport, cycling and walking will focus our streets and public spaces on people, not cars, making us happier and healthier in the process.

Greens will deliver legislation which puts citizens in charge of the big decisions facing this country. The creation of a citizens' committee on climate and ecological justice will put the public in charge where politicians have consistently failed. A citizens' committee on the British constitution will work across the country to develop a new constitution fit for the challenges and opportunities of a modern democracy, and will abandon the stale, archaic and impenetrable mess of our uncodified, unwritten constitution. The era of majority government is over, and a new democratic settlement is the only way to heal the gaping divisions in our society. The abolition of your Lordships' House, to be replaced with an elected second Chamber, would be a core part of renewing our parliamentary democracy.

Real environmental legislation will stop all unnecessary single-use plastics by 2025 and enable the planting of 3,000 hectares of trees every year. Greens would create an environmental regulator with the funding, powers and independence to truly hold the Government to account.

A clean air Bill will recognise the human right to breathe clean air, attaching it to the Human Rights Act. Public bodies would be required to take the necessary steps to stop the pollution that causes thousands of premature deaths each year. Human rights will be strengthened: in particular, the human rights of environmental protectors and activists who risk their jobs, livelihoods and freedom in order to force politicians to face up to the reality of our climate emergency. Legislation will reform the use of civil injunctions so that big corporations can no longer stop peaceful protests in order to cause widespread ecological damage in an effort to "help the economy".

It has always been my priority for a Green Government to avoid climate and ecological disaster, and I am delighted to be joined by my noble friend Lady Bennett of Manor Castle to continue that fight together.

1.27 pm

Lord Leigh of Hurley (Con): My Lords, I add my welcome to the right reverend Prelate the Bishop of Bristol—having been brought up and schooled in Bristol, I am pleased to see her in this House—and to the noble Baroness, Lady Bennett, who, following the previous speech, will have a challenge keeping up with the Joneses.

If ever there were a time for the Government to propose a sweeping raft of Bills to reform, to change, to energise and, most important, to project confidence, it is now. We have long endured the contradiction of continuing economic good news amid political uncertainty. Indeed, the ONS continues to record rising employment, with an unemployment rate of 3.9%—the lowest since 1974. There are now 1.3 million unemployed, down from the 2.5 million when Labour left office. Let that be a cautionary tale to anyone who thinks that the policies proposed by Labour are the answer to any of the challenges that this country faces.

It is worth noting in passing that Labour's approach would clearly undermine our economic success. I am talking of course of £200 billion of taxpayers' money to be wasted on a renationalisation programme that would take us back to the 1970s and the extraordinary idea of compulsory confiscation of 10% of companies' equity.

Instead of a policy programme that would plunge us into recession and national insolvency, we need to respond to uncertainty with clear direction. At least a few Bills in the Queen's Speech give me cause for optimism. This is an agenda based on low or no tariffs, free movement of goods and services and the relentless engagement required to capitalise on high-growth non-European markets. Indeed, the EU's own analysis suggests that 90% of future economic growth will be outside Europe.

The gracious Speech is, given the context, just a start. It will lead to continuity of existing trade agreements to which we are party by the EU, implementation of the Agreement on Government Procurement and a new body to protect UK companies from unfair trade practices. These are important threads, but we must hope that the radical content is still to come once we know the framework we will use going forward. When it comes to negotiating our future relationship with the EU in detail, we must be especially clear on our red lines on trade.

Turning to financial services—a sector which, as the noble Baroness, Lady Kramer, said, is key to our economic success and uniquely vulnerable to Brexit uncertainty—the Bill moves to address this directly, and there is much in it to be commended. Asset management remains an absolute key for the UK economy. London is the second largest hub in the world and manages 37% of all European money. We must ensure it stays competitive. Simplifying the rules to allow the selling of overseas investment funds in the UK will assist this. The UK is already home to \$3.1 trillion in overseas assets. I do not recognise the gloomy prognosis from the noble Baroness, Lady Kramer, earlier. I speak to people in the City and hear of an incoming wall of money that will arrive with us shortly.

Delivering on the fintech sector strategy will similarly bolster our competitiveness in this key sector. The UK, and London in particular, is unique in that we have a burgeoning tech sector co-located with financial services, and the opportunities for synergy are endless. This is about sector growth, but it is also about providing a better service to consumers, financial inclusion and economic empowerment.

[LORD LEIGH OF HURLEY]

Taking another Bill proposed, the pensions Bill, which I appreciate is not the subject of today, I will address my remarks to the financial services aspect of pensions. The Bill provides the framework for collective defined contribution schemes and improved advice for savers and delivers on the pensions dashboard—so far, so good. The role of fintech will be key to helping people. However, it will allow the pensions industry to grow only if it is able to do so by a responsible approach to regulation. The background briefing on the financial services Bill talks of the need to continue reforming our regulatory architecture after the failure of the twin peaks during the 2008 financial crisis.

While it remains important to protect consumers from bank failure and mis-selling, we must also take an approach that encourages and enables them to take their own responsibility for their own savings. We are far away from that at the moment. In particular, I want to highlight SIPP regulation as an exemplar. Specifically, I want to refer to the case of the company Berkeley Burke, a SIPP provider—which, I should make clear, is a client of my employer—whose SIPP division is now, this last week, insolvent following a ruling by the Financial Ombudsman Service. Berkeley Burke's SIPP operation provided tax wrapper execution-only advice for investments on behalf of a client. A particular investment failed and even though Berkeley Burke had no advisory commissions—it recommended the consumer seek advice and warned the member of the risk—the FOS, somehow, ruled in the consumer's favour. Looking back, the only counterfactual available to Berkeley Burke would have been to refuse to carry out execution-only investments that it thought were too risky. However, that would have seen it providing de facto financial advice which it was not permitted to do, so it was damned either way.

If the Government are intent, as I hope they are, on catalysing more responsible pension savings, they need to strike a better balance between protecting consumers and encouraging them to take responsibility. The current system could decimate the market for advice and products, to the ultimate detriment of the consumer. It is extremely depressing to see the ambulance-chasers now going after the entire SIPP industry. I am sure the Government want individuals to continue to have the freedoms to determine their own pension investments if they so choose. This is now a threat directly due to action taken recently by the FOS and the FCA. It is really worrying that this could spread to every single execution investment advice service in the City.

Will the Minister speak to the Treasury to get it to commit to ensuring that provisions in the pensions Bill support consumers and financial providers to achieve its ends? Will he start by reviewing the statutory status and powers of the FOS in this respect and in particular the FCA?

To conclude, the Queen's Speech provides a foundation for growth and competitiveness that will see our key sectors supported and our strengths bolstered through Brexit. We must ensure that future legislation in this Parliament enables us to benefit from being outside the EU. Restrictions on areas such as EIS, SEIS and VCT rules come to mind. I hope it is not restrained by too many of the playing field constraints that were mentioned earlier and by the Prime Minister this morning.

This gracious Speech is only the beginning. Once we know the terms of our exit, the Government must double down to realise the real economic and financial dividends.

1.35 pm

The Duke of Somerset (CB): My Lords, while we appreciate that few of the Bills alluded to in the Queen's Speech will be brought forward before the next election, they indicate what the Conservative Party might do in the event that it wins a majority. However, it is also clear that, economically, the UK would be far better off under the status quo of membership rather than under any or no deal. Many parts of these Bills would be unnecessary as the provisions of our EU membership enshrine legislation—as, for instance, with the new Environment Bill, where the precautionary principle and the polluter pays principle proposed currently apply to all EU member states.

However, the environment is a hot topic and people want to see cutting-edge policies that will make a real difference. Top of these must be urban air quality. Transport exhausts are a prime target, and not only private road vehicles need to change but also buses and trains, which are so often forgotten—not to mention aviation. Electricity is the favoured medium-term solution, but why are we not leaping straight over to hydrogen power? It has many advantages, the main one being that it is the most abundant and pollution free. There are still a few problems to solve, such as transportation of the gas or liquid and its storage. Development and infrastructure costs will be high for both electricity for vehicles and for hydrogen fuel cells, but the latter is surely the silver bullet for our future transportation policies, whereas electricity production is dependent on fossil fuels and will be for some time. The manufacture of storage batteries is extremely polluting. It was, however, good to see that renewables now account for nearly 50% of our generation in some quarters of the year. Have the Government commissioned any research on hydrogen, or are they slavishly following the generally accepted world view on the progression of power sources without questioning it? The £1 billion going to the automotive industry should be spent wisely.

The Government's time targets for change are not ambitious and rather weak, in my view. I am sure that the motor industry is putting a brake on the speed of change, but policies such as pedestrianisation—Oxford Street comes to mind—and non-fossil fuel vehicles such as taxis and delivery vans going electric, if they go down that route, can be brought in much faster. We now have cleaner hybrid buses on the streets of our cities, but they seem to revert quickly to diesel. Does the Minister have any information on what proportion of their time they operate on electric only? I fear it will not be very high.

And what about trains? Electrification has been pathetically slow. In the West Country, route electrification has only reached as far as Newbury, so the new fleet of Great Western trains has to be hybrid, switching from diesel to overhead pantographs—the inefficiencies of this must be huge. On the railway line I take to Salisbury, South Western Railway operates trains which have a diesel engine under every carriage. The emission of smoke, noise and exhaust fumes that accompany

their progress, or worse when they are stationary, is surely no longer acceptable. The line from Salisbury westward is a single track, although one can still see the old rails alongside. A little project, such as dualling this line, illustrates a typical worthy candidate of any cash released from the possible abandonment of HS2 and would greatly improve the reliability of journeys. The Government's concern for the environment would be well satisfied if this project were scrapped in favour of smaller projects and upgrades throughout the country. The huge environmental cost of driving a new railway through our countryside, SSSIs and people's houses and businesses has been underrecognised.

On the other hand, I am in favour of building new roads to bypass settlements and plug gaps in A-road dual carriageways. Such a policy would move the pollution away from where people live and avoid the damaging stop-start scenario in towns, where vehicles are at odds with pedestrians.

Another specific example where money will be well spent is at Stonehenge, where the monument—one of the biggest tourist attractions in the West Country—is completely spoilt by the nearby A303, which is often in gridlock. The proposed tunnel has suffered from the vacillating decisions of successive Governments but is now awaiting planning permission. I hope the Transport Secretary will do his best to push this forward.

I turn briefly to agriculture and declare my interest as an arable farmer. A botched Brexit will do serious harm to some sectors, due to adverse tariffs and disadvantageous new trade agreements. Beef and sheep farmers are in the firing line, as are those producing malting barley, where there is currently no market as no exporting ships have been reserved due to the Brexit uncertainty. If farmers struggle or fail, it is the very aims of Defra, such as biodiversity and water and soil quality, that will suffer. The new basis of support—public money for public goods and environmental stewardship—is fine, but the farmers will have to provide the work, and they can only do this while solvent.

It is laudable that the Secretary of State has vowed to maintain and improve food and animal husbandry standards, but it is hard to see how this statement dovetails with the new trade agreements with aggressive and distant countries such as the USA, which operate much looser standards.

Theresa Villiers has also spoken of releasing our farmers from the rigidity and bureaucracy of the CAP. Our civil servants have a reputation for gold-plating EU regulations, so it will be interesting to see how they avoid this course in future.

The Prime Minister recently spoke about increased tree planting in relation to reducing greenhouse gases, which I was pleased to hear, but I wonder on whose land this will happen and with what financial incentive to plant and maintain. Without pre-empting a forthcoming debate, how will this long-term policy happen in the face of an onslaught of tree pests and diseases, often arriving from overseas, that our weak import controls of plants and timber do not sufficiently inhibit? In addition to badger culls, we need proper control of the all-damaging grey squirrel through immunocontraception.

Other noble Lords have talked about broadband, and I hope the Minister will take that forward as well.

1.42 pm

Lord Morris of Aberavon (Lab): My Lords, I wish to raise three points on the post-Brexit arrangements for agricultural support, particularly in relation to Wales.

More than 60 years ago I was a young official for my the newly born Farmers Union of Wales. Most of my family—my brothers and their descendants—are engaged in livestock breeding in Wales, sheep in particular. There has never been greater uncertainty in the Welsh hills, traditionally the breeding ground of Welsh lamb. What advice will the Government give to them? When I was at the criminal Bar, I was occasionally asked in the Court of Appeal, “What is your best point, Mr Morris?” My best and most important point is: what should hill sheep farmers dependent on export to the continent do this year, so far as breeding is concerned? This is the period—from about 1 November on, depending on the altitude of their farms—when they put their rams to their ewes. This is the obvious initial step for the lambs they hope to be ready for the markets, particularly the continental markets, in late spring and early summer. They do not know what markets there will be—or what tariffs, as my noble friend mentioned from the Front Bench. I hope they will not be punitive; if they are, it will destroy the industry. I would therefore like to know what assurance the Government can give.

My second point concerns the last agriculture Bill, which was stalled in the Commons for many months—pending, I presume, the outcome of Brexit. I look forward to a new Bill, as promised in the Queen's Speech. On more than one occasion, the last in March this year, I raised the Delegated Powers Committee of this House's severe criticism as that Bill sought to bypass the devolved legislatures. I pointed out that Whitehall is blind to the fact that devolved Administrations are now part of our constitution. Will Westminster never learn that, given the situation we find ourselves in—which I welcome and have worked for—it must consult the devolved Administrations? We had the same experience with the initial offering of Clause 11 of a recent Bill concerning the retention of powers that were being transferred from Brussels to the United Kingdom, which led to prolonged discussion between the Government of Wales and Westminster before a reasonably acceptable solution was arrived at. When the next agriculture Bill is presented, can we have firm assurances, first, that there will be no bypassing of the Welsh Assembly; secondly, that farmers in Wales will not lose out in any new support arrangements; and thirdly, that there will be agreed arrangements in which the Welsh Government will have confidence?

My third point is that the Chancellor of the Exchequer announced on 4 September this year his proposals for the next spending round, including £1.2 billion for Scotland and more than £600 million for Wales—based on the existing Barnett formula, of course, and on top of the existing spending per head in Scotland and Wales. The Government went on to say, interestingly:

“The Spending Round also delivers on the government's commitment to provide £160 million to farmers and land managers in Scotland in relation to historic allocations of Common Agricultural Policy ... funding”.

[LORD MORRIS OF ABERAVON]

Given that the Welsh allocation usually follows the Scottish, based on Barnett, I want a specific answer: what is the equivalent commitment to Wales, not mentioned in the statement, of that £160 million found for Scotland for farmers and land managers? The Scottish figure refers directly, I repeat, to, “farmers and land managers in Scotland”.

Is there a different figure for Wales? Is there no figure for Wales? I would like to know.

1.47 pm

Baroness Warwick of Undercliffe (Lab): My Lords, I congratulate the right reverend Prelate the Bishop of Bristol on her engaging and thoughtful maiden speech. She spoke of her passion to confront injustice, inequality and homelessness and, looking ahead, I am sure she will make an important contribution to our debates. I am also looking forward to the maiden speech of my friend, the noble Baroness, Lady Bennett, shortly.

I welcome the opportunity to take part in this debate on the humble Address. I gave prior notice to the Minister that I would talk about housing—not part of the theme of today’s debate—because I cannot speak on Monday. I declare my interest as chair of the National Housing Federation, the trade body for housing associations in England.

The Queen’s Speech was a missed opportunity. This House knows that the country faces an enormous housing challenge. High house prices and rents, poor-quality homes and the shortage of new homes of a range of tenures are all contributing to 8 million men, women and children being unable to live in a home suitable for them or their family. I am disappointed that this Queen’s Speech did not feature a comprehensive plan to tackle the housing crisis. From helping rough sleepers off the streets to helping families across the country on to the housing ladder, the Government have missed the opportunity to present an ambitious programme of legislation to fix the broken housing market. I urge the Government to restore the public’s faith that they will invest in the affordable homes we need and use the forthcoming Budget to make ambitious commitments to do so.

Last week Channel 4 News showed Mohammed, Wajidah and their four children who live, eat and sleep in one room in a hostel for the homeless. Mohammed started to go blind six years ago and his wife Wajidah has given up work to be his full-time carer. Their children struggle with doing homework, do not have anywhere to play and have to take two buses and walk just to get to school. It has affected their mental health, their marriage and their children’s educational prospects. The family are on housing benefit, cannot find anywhere to rent privately and have been on council waiting lists for months.

Last year, 726 people died while homeless. One of them was Gyula Remes, who died on the doorsteps of Parliament after sleeping in Westminster Tube station. This is the real picture of the housing crisis in Britain today. The benefit freeze is pushing low-income families to the brink, with more than nine in 10 homes for private rent too expensive for those on housing benefit. It is a sobering fact that two-thirds of these families are in work.

What is the solution? Housing associations share the Government’s commitment to help more families into home ownership. Over the next five years, they will support record numbers into shared ownership, working in partnership with local and national government. But a shift by this Administration towards further emphasis on home ownership would be a mistake, if it comes at the expense of social housing. That is where most progress is needed. Research from the National Housing Federation reveals that we should be building 145,000 affordable homes each year for the next 10 years to fix the broken housing market. The NHS, Shelter, Crisis, the CPRE and the CIH have made a united call for investment of £12.8 billion a year, for 10 years, to do this. Imagine the political return from that. We last made a commitment on that scale under a hero of the current Prime Minister, Sir Winston Churchill.

I know the ask is ambitious, but it is worth bearing in mind that we currently spend £20 billion a year on housing benefit. Investment now in social and affordable housing would help save money for future generations. For comparison, we spend a similar amount on roads. As the Government put the finishing touches to their national infrastructure strategy, mentioned by Her Majesty, I hope housing will be included.

I have a plea for the Minister to speak to his Treasury colleagues and consider a generation-defining commitment in the upcoming Budget. Will the Government confirm the next affordable housing programme? Without it, we are likely to face a sharp fall in the new supply of homes, as uncertainty persists. Will the Minister confirm to the House whether a new long-term affordable homes programme from April 2021 will be part of the Budget on 6 November and, if not, when?

I must say something about building safety. Two years on, we must not forget the tragedy of the Grenfell Tower fire. There are still tens of thousands of people going to sleep every night without the certainty that they are living in a safe home. I welcome the Government’s commitment to building safety, with the inclusion of a building safety Bill in this week’s Queen’s Speech. Ministers must guarantee that everyone has the basic right to live in a safe home.

This progress should not end with a new regulator; the Government need to make sure that funding is available for local councils and housing associations to carry out safety remediation, when the regulations have failed in the past. They must also provide clarity and co-ordination on how these works will be carried out to enable housing associations to complete them as quickly as possible, and continue their other important work building new social housing. The testing process—of fire doors, insulation and cladding—must be more transparent. Where regulation has failed, it is imperative that the Government restore trust. A large factor in rebuilding trust is making sure that tenants have a real voice.

There is not a one-size-fits-all approach. As the Housing Minister in the other place said, we must be “tenure-blind” and build homes to meet people’s needs at every step of their housing journey—from supported housing to council or association social rent, and from the PRS to a private home. Fixing the housing crisis

must be a priority for this Government, not only because it is the right thing to do but because the majority of the public are calling for a solution to this national emergency. As the British Social Attitudes survey has shown, building homes for social rent and housing that are affordable to people on average and lower incomes are priorities for the public.

I end by going back to Mohammed and Wajidah. If they had a suitable home to live in, their lives would improve dramatically. Their children would have somewhere suitable to complete their homework each evening, they would not have such a long journey to school and there would be an immediate impact on their mental health. I have outlined some of the ways in which we could fix the housing emergency in our country today. It is a great shame that the Government did not choose to use this Queen's Speech to make more progress.

1.54 pm

Baroness Neville-Rolfe (Con): My Lords, I also congratulate the right reverend Prelate the Bishop of Bristol, now a fellow woman of the West Country, and welcome the noble Baroness, Lady Bennett. I agree with another West Country man, the noble Duke, the Duke of Somerset, about Stonehenge and the Salisbury line. I thank my noble friend Lady Vere for her typically clear and succinct opening speech.

I am a supporter of the Prime Minister's focused approach, ending uncertainty and unleashing business investment by getting Brexit done—well done, Boris, on today's progress—taking a grip on law and order, and committing to a responsible fiscal strategy, while investing in vital infrastructure.

We have a vast canvas before us today, as we have heard, so I will touch on three new areas. I turn, first, to the worrying trend of Labour Party thinking on property rights. In brief, it appears not to believe in them, at least for individuals. This goes against centuries of near consensus among all serious philosophers and mainstream British political parties that the security of private property is one of the fundamental bedrocks of our freedoms. Examples of this trend include: the suggestion by leading Labour figures—not those opposite—that victims of the Grenfell disaster could be rehoused for free, at the expense of the owners of dwellings that happened to be unoccupied at the time; that 10% of all companies' shares should be donated to the workforce; that a proportion of football clubs should be given to their supporters; and that private landlords should be obliged to offer their tenants a right to buy at a discounted price, at the landlords' expense. There are also suggestions that wide-ranging nationalisation could be at less than market value. No doubt there were some similar ideas in operation in Venezuela some years ago, before the consequences came fully home to roost.

Given the political situation over the last three to four years, all this has gone less remarked than it might have done. In particular, the so-called moderates on the Labour Benches have kept a deafening silence. This attitude, to my mind, represents a depressing shift in the political landscape, with which I fear we will need to grapple for some time.

I now turn to the world of regulators. On Wikipedia, there is a helpful list of the 69 UK regulators. The existence of 69 regulators implies a lot of regulation. I concentrate on economics, where much power is exercised by Ofgem, Ofcom, the Competition and Markets Authority, the FCA, the PRA and many others. This makes me uneasy. Regulators have a lot of power and are usually well paid. They are often grand and slow, and businesses fear them—especially small businesses. Regulators are effectively financed by the public at large, either directly or by fees, levies or fines. These ultimately find their way into the prices of consumer goods and services, yet there is little the public can do to hold regulators to account. They cannot, for example, throw them out as they can with Her Majesty's Ministers by voting in a general election. I note that one advantage of regulators from the perspective of Ministers is that they distance them from decisions, which might be unpopular. However, ministerial comfort is not necessarily synonymous with public welfare.

Unfortunately, I detect that some regulators show signs of believing their own propaganda. Public choice theory leads us to expect that some will identify their own interests with those of the public at large. These problems are only to be expected economically, but the question is how best to prevent them from occurring. The answers are not easy, but ought to include some of the following: first, examining whether specific regulators are necessary and whether Ministers could take direct responsibility in some cases; secondly, giving regulators clear ministerial directions, which ought to be debatable in Parliament; thirdly, taking care in the selection of their officeholders; and, fourthly, reviewing their effectiveness, especially when they are given extra power. Today, that includes the CAA, which, rightly, was complimented earlier for its work on Thomas Cook. It also includes the Pensions Regulator and the financial regulators, mentioned by my noble friend Lord Leigh.

Another aspect of good government that interests me is the issue of follow-through. During my years at Tesco, I was often asked about the biggest difference between government and business. I find business much speedier and better at implementation. Since I joined this House, I have campaigned on a number of issues, and change—even if I have been brilliantly persuasive—has been rather slow. One of my early campaigns was for better vocational education and training, which are vital to business success and often done better in Germany, where I have also worked. My pleas were accepted, but it took years to get the necessary reforms through.

A second area was broadband and mobile, with connectivity constantly promised and well publicised by the charming Ed Vaizey. It is gradually coming on but we are not there yet. Perhaps the Minister can kindly offer some clarity on what we will get both in the short term and by 2025.

A third area was plastics and the impossibility of recycling intelligently when you move between local authorities with different systems. Three years have already passed and I am pleased to be able to congratulate my noble friend Lord Gardiner on the proposed new single system. I would like to hear more about it. I am less enthusiastic about the various new targets in the

[BARONESS NEVILLE-ROLFE]

Environment Bill. Targets without an implementation plan are, frankly, virtue signalling and should really be avoided.

A fourth example was discussed earlier—simple legislation on online harm.

In closing, I come back to Brexit. If we can settle Brexit, people can move forward and find their mojo again, as happened after the misery of the 1970s, and business can invest in the capital and training that we need to improve productivity and bring about better growth.

2.01 pm

Lord St John of Bletso (CB): My Lords, I join in congratulating the right reverend Prelate the Bishop of Bristol on her outstanding maiden speech.

In this wide-ranging debate on the gracious Speech, I wish to focus my remarks on the proposed measures to protect the environment, as well as on animal welfare and wildlife conservation. We have seen the green uprising with Extinction Rebellion. Although I do not approve of all its tactics, I certainly support its cause.

We are seeing a cultural change in the United Kingdom. I have four children, aged 20, 21, 23 and 24, and they are all far more conscious of the environment than I was when I was their age. However, we have been seeing alarming footage of melting sea ice and glaciers collapsing, which obviously pose a huge threat to sea levels. In just this last month, we saw the devastating impact of Hurricane Dorian in the Caribbean. To that end, I warmly welcome the Environment Bill, with which we will be the first country to legislate—in the words of the Minister—for the long-term climate targets with an independent regulator.

The UK has for many years been a global leader in innovation and technology advances, and it is on this subject that I wish to focus my remarks. The noble Baroness, Lady Jones of Whitchurch, posed the question of how we will source our energy after 2030. It is a fact that every 20 years the demand for energy rises by some 50%. That is an alarming statistic. The noble Baroness should be aware of the ITER nuclear fusion megaproject in France, which, when completed in 2025, could fulfil many of the energy needs in Europe. I welcome the recent move here to invest in our own nuclear fusion project. It could become a global leader in the sphere of energy and should, potentially, meet many of the energy needs after 2030.

The gracious Speech mentioned the challenge of addressing plastic pollution. Discarded plastics represent a global blight. They are destroying our oceans and affecting the whole of nature's balance. The global problem must be addressed by all Governments, and the UK must be a leader in that challenge.

It is a well-known statistic that every day we consume over 35 million plastic bottles of water. Of those, only 20 million are recycled and a lot of the balance goes into landfill sites. The answer is not to make plastic the enemy but to consider how we can look upon it as a valuable energy resource—as noble Lords know, it is a product of oil—and how we can best consider methodologies of separating all plastics at household level. We should support emerging technologies developed

in the UK that aim to meet our target of net zero emissions and which can potentially solve the plastic problem. My proposal is to consider plastic parks, where all types of mixed plastics will be initially sorted by a mechanical recycling facility and then processed in a plastic recycling plant. That is a huge challenge but it has the potential to convert plastics to hydrogen power, which, as my noble friend the Duke of Somerset mentioned, is a fuel for the future.

Finally, the gracious Speech drew reference to protecting the welfare of animals, including banning imports from trophy hunters. I declare my interest as vice-chairman of the All-Party Parliamentary Group on Endangered Species and as a long-standing trustee of Tusk Trust.

In the last parliamentary Session, rightly, we passed the Ivory Act. This saw the UK proudly take the lead in proposing one of the toughest bans on ivory—a move that was overwhelmingly supported by the public. It is rather alarming that some antique dealers have now sought to challenge and undermine the impact of the Act with a judicial review, especially given that the UK has been one of the largest exporters of ivory in recent years. To this end, I welcome the banning of imports from trophy hunting.

In summary, there is an urgent need for the UK to become carbon-neutral. There is a big opportunity for the United Kingdom to be at the forefront of developing innovative technologies and practices, and to be a leader in the face of this huge threat. I certainly hope that the gracious Speech is not just a government election manifesto and a charade, and I warmly support the move to enshrine environmental principles and targets in law. I believe that we are going in the right direction but we are not going fast enough.

2.08 pm

Lord Livermore (Lab): My Lords, this Queen's Speech has been described by many commentators as a wish list or virtual programme—one that the Government have no majority to deliver. That may be true, but we should also ask whether the Government have not just the majority but the money to deliver on their promises.

In the Queen's Speech, the Government spoke of a, "new economic plan ... underpinned by a responsible fiscal strategy, investing in economic growth while maintaining the sustainability of the public finances",

but how responsible is their fiscal strategy and how sustainable are the public finances? Last month, in the spending review, the Chancellor faced criticism for not asking the Office for Budget Responsibility to provide new economic forecasts upon which to base his spending plans. Now, with the date for the Budget set at 6 November, he will be compelled to ask the OBR to update those forecasts, and it is inconceivable that it will do anything other than scale down its growth forecast and revise up its borrowing forecast.

The underlying weakness of the UK economy is clear to see. The Institute for Fiscal Studies, in its Green Budget, set out the outlook for economic growth and the implications for fiscal policy. Its findings were stark. It found that the UK's economic weakness has been both more long-standing and more extensive than that of any other major economy, with growth in

the UK since 2016 the lowest in the G7. Business investment has witnessed its most sustained period of weakness outside of a recession and is now also the lowest in the G7. Quarterly private investment has fallen by around 20% compared with pre-referendum trends. The IFS also found that GDP is roughly 2.5% to 3%, or £55 billion to £66 billion, below where it would have been without the Brexit vote. Based on pre-crisis forecasts and global economic comparisons, the IFS believes that the UK has missed out almost entirely on a period of intense global growth, which normally would have boosted exports and investment.

This sustained economic weakness has clear implications for the Government's fiscal strategy. The Chancellor's current fiscal mandate—inherited from Philip Hammond—requires him to ensure that borrowing is below 2% of GDP in 2020-21. At the time of his Spring Statement in March, the deficit for 2020-21 was expected to be £19 billion, and the OBR declared that the Chancellor would have £27 billion of headroom. A change to student loan accounting last month subsequently reduced this headroom to £14 billion, and we have already seen a marked deterioration in the borrowing figures for 2019-20, such that this £14 billion could already be reduced by a further £5 billion. If we add in the impact of the weaker than expected economic performance, that could take off another £5 billion. Taking these together, the Chancellor's £27 billion of borrowing headroom at the time of the Spring Statement now looks more like £4 billion.

All of this means that, while the additional £13 billion announced in the spending round might have been within the fiscal mandate as calculated back in March, it is highly unlikely to still be consistent with it now. Indeed, the Resolution Foundation believes that the Government could break their fiscal rule by some £10 billion, and the IFS now expects borrowing next year to exceed £50 billion. That is more than double the level of borrowing forecast by the OBR just seven months ago. In response, the Chancellor's reaction has not been to propose new funding measures to pay for his spending but to hint that he would simply jettison his existing mandate, declaring in the spending review that he would set out a new fiscal framework ahead of the Budget. He is not shaping his tax and spending decisions to fit his fiscal rules, but bending his fiscal rules to fit his political goals.

In the Queen's Speech, the Government promised, "a responsible fiscal strategy ... maintaining the sustainability of the public finances".

Yet the Government appear not to be showing caution and not to be pursuing a responsible strategy, but instead to be playing fast and loose with the nation's finances. This lack of caution is all the more reckless given the economic storm clouds that lie ahead. Just this week, the IMF downgraded its global growth forecast to the lowest level since the financial crisis, predicting that the global economy is now on the brink of an economic slump. Meanwhile, the Government pursue the hardest possible Brexit, seeking a goods-only or Canada-minus free trade agreement with the EU, which will introduce significant non-tariff barriers to trade. The Government's own figures show that such an outcome would be only marginally better than a

no-deal outcome in terms of economic growth, reducing GDP by 6.7% compared to the figure if we remained members of the EU. These figures were reinforced this week in a report from the think tank UK in a Changing Europe, which calculates that such an outcome would reduce GDP by 6.4% compared with EU membership. The Government could have used migration policy to mitigate this harm, but are foolishly committed to ending freedom of movement in this Queen's Speech.

Those who expect new global trade deals to undo the damage will be sorely disappointed. While the Government's figures show that leaving the single market would reduce UK GDP by 6.7%, they also show that free trade agreements with the USA, Australia, New Zealand and the Trans-Pacific Partnership combined would increase GDP by just 0.2%. At a time of such profound economic risk to the global economy, coupled with the severe economic implications for the UK outside the single market, a fiscal policy response may well be required. The great danger now, if the storm hits and fiscal policy is forced to respond, is that it will be conducted not from a position of sustainability, as the Queen's Speech claimed, but of unfunded spending and rigged fiscal rules. The risk, to quote a former Chancellor, is that the roof will not have been fixed while the sun was shining.

2.15 pm

Lord Bates (Con): My Lords, I welcome the contributions already made in this debate on the gracious Speech, most notably the excellent maiden speech of the right reverend Prelate the Bishop of Bristol. I am going to focus on climate change. I can safely anticipate that the other eagerly awaited maiden speech—that of the noble Baroness, Lady Bennett—will touch on that subject as well. I thank my noble friend the Minister for leading us off in this debate so excellently.

The need to tackle and adapt to climate change is the most pressing of our times. It is the ultimate "we are all in this together" issue. It was Margaret Thatcher, as a scientist and a politician, who in 1988, in a speech to the Royal Academy, first set out her belief that:

"No generation has a freehold on this earth. All we have is a life tenancy—with a full repairing lease. This Government intends to meet the terms of that lease in full".

We need to act and we are seeing that action happen. It is not fast enough for some and too fast for others, but we are acting and we are leading.

Since 1990, the UK has already reduced emissions by 42%, more than any other industrialised economy, while growing the economy by 72%, also more than any other industrialised economy. In 2010, coal made up 30.97% of the energy fuel source for power generation; now it is 5.4% and by 2025 it will be zero. In 2010, wind and solar accounted for 1.6% of energy fuel source, and now it is 20.52% and rising. I am proud of the leadership that this Government have shown on this issue through being the first major economy to commit in law to ending contributions to global warming by 2050. I am also pleased with the news today that the Prime Minister will chair a new climate change Cabinet committee to co-ordinate all those actions across government to ensure that net-zero targets are met. The Environment Bill will build upon those strong foundations.

[LORD BATES]

However, I want to suggest some ways in which we could take a few steps further. It is not just about government; it is not just about legislators and scientists and business. Tackling climate change is not just a spectator sport: we are all players on this pitch. Our personal choices every day make a real difference. One of those choices is how we choose to travel and it is in this area where I believe there is greater scope for us to do more through promoting the benefits of walking.

Here I am delighted to say that I have some interests to declare and put on the record, most notably that I am the founder, with my wife Xuelin, of the Walk for Peace Foundation. Together, we have walked 9,189 miles in 25 countries over the past eight years. I also have the enormous privilege to be walking ambassador for the great county of Northumberland. In this regard only—I hope—I might be accused of being somewhat of an extremist. However, choosing to walk has a number of benefits. It improves air quality, reduces traffic congestion, reduces carbon emissions, reduces road casualties, reduces noise pollution, and improves social cohesion by creating safer places for more people. It is an aid to social mobility and the most inexpensive and accessible form of travel; it can often be the fastest way to travel on short journeys and it increases footfall on our high streets and in our local shopping areas.

The health benefits of walking are well proven. Long before the Chief Medical Officer encouraged us to walk 10 minutes a day, Hippocrates—2,500 years ago—declared that walking was “the best medicine”. It strengthens the heart, lowers blood sugar, boosts the body's immune system, boosts energy, aids mental health, burns calories, eases joint pains, extends your life and improves your mood—none of which, I can safely say, can be said for car journeys. Yet, according to the National Travel Survey for England in 2018, car journeys account for 61% of travel journeys, while 27% of journeys are undertaken by walking, 5% by bus, 2% by rail, and 2% by cycling.

It is estimated that 44% of car trips are under two miles and could easily be undertaken by walking, yet the distance being walked is reducing, not increasing. In the mid-1980s, according to the National Travel Survey, the average person walked 244 miles per year; that has now fallen to 210 miles per year. Living Streets, which has done excellent work over many decades to promote walking, points out that, a generation ago, 70% of children walked to school—that figure is now less than 50%. We can all make a difference.

In her helpful letter to all Peers dated 15 October, the Secretary of State for the Environment, Theresa Villiers, stated that the Environment Bill and the 25-year environment plan,

“will enable us to take big steps towards delivering our goal that this is the first generation to leave the natural environment in better shape than we found it”.

This is a great prize to strive for, but can my noble friends the Ministers use their good offices to arrange for a meeting with the relevant Minister so that we can discuss how those big steps may be literal as well as metaphorical and how, together, we can better walk the talk in tackling climate change?

2.21 pm

Lord Broers (CB): My Lords, I am speaking in this debate because I wish to emphasise the importance of nuclear power in our national infrastructure strategy. If we are to meet our net zero greenhouse gas emission target by 2050, without the lights going out when the wind does not blow and the sun does not shine, we will have to increase the fraction of power that we deliver with nuclear power by at least 30% .

The total power we will need in 2050 is estimated to be 85 gigawatts, meaning that we will have to increase our nuclear capability to 26 gigawatts despite the nuclear closures that are planned. It is interesting to note that the Chinese have established a long-term plan to build their nuclear capacity to a remarkable 550 gigawatts. However, their population is about 20 times ours, making their commitment similar to ours in terms of power per person; it is an admirable target from their point of view.

The major problem with nuclear cited by critics is the Hinkley Point strike price of £92 per megawatt hour, which compares unfavourably with the more recent £40 per megawatt hour agreed for offshore wind. However, more than 50% of the cost of Hinkley Point is financial cost because the interest rate being charged by those providing the money is an incredible 9%. This high interest rate was justified by the high-risk assessment for the project. However, this risk assessment is now out of date. It was made when no one had been able to get an EPR reactor of the type being built at Hinkley Point working. The first EPR, at Flamanville in France, was over budget and years late, and the one in Finland was in a similar situation. In the meantime, CGN—China General Nuclear Power Group—which is working with EDF at Hinkley Point, has got two of these reactors working in Taishan and commercially feeding power into the Chinese grid at record levels for any power station. This removes the risk that there might have been a fundamental problem with the EPR design. It is predicted that future reactors can be financed at a rate close to 4.5%. This is estimated to reduce the strike price to below £60 per megawatt hour. In order for this cost reduction to be realised, the Government should ensure that investment grade companies are set up to build future plants, perhaps using regulated asset base techniques.

The second point is that comparisons between the costs of wind and nuclear made on the basis of strike price are not valid. The distributed nature of wind means that the cost of delivering this energy to the grid will be higher for the wind generators; 1,000 huge 5-megawatt wind turbines will be needed to deliver the same power as Hinkley Point, assuming optimistically that they will deliver, on average, 40% of their gross capacity. Estimates for this increased cost are £25 to £30 per megawatt hour, raising the real price of offshore wind to about £60 per megawatt hour, which is about the same as for nuclear power.

Further flexibility in the deployment of nuclear would be provided by small modular reactors, something recent Governments have been dilly-dallying with for years. We should get on with this and take up some of the proposals that have been made, for example by

Rolls-Royce. The situation with nuclear would be improved even further if we arranged to use efficiently the 40% of energy it produces in the form of distributed heat—local heat. After all, heat is the largest fraction of our energy use. Overall, this opens up the possibility that it may be better to increase the percentage of nuclear to above 30%, especially as people are concerned by the vastly greater areas of land needed for onshore wind or, indeed, for solar PV generation.

If we persist in using fossil fuel power to underpin renewables, there are alternative solutions to meeting the carbon targets, the obvious ones being carbon capture and storage, pumped water or weight-lifting or battery storage, but at present, these alternatives will struggle to reach the tens of gigawatt-hour storage levels needed to be effective at national energy levels. Development of these approaches should none the less be pursued as, of course, should the further development of wind and solar power as well as tidal power, as mentioned in earlier speeches. This is especially true because we are yet to experience what will be involved in maintaining these systems as they approach their lifetime limits. For example, it will be more than 15 years before we know what will be involved in keeping wind turbines operating in the harsh environment of the North Sea.

Finally, I have a comment on nuclear waste. We need rapidly to establish a geological storage facility to cope with the vast legacy waste that has haunted us since the 1960s and to store the smaller and more easily handled waste from the new reactors.

2.27 pm

Lord Rooker: My Lords, I too welcome the maiden speech by the right reverend Prelate the Bishop of Bristol. I also look forward to the maiden speech we are due to hear from the noble Baroness, Lady Bennett.

I was planning to deal with the environment and regulation, but I have junked the environment as there will be a Bill later on and we can deal it then.

For most of my time in government I was involved in regulation, be it food, farming, planning or regeneration. There were always lots of calls for less regulation but every time I asked for ideas on what we did not need, answer came there none. The balance of competency reviews between the UK and the EU in 2010 pushed by William Hague—all 38 of them—did not, as I recall, produce any less regulation. Now, a decade later, we have a Prime Minister determined to get rid of “burdensome regulation”. The fact that he told untruths about some of the regulations he complained about is neither here nor there.

His team is determined to cut “red tape”, as they call it. I will use just one example, from the Prime Minister’s right-hand man, the Leader of the House of Commons. He might present himself as a comedy toff but, in my view, he is in reality a hard-right bully. At the Treasury Select Committee in 2016, the now Leader of the House of Commons opined that standards that were good enough for India would be good enough for the UK after Brexit. I have never been to India but I have enormous respect for the world’s largest democracy. There are thousands of members of my professional institution, the Institution of

Engineering and Technology, in India. I have looked at a couple of areas as comparative examples. ILO data tells us that, in India, 403,000 people die each year due to work-related problems; this amounts to 46 deaths per hour. Work-related deaths in GB, including where the public were involved, totalled 239 in 2018-19, which amounts to 0.027 per hour. India’s population is 20 times the size of Great Britain’s. So if Britain was same size, there would be one extra death every two hours. That is from an academic paper by MMK Sardana, whose abstract says that India should copy the UK, not the other way around.

I looked at deaths from fire accidents. According to information from the National Crime Records Bureau in India, in the four years 2010-14, 114,000 people lost their lives in fire accidents—that is 62 deaths per day—and two-thirds of them were female. In Great Britain in the same four years, the loss of life was 1,478, which amounts to one death a day. Scaled to Indian levels, that would be 20 per day. I have used these examples for a reason. In March 1974, in maiden speech in the Commons, I used the subject of industrial accidents as my theme. I had worked in engineering as both a safety officer and a production manager.

A third example is air pollution. Before the clean air Acts, black smoke emissions in the UK were up to 50 times higher than today. Not only did unregulated coal burning darken the skies but there were high death rates from respiratory diseases among the old and the very young. The effect of pollution in India today is comparable with that in Great Britain’s industrial cities in the late 19th century. I picked that up from a paper by Professor Tim Hatton at the University of Essex entitled, *India’s Pollution Today is as Deadly as the Black Smog that Covered Britain during the Industrial Revolution*.

India has room for improvement. There is massive work going on to legislate and improve the situation, and they use our Health and Safety Executive as an example in their papers of how we transformed our situation from myriad old-fashioned legislation in the 1950s and 1960s. So why should the UK follow India in these circumstances? I take what the people in the Cabinet, the bosses who are in the Government—

Lord Flight (Con): My Lords—

Lord Rooker: No, I will not give way. I take what they say seriously; we have to. We clearly have a Cabinet of people akin to the factory owners of the past, who did not actually work in the factories that they owned, many of which were unsafe, but expected workers to make do and mend. Calling for such changes in deregulation, knowing the actual consequences, is the same as saying that extra Brexit deaths due to less red tape are worth having. I know that is a serious charge, but the reality is that we have to watch what happens with deregulation like a hawk. The Leader of the House of Commons appears to be advocating that standards in India are good enough for the UK after Brexit. I have given just a few examples of some of the consequences of adopting standards in India in the UK. To be honest, I would not be very comfortable with India’s standards in the UK.

2.32 pm

The Earl of Arran (Con): My Lords, I shall speak briefly about business in the community. Noble Lords could be forgiven for missing a small but highly significant event that took place on 15 March this year about 20 miles from my home in north Devon: the closure of Appledore shipyard. After a proud history spanning 400 years of shipbuilding in the estuaries of the rivers Taw and Torridge and 11 years of operation by Babcock International, closure was enforced because there was no commitment at that time for contracts from the Ministry of Defence. Until then, Babcock had delivered a steady pipeline of projects that delivered sections of many of our capital ships, including parts of the Queen Elizabeth carrier. The yard had employed 200 direct and around 200 indirect employees, and its reputation for quality gave it world renown. Quite simply, it was the bedrock of the local economy and the heart of the local community.

Since March there have been other yard closures, including Harland and Wolff and the Ferguson yard on the Clyde. Furthermore, Babcock Marine has further downsized its workforce at Rosyth in Fife. The combined effect has been to destabilise the capacity of the United Kingdom to build capital ships. The MoD had been pursuing a procurement policy that focused mainly on value for money. As a result, contracts for three support ships for our carrier fleet—each vessel being 40,000 tonnes, with a total contract value of £1 billion—were put out to international tender, with yards in the UK bidding in competition with yards in Italy, Spain, Japan and South Korea.

Following a review by Sir John Parker looking at our national shipbuilding strategy, the main findings of his recommendations have been adopted. The latest contract for the five Type 31 general purpose frigates has been awarded to a UK consortium led by Babcock. To reinforce the change in UK policy, Secretary of State Ben Wallace has also been appointed as shipbuilding tsar. However, is this too little and too late to save the marine industries of the south-west, of which Appledore was a vital and symbolic part?

The UK's south coast marine cluster is this country's leading marine industry hub, bringing together a rich marine history, hundreds of kilometres of coastline, world-renowned research industries, such as the Plymouth Marine Laboratory and the UK Hydrographic Office in Taunton, and a large network of marine companies, supporting around 105,000 jobs and contributing around 8% of the total contribution from the UK's marine and maritime sectors. The importance of the south-west marine assets cannot be underestimated or squandered. This is not just about nice beaches for tourists; they are part of our unique global assets, with the ability to lead on marine defence and manufacturing, including autonomous systems and offshore renewables, together with fishing and our aquaculture industry.

We now have some grounds for optimism that there may be a future for Appledore. In the past two weeks a prospective purchaser has been identified, with an order book from international sources. The attraction of Appledore is its reputation for high-quality workmanship. I commend the Government's efforts to assist this transaction and, as a former Defence Minister

in your Lordships' House, I trust that the House will support those interventions. It would be a wonderful result if Appledore were to reopen. The smiles of joy and relief in the communities would be infectious. We should not, however, lose sight of the fact that we have flirted dangerously close to compromising this whole industry. Let us hope that the debacle has opened our eyes to a new chance to make this one of our leading industrial sectors.

2.37 pm

Baroness O'Neill of Bengarve (CB): My Lords, it is not easy to debate or even to discern the cumulative implications of the measures mentioned in the gracious Speech. Many serious measures that urgently require new legislation received no mention, while many of those that are mentioned are dealt with by gesturing towards indeterminate action. For example, and this has been widely discussed, nothing is said about housing, which is surely an urgent matter, or about ensuring that future elections and referenda are fair—again, an urgent matter. I have decided, perhaps rashly, to discuss the latter theme in today's debate because I believe that the business models underlying certain uses of electoral campaigning are doing great damage.

The Government have repeatedly said that they regard the protection of elections and referenda as urgent. For example, on 9 May—this was only one of a number of Answers given by Ministers in that month—in reply to a Question asked by the noble Lord, Lord Tyler, the Minister stated:

“The Government are committed to protecting electoral and democratic processes from foreign interference into the future”,—*[Official Report, 9/5/19; col. 1301.]*

and then claimed that the Government are consulting, and that in the event of another referendum there would be time for legislation. Nothing has been done, however, and repeated questions have elicited no more definite answers. The bitterness and tremendous distrust that Brexit has produced will not be surmounted if democratic processes are widely believed to have been corrupted.

I hope that other, more knowledgeable noble Lords will speak on housing, but I will say a bit about what is needed if future elections are to earn the respect of the electorate; that is, even of those whose preferred outcome does not receive a majority of the votes. I decided to speak on it today, rather than in the debate on constitutional issues on Monday, because I believe that the dangers arise in very considerable part from the business models that currently support the distribution and targeting of online content with political aims.

Many who buy or supply targeted online content with political aims or effects are not regulated by and cannot be regulated by the Electoral Commission. Whereas campaigning expenditure by political parties during election and referendum campaigns is tightly regulated, campaigning expenditure by others—whether other political or commercial groups, foreign states or rich individuals—is unregulated. Moreover—this is the crucial matter—it is protected by a cloak of anonymity, despite the harm it can do to democratic process and, indeed, to democracy.

The harms that I am concerned about are not the well-known private harms based on the misuse and abuse of digital technologies, which are usually initiated

by users of social media. There is a great deal of concern and expertise in your Lordships' House about those harms and, in many ways, the report on online harms from the Department of Digital, Culture, Media and Sport addresses them. They range across the many forms of online abuse familiar to us, from fraud to cyberbullying, extreme porn to defamation, and many others. I agree with other noble Lords that these harms can be very serious.

However, the online harms White Paper does not deal with the other harms—those which concern me today. These are public harms, in the economist's sense of the term: harms that damage not individuals or individual interests but social institutions and processes—communication, culture, serious journalism and, above all, democracy. The phrase “disinformation campaigning”, which is new to me, is now being used to refer to these harms, and it is the subject of a very recent report by the Oxford Internet Institute, titled *The Global Disinformation Order: 2019 Global Inventory of Organised Social Media Manipulation*—I wanted to say “disorder”. The report provides an inventory of the use of algorithms, automation and big data to shape, and indeed distort, public life. It comments on the tools, strategies and resources employed by those whom it refers to as global “cyber troops”, including state and corporate agencies, and sometimes rich individuals, that use covert means to shape and distort public opinion.

Social media are of course used, or perhaps I should say misused, in these disinformation campaigns, but they are the conduit not the source of the misuse. Those who use social media are not the customers of their service providers, since they do not pay money for the service they receive, but merely provide their data in order to receive it. For that reason, consumer protection legislation does not come into the picture. In return for doing this, content will be directed to them by their service providers at the behest of others, who remain anonymous. The service providers are focused on selling opportunities for their actual customers—those who purchase their services—to target their service users. It is that distinction between customers and users that is commercially different from other parts of the economy. That content might of course merely amount to advertisements, but it may consist of political and other messages, including disinformation. Targeted disinformation can damage democracy at its roots.

That recent report from the Oxford Internet Institute notes that the dangers to democracy are growing rapidly. We are all aware of a few past disinformation campaigns, such as the Cambridge Analytica scandal, on which the Select Committee for Digital, Culture, Media and Sport in the other place did an excellent report some months ago. Many are also aware of some regrettable disinformation campaigning before the referendum, involving, for example, inaccurate claims about the cost of the UK's membership of the EU and the imminence of Turkish accession and mass migration. However, this misleading campaigning was not, or at least not entirely, anonymous and, as is often pointed out, evidence for its effectiveness remains incomplete.

Since then, things have moved on and become more dangerous. The report estimates that organised social media manipulation has more than doubled since 2017 and that 70 states are now using computational propaganda to manipulate public opinion. It also notes that politicians and political parties in 45 democracies are using it. They are using these tools to, for example, amass fake followers, spread manipulated content and secure voter support. The report also notes that, in authoritarian states, government entities have used these methods of information control to suppress public opinion and press freedom, discredit criticism and oppositional voices, and drown out political dissent. It estimates that 25 states are working with private companies or strategic communications firms that provide computational propaganda as a service. It seems to me highly unlikely that democracy can survive—

Baroness Chisholm of Owlpen (Con): I point out to the noble Baroness that the advisory speaking time is seven minutes.

Baroness O'Neill of Bengarve: My Lords, you see the dangers.

2.46 pm

Lord Stone of Blackheath (Lab): My Lords, we are all connected. The noble Baroness, Lady O'Neill, was principal of Newnham College when my daughter Jessica studied there. So I note with pleasure that the gracious Speech included a section on improving the environment for future generations. I know that my noble friend Lord Bird is developing a Bill specifically to consider future generations.

Experts say that the best response to the climate emergency would be to stop deforestation, in combination with reforestation and permaculture-based soil regeneration. Trees have existed on earth for much longer than us—for hundreds of millions of years—and each lives for about 1,000 years. Yet trees share similar traits with us. In his book *The Hidden Life of Trees*, Peter Wohlleben describes how, by living in woods together and linking through the fungal network, trees help their neighbours through sharing nutrients and information, rear their young and care for old and dying trees.

Trees are important in our own lives, too. They aid our physical, mental and social well-being and abate respiratory conditions by absorbing pollution. Studies have found that people living closer to green spaces are more active, have lower rates of obesity and heart disease, and engage less in criminal activity. If every household were provided with good access to quality green spaces, it could save £2.1 billion in healthcare costs. The overall cost to the economy of physical inactivity is £8.2 billion a year—an issue that trees, along with walking, could resolve. An Exeter University study found that 72% of participants noticed positive changes in their health when prescribed nature-assisted therapies.

Trees are responsible for cleaning our water, protecting our communities from floods, preventing drought and desertification, sequestering carbon into organic matter and fostering healthy soil. A study at the University of Manchester showed that a 10% increase in tree cover

[LORD STONE OF BLACKHEATH]
 in urban areas resulted in a 4% drop in surface temperature. Even when dead, trees support life, with their decaying leaves and bark forming mulch that feeds millions of micro-organisms and keeps soil moist and healthy. Trees also power rural economies and create jobs, from tree surgery to fruit harvesting, landscaping and green waste management. Forestry in Scotland alone is a £1 billion sector employing 25,000 people.

Despite all this, last year in the Amazon rainforest half a billion trees were torn down, destroying crucial habitats for mammals, birds, insects, bacteria and fungi. To save the life of this planet and its human population from extinction, we must cure the growing ills of trees so that they can cure the growing ills of humanity. Here in the United Kingdom, it is our duty to help our native trees in their resistance to pests, diseases and deforestation, in return for the abundance of physical and mental health rewards they provide for us. But this must be part of a far greater and more ambitious plan for the United Kingdom to become a light to other nations and spread this maintenance of trees across the globe.

Good people who are already doing this need governmental support. TreeSisters is a women-led UK charity halting the destruction of forests throughout the tropics through empowering ethical reforestation. It hopes to increase global tree numbers over the next five years by 1 trillion, thus preserving the tropical band that cools the essential global weather cycle. Friends of the Earth wants to double tree cover in the UK, with far more ambitious government targets for replanting, alongside agricultural techniques such as silvopasture—the practice of integrating trees, forage, and the grazing of domesticated animals in a mutually beneficial way.

The Findhorn Foundation is a community of 500 people in the UK, who, as an example to be followed, support and live the vision of creating a better world, starting with love between themselves and respect and love for their land. The charity Trees for Cities addresses London's poor air quality by enriching school grounds through tree planting and greening. Its Perivale Park woodland creation project will transform 18 hectares, helping to connect natural habitats, promote biodiversity, reduce the frequency and intensity of floods, and increase green corridors for wildlife.

So I ask the Minister to suggest to Her Majesty's Government that they might support reforestation projects, regenerative agriculture and permaculture-based soil regeneration on a global scale; educate the public on the value of trees and offer to fund a scheme for every UK citizen to plant one native tree; increase public awareness of "green prescriptions"; heavily scrutinise deforestation projects such as HS2—the largest deforestation programme since World War I—and develop ecological and ethical principles to cover the post-Brexit gap with an environmental standards sanctioning body.

In healthcare, we are already evolving preventive holistic projects to prolong healthy life. This must now be our priority for the health of trees, and hence the longevity of Gaia. To rise to these challenges, I ask the

Minister to meet with a group of experts and leaders in the field so that we can create a national and international plan for trees, and with the recently created Peers' group Peers for the Planet, which is concerned about the climate crisis and threats to biodiversity and the environment globally. It is meeting in October and seeks action through your Lordships' House.

If we in the UK act as I have suggested and share our experience with our friendly 54 countries in the Commonwealth, where one-third of humanity lives, we will have the power to save the trees and save our planet.

2.52 pm

Baroness Parminter (LD): My Lords, this year the UN's report on biodiversity and ecosystems outlined that nature has been declining at the fastest rate in human history. In my lifetime, we have lost 41% of the wildlife species in this country. In the face of that ecological crisis and the climate crisis, the case for which has been made so strongly on our pavements over recent weeks by Extinction Rebellion and others, it is right that the gracious Speech refers to proposals that aim to improve our environment.

However, the fundamental question has to be, in the face of a Government so zealously championing free trade, whether that can be made a reality, because it is quite clear that our farmers will be used as a bargaining chip in the face of US demands that, in return for access to its banking and finance sectors, we will have to take its food, with its lower environmental, food and animal welfare standards. Let us not forget that America has growth hormones in its beef, pork and dairy production. There are no federal laws protecting the welfare of hens, and in most states sows are kept in stalls for their entire gestatory period—whereas we, who are members of the European Union, have the highest animal welfare and environmental standards in the world. If we allow in American food, we will be accepting lower standards, which will put our farmers at risk. Let us not forget that 70% of our countryside is farmed. If our farmers cannot have a sustainable future, there is no hope for us to protect our environment.

I listened very carefully to the response last night from the noble Lord, Lord Callanan, when he was asked what had happened in the light of the fall of the Trade Bill and the welcome commitments that this House supported on animal welfare and the environment, which the noble Baroness, Lady Jones, my noble friend Lord Fox and others mentioned. In his reply, the noble Lord, Lord Callanan, gave no guarantees that animal welfare and environmental protections would be kept in future trade deals. I listened carefully too to what the noble Baroness, Lady Vere, said in her opening remarks about free trade, where she committed to maintaining only consumer protections. She did not specifically mention animal welfare or environmental protections. So my fear is that we could face the bulldozing of our countryside in the face of an ideologically driven free-trade deal, which the Government seem hell-bent on pushing for.

There are things in the gracious Speech that I welcome. Like others, I welcome the commitment to the long-term targets. They have been a manifesto

commitment and Liberal Democrat policy for many years, as the noble Baroness, Lady Bennett, will be only too able to confirm, because she has listened, when we have shared platforms in the past, to me boring on about the subject. I am sure that we will not be bored by her today and I look forward to her future contributions in the House.

The question is: if we get these targets, how will we fund them? The JNCC has indicated that, in the last 20 years, funding for biodiversity has dropped by 42% as a percentage of GDP. Of course, local authorities have a critical role to play in protecting our biodiversity and adapting to climate change. There is nothing in the gracious Speech about tackling the problems in social care, yet social care is eating up the majority of local authority budgets, so I am not sure where the funding to protect the environment will be.

Similarly, how will it be enforced? We have heard about the office for environmental protection, but it seems that it will be insufficiently independent and it certainly will not have the teeth to hold the Government to account. It cannot fine the Government, which the existing EU institutions can—and that has played such an important role in bringing this Government, sometimes kicking and screaming, to protect our communities and our children in particular from air pollution. Looking at the Environment Bill, as I am sure other noble Lords have done, I see that there is a “get out of jail free” card. There is a commitment to include in the Bill the environmental principles that we have in Europe at the moment, such as the precautionary principles, but what gives effect to them has been hived off to a separate policy statement.

In the Bill itself, in Part 1, Chapter 1, Clause 18, the “get out of jail free” card is the phrase about Ministers not being obliged to take, or being able to refrain from taking, any action if the environmental benefits would be disproportionate when compared with other factors. For me, that is a green light for major infrastructure projects. I noticed that the noble Baroness, Lady Vere, championed airport expansion in her opening remarks. That clause seems to be a green light for major infrastructure projects, where short-term economic advantage will be used to trump the long-term environmental protection that we need in this country.

So it seems that we have in the Queen's Speech some commitment and some hopes that we might be able to protect the environment, but that we are not willing the means to deliver this. Therefore, to my mind the deal we have at present in the European Union is the best one for our country and for our environment. It cannot come too soon that we have a people's vote.

2.58 pm

Baroness Bennett of Manor Castle (GP) (Maiden Speech): My Lords, I am honoured to follow the noble Baroness, with whom I share a recently acquired—in my case—interest in fake ermine, and in many other animal welfare issues. I rise conscious that I have spent only a few days in this Chamber, yet already I have encountered great encouragement and kindness—something I will continue to rely on in the days ahead, as we face up to the stupendous chaos that is British politics.

That kindness is in spite of the fact that I am aware I am being looked at with some trepidation, arising from the knowledge that I am bringing into this House an unfamiliar kind of politics: the politics of Extinction Rebellion, of the anti-fracking stalwarts at Preston New Road and Misson Springs, and of the tree protection groups in my home city. I have been reminded of the words of a senior councillor in Sheffield who, when I invited him to join me in front of a tree-feller's lorry in defiance of police orders, said: “You Greens are dangerous”, and scurried away. In introducing myself, I give noble Lords fair warning that we Greens are aiming to overturn the entire status quo. We want to radically transform our society, our economy, our environment and our politics. Yet I would argue—to borrow a phrase from the other side—there is no alternative.

Earlier, we heard the noble Lord, Lord Macpherson of Earl's Court, referring to the Government's growth strategy, yet we Greens know that there cannot be infinite growth on a finite planet. That is not politics; it is physics. This new kind of politics is just what your Lordships' House, the other place, the whole country, needs. Things will not continue as they are. We must build something new, different and much better.

I speak regularly in schools, colleges and universities, sometimes through the excellent organisation Speakers for Schools, which I commend to noble Lords. Often, I begin with an apology. On behalf of my generation—I am 53—I say to this new generation: “I am sorry. We have made a right mess of things”. But my focus is always on hope. Together, all of the generations, from the climate strikers to the oldest Member of this House, can together build something new: a far better society.

I must, early on, offer my profound thanks to my noble friend Lady Jones of Moulsecoomb for her support. I know that she will enjoy hearing that phrase in the Chamber after the lonely years she has spent here working incredibly hard as the sole Green representative. I also pay tribute to the Herculean labours of Caroline Lucas in the other place. My noble friend Lady Jones has set a standard that I hope to live up to, of using this Chamber and its processes to best effect while never getting too comfortable.

I address noble Lords today specifically about the agriculture Bill. My first degree is in agricultural science, and I continue to be fascinated by the amazing and still barely understood ecology of the soil on which all our lives depend. On other occasions, I will have cause to speak further on the subject of tardigrades and nematodes, mycelium and rhizobium, but you may be relieved to hear that I am not going to do any more soil science today.

I have not seen confirmation of whether the Government's agriculture Bill will match their previous versions. I would be delighted if the Minister, when answering, could shed light on that. I suggest that three key things should be changed. The first is the provision of healthy food as a public good—earlier, the noble Baroness the Minister referred to the Government's aims for farming, and food was not mentioned. Secondly, the Bill must ensure that the Secretary of State has a duty to act, rather than just

[BARONESS BENNETT OF MANOR CASTLE]

the possibility of acting. Finally, the promotion of organic agriculture should be prioritised as the only form of agroecology that has a recognised system of registration.

Today, however, I will follow the tradition in telling noble Lords a little more about myself, and so will range back to the personal, which, as we feminists have long known, is intensely political. So that noble Lords do not have to sit there wondering, the accent comes from Australia. I am told that I am the second Australian-born woman to enter this Chamber, and I look forward to hearing the experiences of the noble Baroness, Lady Gardner of Parkes, who was sitting opposite me earlier. Her accent has long graced this Chamber, but that voice has far older antecedents. Noble Lords may not know that the first woman to speak in the other place, the suffragette Muriel Matters, who achieved that feat by chaining herself to the grille in the Ladies' Gallery in 1908, was also Australian. At that time, my native land was known as "The Workingman's Paradise". It boasted the world's first Labour Government, and it rivalled Finland as a leading place in global social progress. Today, Finland still proudly holds that place—for example, with a schooling system that provides an education for life, not just exams—while, sadly, Australia's politics has deeply degraded.

My other political tradition is from Sheffield, or what was once known as the "People's Republic of South Yorkshire". Sheffield was home to the first women's suffrage society in the UK, founded in 1842—yes, before London's—and the adopted home of the socialist and gay rights campaigner Edward Carpenter. He was a Green before Greens had been invented. As proof, I offer the fact that he brought sandals to Britain, even making his own. Even earlier, Sheffield was home to the Chartist poet Mary Hutton, the wife of a pen-knife cutler, who wrote a poem entitled "On the Poor Laws' Amendment Bill", which spoke of the legislators and the great allowing the poor,

"To writhe with endless pain and misery".

Noble Lords, particularly those on the Benches opposite me, might care to consider the continuation of that suffering today, two centuries later, and the parallels with the endless pain and misery of universal credit. I would like to think that it is uncontroversial to say that the duty of the Government is to alleviate the suffering of those most in need rather than to add to it. This is one reason why I have long been a champion of a universal basic income, something you will be hearing a lot more about from me.

But I am aware of the time, and so will leave you with one key point. We on this planet, and in this country, have enough resources for everybody to have a decent life, for the natural world to be restored and for the climate emergency to be tackled, if we share those resources out fairly. As the Green Party has long said, economic and environmental justice are indivisible. That is a mountain for all of us to climb. I hope that noble Lords will join me in that, because, to quote the American suffragette Susan B Anthony, "failure is not an option".

3.07 pm

Baroness Young of Old Scone (Lab): My Lords, I am honoured to have this opportunity to congratulate the noble Baroness, Lady Bennett of Manor Castle, on her spirited maiden speech and on the issues that she rightly highlights. We on these Benches are delighted to welcome another committed environmentalist to the House and I am sure that the noble Baroness, Lady Jones, who has been the doughty sole representative of the Green Party, will be pleased to have the company of her party's former leader, who did indeed keep up with the Joneses. The noble Baroness, Lady Bennett, is known for her spirit and plain speaking, which I suspect were fostered in her early years in Australia and then in her career in international journalism, so I advise the Government to brace themselves. I am sure that the House wishes the noble Baroness, with her skills in journalism, local government, agriculture and the environment, a vigorous and impactful career in our House.

Turning to the gracious Speech, I declare an interest as chair of the Woodland Trust. The Prime Minister, very poetically, said this morning that the UK will have the best environmental performance in the world. If he is going to deliver that, he needs to do a bit better than this Queen's Speech. The climate change and biodiversity emergency is real, so the Environment Bill needs to introduce legally binding targets for biodiversity as well as for air, water and waste, with real mechanisms for delivering and reporting on delivery.

The climate and biodiversity emergency means that the Environment Bill must also introduce legally binding targets for tree planting in this country. I commend every word of the speech by the noble Lord, Lord Stone. Trees are the environmental version of the Swiss army penknife—other brands of multitool are of course available. Trees eat CO₂ for breakfast and foster biodiversity, as well as their many other environmental and health benefits, as outlined by the noble Lord, Lord Stone. The Committee on Climate Change says that we will have to plant 50 million-plus trees a year in the UK for the next 12 years to suck CO₂ out of the atmosphere and enable trees to play their full role in maintaining temperature rise below the globally dangerous 1.5 degrees.

However, the Government's non-binding target for tree planting over the five years of the previous Parliament—do your Lordships remember when we used to have Parliaments that lasted five years? I do not think that we will have many of those in the near future—was for 11 million trees over five years. I am afraid that the Government failed to hit even that very low target. We all marvel at Ethiopia—we marvel at its veracity, if the truth were known—when it claims to have planted 350 million trees in a day. Now that is what I call ambition. Let us have an ambitious but realistic legally binding target for tree planting, for climate change and for biodiversity as part of a national tree strategy enshrined in law. This is an important issue as part of this crisis. I also commend to your Lordships the fact that on 30 November the Woodland Trust is holding a mass planting day as one step in the big climate change fightback. Thousands of people

across the UK will plant millions of trees and I invite all your Lordships to join us, either online or in the mud, in this glorious joint endeavour.

The Environment Bill will also set up the office for environmental protection, to fill the yawning gap that would have been left in departing from the EU's environmental compliance mechanisms. Zac Goldsmith, the Minister, said yesterday that the environment movement had asked for the new green watchdog to have teeth. Lo and behold, the Government have given us a great white shark. While I welcome the fact that the OEP will now cover climate change, if it is to be a genuine great white shark it needs to have the teeth of genuine independence and adequate resources. The Government's track record in funding such bodies is not good. Over the last few years Natural England, as the current biodiversity regulator, has had successive cuts to the point where it risks being toothless.

There are other issues on which the Environment Bill fails to give statutory reassurance. Non-regression from EU environmental standards is incredibly important and I share the concern of the noble Baroness, Lady Parminter, that the hurly-burly of the trade negotiations will mean that the Government's protestations on non-regression from those standards will simply disappear. That assurance should be on the face of the Environment Bill. If the Government are as genuine as they say they are about not lowering standards, what is the problem in putting that assurance into the Bill? Of course, in the background lurk the shadowy members of the ERG—the correlation between ERG membership and climate change-denying, free-trade prosecuting, deregulating and generally flat-earth beliefs is pretty positive. Indeed, if we look at the Americans' first offer on a trade deal with us last December, the US was explicit that environmental standards would have to change. The trade Bill must keep faith with the Environment Bill, as those Bills go through, to make sure that the commitments in the Environment Bill do not disappear in the trade Bill negotiations.

The Ministers—the noble Lord, Lord Gardiner, and the noble Baroness, Lady Vere—will no doubt say that I am an ungrateful doom-monger about the Environment Bill, so I must welcome one point. That is the commitment to legislate to require local authorities to consult their local communities before commencing street tree-felling programmes. I am sure that our maiden speaker will reflect glory on that at some stage.

I turn to the agriculture Bill, if we ever get one. This is our opportunity, as the only thing that gives a silver lining to Brexit is that, with wisdom, we could shape agriculture policy in a better way than has been possible for the last 45 years. However, we must not lose the valuable improvements that were made to the previous agriculture Bill in the other place; indeed, we must not lose the £3 billion of investment in agricultural support, for whatever purpose, that has been the case to date.

It is time now for something much more fundamental. We need a new land use strategy for this country—for England, as Scotland, Wales and Northern Ireland already have theirs. Those strategies are perfectly good; we could just score out the heading and write “England” on the top. There are so many competing pressures

now on our land—for food, for trees, for climate change needs, for peatlands, for biodiversity, for housing and development and for infrastructure—that we need a national debate on what land is for and what uses should be directed where to make the most effective use of this precious natural resource, one that we are not making any more of. The foresight report that the Government sponsored 10 years ago took no account of the current biodiversity and climate change emergencies, so we need new strategic thinking. I put the Minister on notice that I will table amendments on the creation of a land use strategy when either the Environment Bill or the agriculture Bill proceed. He may decide which Bill he would prefer.

I could say more but I will not, because I have run out of time. However, I must confess that I got quite excited when I saw the number of Bills with environmental opportunities in the gracious Speech. They give the chance to tackle climate change and the biodiversity crisis. Then I remembered Boris, Brexit and an election and I realised that none of these Bills might get very far, so I got very gloomy again.

3.16 pm

Lord Shinkwin (Con): My Lords, I was delighted to hear in the gracious Speech a reference to unlocking young people's full potential. This reminded me of what we hear so often from businesses: that their most important asset is their people and the talents that they bring. Sadly though, even in 2019, not everyone gets a fair crack of the whip to demonstrate, develop and use their talents at work. My noble friend the Minister mentioned in her opening remarks the Government's commitment to opportunity for all, which I welcome. However, not everyone enjoys the equality of opportunity to make the most of what they have and go as far as they can. What many of those who experience inequality of opportunity have in common is that they also have protected characteristics as defined by the Equality Act 2010. Incredibly, almost 10 years since that Act was passed by your Lordships' House, several protected characteristic groups are still excluded from contributing to business and our economy to their full potential.

In 2017, ethnic minorities had an employment gap of almost 13% compared to white workers; the gap for disabled people is still hovering at around 30%. Just recently, several Members in the other place called for greater protections for pregnant women and new parents in the workplace, highlighting inequality of opportunity to stay in or return to work. But it is not just about getting and keeping a job. Equality of opportunity also means having the equal opportunity to get on and for some, on merit, to get to the very top of their profession. I think that we can all agree that meritocracy is a principle that underpins a modern, successful economy and that an individual should be enabled to climb as far as their talents take them, not as far as others' preconceptions and, in some cases, negative attitudes determine. Yet the situation with regards to career progression is arguably even worse than for recruitment. Unbelievably, in 2019, there are more CEOs in the FTSE 100 called Steve or Stephen than there are female CEOs or CEOs from an ethnic minority background.

[LORD SHINKWIN]

It makes no sense for big businesses to limit their talent pool. Research demonstrates that nurturing a diverse workforce is not something “good” to be done at a cost to your bottom line; it is something that adds value to it. Indeed, the 30% Club has found that companies in the top quartile for gender diversity in their executive teams are 21% more likely to experience above average profitability than companies in the fourth quartile. Credit Suisse ESG has established that firms with better LGBT inclusion have on average 3% higher performance and LGBT Great, which promotes LGBT equality in the investment and savings industry, found that 80% of all millennials—the future of our workforce—actively seek employers that visibly value diversity and inclusion.

Some businesses are embracing diversity as a business strategy, but there needs to be more consistency and transparency in how it is done. Government and the big business community need to send a clear signal that, together, they are committed to moving at pace and with purpose to secure equality of opportunity and to enable individuals to use their skills and talents to realise their potential. To their credit, the Government recognised this when they took bold action to remedy inequality of opportunity for women by introducing mandatory gender pay gap reporting in 2017. This positive and bold step was taken with considerable support from the business community. But, if equality of opportunity is to mean anything, and if we want to harness all the latent potential in our workforce for the economy, there must be equality of opportunity for all protected characteristic groups. There must be consistency in how business and government move towards equality of opportunity. Requiring the publication of workforce data—the baseline starting point—is an essential first step before we can make, or even measure, progress.

That is why my workforce information Bill requires companies with over 250 employees to report on data relating to pay, recruitment, career progression and a breakdown of their leadership at board level, across all protected characteristics. Monitoring progression is crucial not only because equality of opportunity does not stop at simply getting a job but because inequalities can cement themselves at the top of an organisation and trap the rest of it in a culture of exclusion.

I am delighted by the support that my Bill has already attracted, from Donna Miller at Enterprise Holdings, LGBT Great, PinkNews, my noble friend Lady McGregor-Smith, Andy Street, the Mayor of the West Midlands, Fleur Bothwick at EY, Caroline Casey, founder of The Valuable 500, the pro-business movement to put disability on the agenda, and many others. Ultimately, it comes down to this simple question: either we believe in equality of opportunity or we do not. There is no halfway house. Businesses themselves, quite rightly, demand a level playing field for fair competition. The proposals in my Bill simply apply the same principle to the workforce.

My final point is this: given that my Bill came 59th in the ballot, I am not absolutely sure that it will complete all its stages in this Session, so I take this opportunity—through the good offices of my noble

friend the Minister—to urge my party, as the party of opportunity and business, to commit in its manifesto to introducing mandatory workforce reporting as set out in my Bill. I am sure that other parties will want to consider doing the same.

3.25 pm

Lord Bilimoria (CB): My Lords, just today, the Chancellor, Sajid Javid, wrote:

“A decade after the financial crisis, the warning lights are once again flashing on the global economy. Some of the causes of this are international—mounting trade wars are raising costs and undermining certainty”.

Just this month, the IFS published its green budget. A Library briefing refers to it, stating very clearly that,

“the global economic outlook has deteriorated due to developments in the Chinese economy and the ‘trade wars’ initiated by Donald Trump ... The outlook for UK growth is likewise weaker, partly due to global trends but more importantly due to uncertainty surrounding Brexit. This uncertainty has been ‘especially damaging to business investment’ ... ‘Whether—and if so how and when—the UK leaves the European Union will be perhaps the key determinant of growth over the next few years’”.

Today, just as this debate started, we heard about the major step that a deal has supposedly been agreed. Will it get through the House of Commons?

The briefing also says:

“The form of Brexit will also affect the path of government borrowing and debt ... the IFS suggested that even a ‘smooth Brexit’ will lead to borrowing which exceeds the ‘fiscal rule’ of 2% of GDP. Under a no-deal scenario, even one it describes as ‘relatively orderly’, the IFS said that government debt would climb to almost 90% of national income for the first time since the 1960s”.

That is what is scary.

I was recently appointed vice-chairman of the CBI, which—along with business in general—was very pleased with the spending review announced by the Government in September. The CBI states:

“Business welcomed the focus on education and skills funding”.

However, overshadowing everything is Brexit. The CBI speaks for 190,000 businesses and states:

“The impact of no deal on business, the economy and UK prosperity will be enormous and must be avoided”, at all costs. It goes on:

“Businesses can prepare for no deal but cannot be protected by the impacts they can’t anticipate or prepare for”.

The unknowns are unknown and I personally, from my business point of view, am terrified of the unknowns that a no-deal Brexit might bring. Business does not want no deal, Parliament does not want no deal and the country does not want a no-deal Brexit.

As for red tape, the CBI states:

“18 out of 23 sectors analysed in the CBI’s Smooth Operations report identified ongoing regulatory alignment with EU rules as critical to the UK’s future relationship with the EU”.

Fifty per cent of our trade is with the EU so, if we want to carry on doing business with it, we must have regulatory alignment. When she started the debate, the noble Baroness, Lady Vere, spoke about wanting a strong, secure and prosperous nation. We are totally behind her in that.

On taxation, the Library briefing states:

“The Government has previously announced that the main rate of corporation tax will reduce from 19% to 17% on 1 April 2020”.

In his concluding speech, can the Minister confirm that that will still happen because, as the briefing states, the former Chancellor,

“George Osborne, argued that corporation tax is ‘one of the most distortive and unproductive taxes’. He said that the cut would benefit over one million businesses”?

I presume that the current Government continue to agree with that. Leaving the European Union is no excuse for lowering taxes. We can do that anyway; we do not have to leave the European Union to do so. Ireland's rate of corporation tax is 12%, which is far more competitive than ours.

In her excellent speech in yesterday's debate on the gracious Speech, the noble Baroness, Lady Quin, made the point that,

“we export twice as much to Belgium as we do to India”.—[*Official Report*, 16/10/19; col. 128.]

As founding chairman of the UK India Business Council, I can say openly that, under the previous Prime Minister, our relationship with India was at its lowest. Now is an opportunity to rebuild that relationship, built by Tony Blair, Gordon Brown and David Cameron. Now, with Boris Johnson, I am sure that we will continue to rebuild it. I hope we will send a major delegation to India soon to make that point.

In total, the Commonwealth today, with over 50 countries, including India, makes up less than 10% of our trade, compared to 50% with the EU. We keep talking about doing a free trade deal with the US so quickly. It has just been announced that our whisky exported to the US will be taxed at 25%—before we even start any negotiations. The US representative said very clearly that even in negotiations on a free trade deal or trade agreement it will apply. They will make no exceptions. These trade agreements are really difficult.

The Government intend to roll over existing trade agreements we have through the EU, making up almost 17% of our trade on top of the 50% we have with the EU itself. Could the Government tell us how many of these will be automatically rolled over during the implementation period, let alone in future?

My noble friend Lord St John spoke eloquently about the environment and how technology is so important in meeting that 2050 net zero target. At the University of Birmingham, of which I am proud to be chancellor, we have now developed a model hydrogen train. It is that sort of technology that we need to be working on. It is great news that this country is ahead of the game. We have for the first time, in the last few months, used more energy in this country from renewable and non-conventional sources. That is fantastic; long may it continue. Coal, which used to be our main power-consuming source, is now at less than 5%. We are a model to the rest of the world.

When it comes to dealing with India, I congratulate the Government on bringing back the two-year post-graduation work visa for international students. Bravo! We have been fighting for that. I helped introduce it here in 2007-08. It was taken away by Theresa May in 2012. Seven years it has taken us, but we have got it back. The interest in India is already up by 50% in many universities, which is fantastic. The Government need to do more. Will they continue with the industrial strategy target of R&D at 2.4% of GDP? We have to

do that: Germany is at 2.8%; the USA is at 2.8%; Israel is at 4%. Let us do it. Can the Government commit to that?

The Minister spoke about security. I have been banging on about the 20,000 more police officers; I thank the Government for bringing it back in. Sad statistics have just come out today that violent crime has continued to increase, so that is wonderful news.

Fishing was in the gracious Speech. The reality is that the EU wants access to our waters, and we will probably have to grant that because 75% of our fish is exported, the majority to the European Union. These are the realities.

I would go so far as to say that, if this deal goes through, we will go into a long implementation period. It may go on until 2020, for two more years or, as my noble friend Lord Macpherson said, for a decade. My noble friend Lord Kerr said that we have put the cart before the horse. This withdrawal agreement covers just three things: the rights of citizens—UK and EU—£39 billion and the Northern Ireland situation. The real work is still to come. The political declaration has all the agreements on space, security and movement of people that we have to negotiate in the years to come. Our priorities have to be preserving our union, our relationship with the EU and our global relationship with the US, China, Japan, India and the rest of the world. By the way, there was no mention of entrepreneurship in the gracious Speech. We must continue to be a champion of entrepreneurship; this country is wonderful at it.

I conclude with the Chancellor, Sajid Javid, who said in his article today:

“Britain is—and will always be—an open economy”.

We are a leading member of the G7 and the G20, a permanent member of the UN Security Council and a leading power in NATO. If we continue to have close alignment with the EU, wow, this country has a huge future.

3.33 pm

Lord Whitty (Lab): My Lords, it is a pleasure to follow the speech of the noble Lord, Lord Bilimoria, much of which I agree with. However, I will focus more on climate change. In this context I very much welcome the advent of the noble Baroness, Lady Bennett, to this House and approve of her speech, which accords with much of what I have to say.

The gracious Speech included precisely six words on climate change. The Minister had a few more this morning, but not many. Yet this is the biggest challenge facing us and, as the committee of the noble Lord, Lord Deben, has reminded us, we will not be on course for the next two periods of carbon budget. We have a lot to do. There are potentially things in this legislative programme that will help, but by no means enough.

We must remember that we have set a target for 2050, and there is some argument over whether that should be brought forward. Even if that is the target, it is how we approach it that is important—it is no use doing it in a straight line or backloading it. We need to take some drastic early steps if we are to reduce the concentration in our atmosphere of those dangerous gases.

[LORD WHITTY]

The right honourable gentleman the Prime Minister this morning announced that he was going to set up a new climate change committee. I think he—or Downing Street, given that he is rather busy elsewhere just now—may rather belatedly have found out that there was a bit of a reaction to the lack of reference to climate change in the legislative programme in the Queen's Speech. Incidentally, I have argued elsewhere that this House should establish a new climate change committee, which would help hold the Government to account in this light.

The legislation on this is inadequate. There is, as has been pointed out, no transport Bill. Transport is a major emitter. There is no energy Bill, yet energy is a huge part of what we need to deal with. There is no housing Bill, yet the nature of buildings is very important. The bits which are proposed as serious contributions against climate change are not properly spelled out. I have tried to read the Environment Bill. I am not sure I understand it completely and certainly welcome the inclusion of the principles in it, but the structure it is proposing for the Office for Environmental Protection is unclear—its independence, powers, potential sanctions and relationship with existing organisations and other public bodies all need greater clarification as we take the Bill through this House. Frankly, it does not have the implied authority that the European Commission used to have in threatening Governments with fines and reputational damage were they to fail to meet the legislative requirements or targets of the European Union. This House needs to address that very seriously.

We are not quite sure what shape the agriculture Bill will be in when it reaches us. We hope it will resolve some of the uncertainty in the agricultural community and give us a strategic medium-term programme for agriculture. I see that it proposes abolishing the single farm payment. The noble Baroness, Lady Byford, will recall that I was partially responsible for bringing the single farm payment through this House during the reforms to the agricultural policy at that time. It was not brilliantly handled, one must say, but the principle of the single farm payment is that it applies to all agricultural land. As I understand it, the Bill proposes that there will be public good arrangements with farmers that will apply to pieces of land. However, it is no use having the best agricultural scheme for a quarter of your land if the other three-quarters are being farmed by plough, pesticides and fertilisers in an inappropriate way that damages our soil, air and water. There is something to be said for an all-agricultural land approach.

On the other legislation, I welcome the references to a building regulations Bill in relation to the post-Grenfell safety requirements, but with building regulations, you need to enforce them. The problem, as with other aspects of local government, is that the building regulations departments of most local authorities have been severely run down. If we are to improve safety regulations, we need to make sure that they are properly enforced, but improved building regulations also need to include regulations on energy and water saving. Energy efficiency is vital. Not having an energy Bill in this programme is a big gap. That Bill needs to step up the commitment to renewables and the nuclear programme if we are to

meet our targets for emissions reductions. It also needs a major chapter on energy efficiency—in housing and elsewhere. That needs to be a central part of our national infrastructure strategy. At the moment it is only half there, if that.

Another vital decision on energy has yet to be taken. Domestic heating, mostly gas and partially oil, is a big cause of emissions in most of our homes. A decision needs to be taken on how we are going to switch that to a lower-carbon source, whether that is electrification, hydrogen, increased use of biogas or a mixture of those. That will mean the intrusion of government policy and industrial action into all our households that currently run on gas. That will mean taking consumers with you. It will mean taking workers in the industries with you. It will mean taking the public with you in what will be the biggest transformation of domestic heating—rather bigger than in my youth, when we had the introduction of North Sea gas.

Climate change is the issue of our time. We have spent a lot of time on the failure of statesmanship on Brexit—the failure of British and European politicians to resolve that complex issue. We have spent most of the past three years arguing about that. But a much bigger failure of statesmanship is the failure to tackle climate change. It is our fault: 85% of all emissions in all concentrations in the atmosphere have occurred during my lifetime; more shamefully, nearly half have happened since the Rio conference, when statesmen theoretically recognised the science and that something needed to be done. We are the generation that needs to change that, and we need to do so rapidly. We need to beef up this legislative programme as a contribution to doing so.

3.41 pm

Baroness Browning: My Lords, I am always pleased to follow the noble Lord. I am pleased also to welcome the two maiden speeches in today's debate. I will focus on a really quite narrow area. In some ways it follows on from what the noble Lord, Lord Rooker, said about health and safety in the workplace. My focus is on agriculture and the food chain.

I welcome the fact that we shall see an agriculture Bill, although we do not know the exact form it will take, but in reading the briefing, I see that the Government are proposing support for,

“farmers and land managers to ensure a smooth and gradual transition away from the ... Common Agricultural Policy (CAP) to a system where farming efficiently and improving the environment go hand and hand”.

Of course that is to be welcomed, but I am particularly focused on the fact that it also says that the Government will champion British food,

“with a transparent and fair supply chain from farm to fork”, and that they will also recognise producer organisations.

Many years ago, when I was an Agriculture Minister—and, I have to say, probably responsible for much of the regulation that still applies to the food sector today—one of the first things I did was to say at a conference that I thought that British food was the best, only to be told by officials that I was not allowed to say that. I carried on saying it. I notice several former Agriculture Ministers in the Chamber today, so I hope they will know where I am coming from on this.

I welcome the fact that we hear today that the Prime Minister has secured a deal. There are many steps to go, we know, but after three years that is to be welcomed. But regulation in the EU has been fraught. We have heard the myths of EU regulation as far as the food chain is concerned, and, to be honest, some of them are myths. Some of them, though, are quite deliberate ploys. I am not always sure that the general public really understand how the EU has worked, particularly when we are faced with new regulations. I remember having to defend the right of the British milk chocolate industry, of which we have many brand leaders, to continue to call its products milk chocolate when the EU tried to stop that because they did not contain a high enough percentage of cocoa solids. That was not just overregulation for the sake of it; it was down to raw competition. Sometimes, when other countries and other manufacturers saw that the UK had a lead in certain sectors, things would be brought forward which one had to defend against very robustly. It is true that there have been real problems with regulation in the food chain as far as the EU is concerned but, in the main, I believe that the EU-based regulation we currently have, which covers our whole food and production sector, is good. It protects not only the consumer but the wider interests of this country.

I am not really worried about having to sell our food products to the EU in the future because it will be like any other trade deal. If the people buying from you set the terms and conditions under which they wish to buy that product, it is a very simple commercial decision on the part of manufacturers: are you or are you not going to provide that product with that specification? It is something that goes on worldwide and has done for centuries. I think that, in practice, we will see that in the food chain manufacturers and processers will stick very closely to the rules that already exist in the EU, if only to protect the markets. There are other issues, such as taxes and tariffs, and of course the Government come into those areas as well.

However, I am very concerned about imports and the home-based market. I say this as a word of caution to my noble friends on the Front Bench. The noble Lord, Lord Rooker, talked about getting rid of lots of red tape and regulation. If we were to take that sort of slash-and-burn approach to our existing regulations in the food chain, it would not only damage the home market but would, I believe, be an open door to imports which would potentially damage not only the consumer but the safety of this country.

I hope that I am not overexaggerating this but we all know, for example, that campylobacter and salmonella in eggs and poultry is a danger—it is not good either for the industry or for the human beings who end up consuming it. There have been warnings, particularly from the British Egg Industry Council, which has expressed concern about the importation of liquid and dried eggs. Of course, we rely too on the protection of brands, of both manufacturers and those established by supermarket chains in this country, which will almost certainly want to protect their consumers. However, that leaves open the whole big industry of catering, where very often the lack of labelling and information means that people do not know what they are eating.

In making sure that that regulation is maintained, I hope my noble friends will take into account the protection from animal and plant diseases that regulation affords; animal welfare, of which we have a very high standard—it is about time the European Union got rid of its veal crates like we did; environmental damage, which can also be caused; and of course the safety of consumers' health. Nobody wants to see products on supermarket shelves or in our restaurants which lead to a situation where there are diseases that we all know have a dangerous effect. I am thinking in particular of things such as veterinary medicines, which we may not know are in products and which are retained in animal carcasses; at the moment, we have regulations that protect the food chain from that. I look to the Front Bench to give assurances on those sorts of things. Let us not have a bonfire of regulation; it is a bonfire of vanities.

3.48 pm

Baroness Mallalieu (Lab): My Lords, I also welcome the two maiden speakers today and say how much I enjoyed their contrasting styles. I look forward to more episodes.

I will speak about agriculture, and therefore I remind the House of my interests as set out in the register. This country is about to embark on a number of huge changes, one of which is to create the first British agricultural policy in 40 years, since we handed it over to the EU. As we all know, there will be a movement away from the current system of direct acreage-based payments towards support which is directed at environmental outcomes and productivity. That is welcome, but it is also fraught with danger for the small family farms which are in many places still the backbone of rural Britain, and with them, a threat to their communities and, even more so, to upland livestock farmers for whom the present level of direct support is the difference between loss and breaking even. Sadly, this major change is set to happen against an unfortunate political background: a Government in paralysis; prolonged uncertainty, which is crippling British business, including the agricultural industry; and an Opposition who, I have to say, are currently denying the electorate the chance to change its Government by denying an election. Trust and confidence in politicians of all parties and in both Houses is at pretty near rock bottom. When I gave my destination to the taxi driver who brought me here today, he said, without approval, "Oh yes. The House of the old remainers".

The country urgently needs certainty, and the last thing the nation needs is any further delay—and definitely not of another six months for yet another referendum. I see from my telephone, which sent me a notification during this debate, that the President of the EU, Monsieur Juncker, appears to rule out any further extension. The country also needs a Government with the power to pass essential legislation and one whose priorities extend beyond short-term party-political advantage. It cannot be a good reason to refuse to give the public a chance to elect a new Parliament because you lack confidence that either your leader or your policies will win the support of the electorate.

Going back to the land, the danger of this new policy is that many of those small farms are the very ones which protect our iconic landscapes and the rarest

[BARONESS MALLALIEU]

habitats and their wildlife. The new system needs to recognise that what they do is for the public good, not just for agriculture or themselves, and that they are currently not supported by the market for the work which they do gratis. They should be supported under the new system, and I ask the Minister to confirm that that will be the case.

We also need legislation to reflect adequately the need for support for farmers to increase food production. We have heard a huge amount, rightly, about environmental protection in this debate, but every one of us needs food, not just the planting of trees and sowing of wildflower meadows, good though that is. The food and farming industry generates £108 billion a year, our food manufacturing industry employs 3.8 million people and its exports bring £21 billion into the UK economy. That is not small beer. We have to get this policy right and balance the competing priorities.

I have a wish list for the Minister when he comes to reply. I have often heard him say when asked a difficult question, "That's beyond my pay grade", and I suspect that he may say that to some of the questions I ask him. However, I have a number of red lines, some of which are very personal and some of which have been touched on by others in this debate.

First, any future arrangements with the EU on food and agricultural produce need to be tariff-free both ways. Secondly—others have mentioned this red line—non-EU nations must protect our standards, both on safety, as my noble friend Lord Rooker mentioned, and animal welfare, as was said by my noble friend Lady Jones of Whitchurch, the noble Baronesses, Lady Parminter and Lady Byford, and others. Thirdly, we will need the reintroduction of a seasonal agricultural workers scheme, or our crops will rot, either in the ground or on it. We simply do not have the workforce for our harvests. Fourthly, we must change the rules on food labelling to both protect British produce and promote it. It simply cannot be right that a chicken that has been hatched, reared and dispatched somewhere with much less good welfare standards can undergo some minor processing here and then have a British label stamped on it. Consumers are increasingly concerned not just about where their food comes from but that it results from good animal welfare standards and practices.

In some respects, sadly, we are not world leaders, as the noble Baroness, Lady Vere, said in opening the debate; we are off the pace. This is my personal red line. In countries across the world, non-stun slaughter is already prohibited, including in parts of the EU. The British Veterinary Association is very clear that millions of farm animals are slaughtered here in a manner which causes unnecessary suffering. I recognise the cultural and religious sensitivities and applaud the Muslim population who, in many parts, have agreed to changes to what would have been the requirements. Indeed, the majority of halal meat is now pre-stunned. I would prefer a ban here but surely, at the very least, consumers who want to buy only pre-stunned meat should be able to identify it.

I am very disappointed that the new Environment Secretary, Theresa Villiers, who had hitherto an excellent record on animal welfare, apparently recently ruled out such labelling. I hope her view will change, especially

in the light of the Government's emphasis on the importance of animal welfare and the development of new stunning methods which appear to comply with religious requirements. If this Government are really serious about animal welfare, the millions of our farm animals destined for slaughter should be at the very top of the list.

3.56 pm

The Earl of Caithness (Con): My Lords, the gracious Speech contains many good proposals—26 Bills. Whether we get a chance to debate any of them in detail is something to look forward to. Unless the Government's—and the country's—finances are in order, none of them can be implemented effectively. I draw the Government's attention to the wise words of the noble Lord, Lord Macpherson of Earl's Court, earlier. I too am concerned that we may be heading into a boom before another bust and, with our high levels of corporate debt, Britain will then be unable to fulfil many of the things that I believe it should.

As many noble Lords have said, climate change is at the top of the agenda. I sympathise with those who genuinely believe in the need to address climate change who are taking peaceful action. I cannot condone climbing on top of Underground trains, the deliberate destruction of buildings and property or preventing people getting to hospital. That does not do the cause any good at all. Furthermore, the mess that has been left behind for others to clear up is not a sign of anyone who is concerned about the environment.

My noble friend Lord Bates told us a lot about climate change, and the noble Lord, Lord Stone of Blackheath, reminded us how little it takes for other countries around the world to undo any good we do. We are a bit player in a big world of climate change, and everything must be done on a global basis to have any effect.

I welcome the Environment Bill. I particularly welcome what was said about fly-tipping: that is a step forward. I also welcome the creation of the OEP, which the noble Baroness, Lady Young, called the great white shark. I agree with her: it needs more teeth. It needs to be independent from government and it needs to be independently financed, at least by more than one department—we said that in the NERC report, which my noble friend Lord Gardiner will remember. It must be able to hold the Government to account, and it must apply not just to central government but to local government and all government agencies.

The agriculture Bill is a huge opportunity for us, as we move away from the dreaded shackles of the CAP, but let us remember the context. The world needs to produce 60% more food by 2050, and only 10% of the Earth's surface is suitable for agriculture. We are only 30 to 40 years away in this country from eroding soil fertility. Sixty-seven per cent of global fresh water is used for agriculture, and 80% of the world's population will live in towns and cities by 2050. The rural world is a small minority and under great stress, as the noble Baroness, Lady Mallalieu, just reminded us. Like her, I worry for rural areas.

In the false Prorogation period, I went to France and Spain and was saddened to see how much former agricultural land was now bare and unproductive and

not managed, even for conservation. I wondered whether that could happen in this country. I hope that the agriculture Bill is a way forward. I hope that my noble friend Lord Gardiner agrees with me that rural land should be used for producing food and for conservation. The Allerton farm in Leicestershire is a very good example of how this is done. It is run by the Game and Wildlife Conservation Trust. As I have said before, I recommend it as a template to the Government because it has 25 years of solid research to prove that this can be done. We do not want our farmers to become just environmental contractors.

Our diets are going to have to change markedly from the gross excesses of the current day. I look forward to the Dimpleby report and to starting again our committee on food poverty, health and environment. We need to know what new crops Britain can grow to meet that new diet and reduce obesity.

The productivity of farming needs to improve. Let us imagine a situation where the output of one acre could be equivalent to a current 80-acre farm: that it uses 70% less water than now and is pesticide free, with short and secure delivery lines. That is not hypothetical; it is being done three miles from here by a firm called Growing Underground, which is using controlled environmental agriculture. It is a huge success, a world leader and a template for the future. I hope the Government will encourage it, because it will be able to produce salad crops and the sort of food that we will need in the new diets. It will also impinge on our rural farmers, who are currently growing those crops, but will not be able to competitively match the output. To think that we can have 60 harvests of one crop in a year rather than six—it is a whole new revolution. I know that Harper Adams University is doing a lot of research on this as well.

I turn briefly to two other points. One is the health implications of 5G for mobile phones. Why are local authorities refusing to have 5G masts put up on the pretence that there is a health problem? If there is a health problem, for goodness' sake tell us about it, but 5G is the basis for getting better rural connectivity. If local authorities will not grant planning permission for masts, the Government are going to be stymied.

My second point is on rural crime. When we debated the rural economy last Tuesday, my noble friend Lord Gardiner said that he was about to go to farms to look at rural crime. What did he learn? Does he agree that crime is a really serious concern in rural areas? Moreover, the fear of crime is twice as much in rural areas as in urban areas.

4.03 pm

Lord Haskel (Lab): My Lords, we all know that the impact of Brexit on our economy, deal or no deal, is bad. It is because of this, we must strengthen our economy economically and socially to withstand the impact. Both are needed to unite our divided country and build a better future. I welcome some of the spending proposals to make up for the austerity cuts, but, as other noble Lords have said, they are gestures. On a per capita basis, only about one-third of the cuts will eventually be restored. That will do little to unite us and deal with growing public resentment at rising inequality and inadequate standards of living. That divides us more and more, and feeds growing populism and resentment.

The Minister was upbeat about the economy. Yes, there is record employment, but there is also record in-work poverty. As many economists have put it, the economic model is not working for us all. I see little in this Queen's Speech that recognises this, but many in business and industry now do recognise it and seek to rectify it with so-called more responsible capitalism. Indeed, many in business are united with the Labour Party in this objective. This is why many no longer see the Conservatives as the party of business and industry.

Reports from abroad say that many do not recognise Britain for what it was. This weakens trust in our reliability and has an impact on our ability to trade and to make trading agreements. I agree with the Minister: we need to be a country that people want to trade with. I understand that the Government intend to roll over 40 continuity agreements that, through our EU membership, the UK has with 70 third countries. How is that progressing? Far more is at stake than just trade across the frontier with Ireland.

Will Parliament scrutinise these future trade agreements? As said in debates in this House, this is important because trade affects a broad swathe of public policies, such as consumers' rights, workers' rights, the environment, standards in food and health and especially public services. We want a level playing field with high standards not the race to the bottom that the PM promised an American audience.

In spite of what the Minister says, this weakening of trust in our reliability has affected inward investment. I mean the valuable investment that supports large parts of our business and industry, not the buying up of UK assets with cheap pounds. Proper inward investment has helped improve many parts of our economy with good productivity, skills training and management, and this against the overall picture of static pay and declining productivity painted by many other noble Lords.

Yes, the Prime Minister has spoken about productivity, but in very vague terms. We all know that it is the key to economic growth and a rising standard of living. Apart from infrastructure, I see little in the Queen's Speech to encourage it. Cutting corporation tax does not seem to work. Experience shows us that in many cases it encourages only higher salaries and dividends and share buybacks. Financial markets are just not recycling dividends into productive new investment. The Government can play an important part in boosting investment and productivity if they just uphold their objectives laid out in the *Industrial Strategy*.

Some question the way we measure productivity. However we measure it, our productivity is well short of where it should be. Instead of trying to explain that away, the Government should encourage us to change the way we run our businesses. Indeed, it is often clever accounting rather than real economic activity that is measured, and that creates resentment. Limiting levels of debt and dividends is a major concern of the IMF, and the regulator is trying to do that in the water industry. Why not extend it? It could have avoided the need to repatriate 160,000 Thomas Cook customers.

Many businesses are conscious of this and are trying to raise standards of behaviour through schemes such as Blueprint for Better Business and Be the Business.

[LORD HASKEL]

The British Standards Institution too has been hard at work devising a new standard that lays out many of the features of a well-run, responsible and trustworthy business and invites companies large and small to satisfy that standard. Not for the first time, I ask the Government: will they will support these initiatives and perhaps make this standard a condition of public procurement? I know that a number of local authorities are looking at this, and I believe it will be an important step in restoring fairness and public trust in our businesses and maintaining a level playing field. It will also be an important feature in making our economy more competitive by opening markets that are dominated by large companies to smaller and newer businesses.

Many noble Lords have spoken about climate change. The Governor of the Bank of England thinks that business must agree to rules of reporting it within the next couple of years. Otherwise, will they be imposed? Under the new Bill, will companies have to report on compliance with UK carbon budgets? Will it include emissions from shipping and aviation?

Brexit has already taken quite a toll, economically and socially, and more is to come. It will not be made up by economic promises; it will be done by engaging with the issues that make our economy work. Making the economy work for us all is an objective that is absent from the Queen's Speech.

4.10 pm

Lord Inglewood (Non-Aff): My Lords, my remarks this afternoon are based on those I was going to give the House in the debate last week on the report by the noble Lord, Lord Foster, on the rural economy. Thanks to the slippage in the timetable, I was unable to give them. I do not wish to comment on Brexit because, in an era of socioeconomic change in rural Britain and elsewhere, it is more or less irrelevant to discussion of the issues, although it may become relevant to the framework by which the policies that are developed may be implemented.

I declare an interest: I farm in Cumbria, in quite a big way by Cumbrian standards, but not compared to many other parts of England. I have a range of interests in the register. Specifically, I chair the Cumbria local enterprise partnership. Both Cumbria's independently commissioned research and the CBI reckon that Cumbria is one of the places in England that will be most affected by Brexit.

As your Lordships know, the post-war countryside in this country is synonymous with farming and agriculture. That goes back to the policies that were delivered through the mechanisms of the Town and Country Planning Acts from the early post-war period. This was not the way it was historically, and I believe we are going to revert to something that is more similar to what went before, albeit in a different way. We can see this happening in the evolution of the common agricultural policy from the Mansholt plan to the MacSharry proposals and then the Fischler reforms. In the context of the Mansholt plan, which gave the CAP a bad name because of the wine lakes and grain mountains, we sometimes forget that people were starving to death in mainland Europe in the late 1940s.

The question to ask is: what is the countryside for? What is its point now? How does it fit in with the wishes, aspirations and framework of the wider body politic? If we think about it, it is needed for food, the protection of the environment and landscape, access, wilding and housing—both for a general increase in the amount needed in this country and in the context of finding housing in the countryside for the essential workers who make it what it is. There are questions of carbon capture, forestry, conservation, the protection of the cultural landscape—that is why the Lake District was recently made a world heritage site—energy, flood alleviation, soil protection and water. It is sometimes forgotten that most of the water used in Manchester comes from the Lake District. We do not get a penny piece for that. The countryside is also needed for business, but it will be a 21st-century business rather than a 19th-century business. All this will have to be reconfigured in this country in the context of wider international trade. We need new markets in this country, but how will they interrelate to state aid rules, et cetera? I am sure that in dealing with the European Union, were Brexit to go ahead, not having qualified majority voting might be rather a nasty shock.

Equally, we have to be clear about the different types of rural countryside. It seems to me that they can be divided into two groups. The first is what I might describe as—I hope that I do not upset people—"outer suburbia" and the second is "deep rural", or *l'Angleterre profonde*, which is the kind of area that I come from.

The mantra "public money for public goods" sounds very attractive but it is worth remembering that, even in the days of area payments, which still survive to some extent, there was a need in recent years for cross-compliance. We are already moving down that road. How are we going to decide how much money is required—presumably, the more public goods you produce, the more money you get—and who will allocate it? A very substantial bureaucracy will be needed to deal with all of this. The idea that we can reduce bureaucracy in the countryside while trying to do the kind of things that have been talked about seems fanciful.

Speaking from the perspective of a LEP chairman, how will the shared prosperity fund be delivered? Will local enterprise partnerships have a role in agricultural support, as has been suggested? On the other hand, I believe that Defra is very much against that. This is important. These questions need to be answered because the process of sorting out how it will be done needs to be put in hand.

In the summer—I apologise for talking about my holiday reading—I read *The Cornkister Days* which is about farm towns in Aberdeenshire in the period after the First World War. What is interesting about that is that in those days money did not leave the rural economy. If you had a blacksmith-made plough and a couple of Clydesdales, the money went back into the area when they were replaced. Now, if you have a new combine, the money leaves the countryside. One thing that we need to do is to get money back into rural Britain. If we do that, we will start to address the kinds of things that cause problems, such as rural housing. We have managed—in a way, despite ourselves

and despite our contempt for paysans—to turn a group of people in rural Britain more or less into what we derogatorily call “peasants”.

It is interesting that east Cumbria, which includes most of the Lake District, has a far less good record on productivity than west Cumbria. The conclusion I have reached about that is that productivity does not mention things such as the area's contribution to the tourist industry and looking after the world heritage site. We need to redefine it to represent the realities of the 21st century. All this is going to need money and proper infrastructure. In bringing that about, I think we need to bear in mind the old Turkish story of Hodja's donkey. Hodja had a donkey, he fed it well and it performed for him, but then he thought, “If I give it a bit less food, I'll have a bit more money”. The less food he gave it, the more money he kept, until suddenly it died. There is a real risk that, in thinking about rural Britain, urban Britain will be not merely not very generous but positively stingy, and then the whole thing will collapse in on itself. In that context, the Government should look again at concepts such as the CLA's old idea of rural business units. We need to think of a rural business person: someone who is partly working on the land or doing some work of that sort but may also be working partly in a market town. We should treat them as a single taxable entity.

I believe that the resurrection of the agriculture Bill is a good step forward—it is good to see it—but we need to be clear that that is the easy bit, and the devil will lie in the detail.

4.18 pm

Viscount Hanworth (Lab): My Lords, the Queen's Speech, which we are debating today, has been unprecedented in its vacuity. This gives us a licence to discuss what is not in the speech as much as the little that it does contain. I have been pre-empted somewhat in what I intended to say by the powerful speech of the noble Lord, Lord Broers. However, I am glad to be able to emphasise the message.

The Queen's Speech has given scant recognition to the greatest issue of our times, which is the need to respond to climate change. It makes barely a mention of our strategy for power generation, which must respond to climate change while satisfying the domestic and industrial needs of the country. Without a vigorous programme for building nuclear power stations, there will be no possibility of meeting the net-zero target for CO₂ emissions by 2050.

The real costs of nuclear power have been badly misrepresented. Invidious comparisons in terms of price per kilowatt hour have been made between the electricity from the new nuclear power stations and electricity from renewable sources, which is predominantly from wind power. When the intermittency of renewable power is taken into account, its real costs far exceed the quoted figures. If the proportion of electricity generated by renewable power exceeds a modest level, expensive back-up plant is called for, which ought to be included in the cost. The cost of building the Hinkley C nuclear power station embodies the cost of the first of a kind; it is estimated that the next example, which is to be built at Sizewell, will cost at least 20% less. First-generation wind turbines were also

burdened by similar start-up costs, and it is with them that a fair comparison should be made. However, a fundamental reason for the adverse costing of nuclear power originates in the economic nostrums of privatisation.

The proponents of privatisation have insisted that major infrastructure projects should be financed by private capital. The corollary of the high commercial rates of interest demanded by private capital is a severe discount rate that belittles the value of future benefits. The interest rate of 3.5% that is commonly used in government cost-benefit analysis implies that £100 received 20 years hence has a discounted present value of £50. However, if we apply a commercial rate of interest of 9%, that £100 has a present value of less than £18. In order to satisfy their short-term time preference and to indemnify themselves against risk, the private providers of capital demand an exorbitant rate of return. The risks are those of delays and cost overruns, and they include regulatory risks, which are a heterogeneous category of hazards arising from the tendency of Governments to change their minds.

When a commercial rate is applied to a programme to construct a large nuclear power station, its abundant future benefits are so heavily discounted relative to the costs entailed in its construction that its economic viability is called into question. We should not be adopting short-term commercial criteria when considering a nuclear project of which the benefits are expected to last for 50 years or more. The Government have failed to raise the necessary finance for building additional nuclear power stations from private sources. They judged that the terms available to them were too costly. Conversely, what they have offered to investors has seemed to them to be insufficient. The Government now propose to make their offers more attractive by reducing the risks that putative investors are liable to face. This is the purpose of the so-called regulated asset base methodology.

The intention is to indemnify lenders against the aforementioned risks. There are two effects. The first is that the capital funds are more likely to be forthcoming when the risks are alleviated. The second is that the rate of return demanded by lenders is liable to be lower when the risk premium has been factored out. Therefore, it will appear that the cost of a project under the regime of a regulated asset base is less than it would be under alternative arrangements, such as a contract for difference. This is an illusion. Any risks that materialise are liable to be borne by the Government or by the consumers of the electricity via higher prices. Moreover, the rate of return demanded by the lenders is still subject to their exorbitant short-term time preferences.

There is an obvious alternative recourse. It is to finance the project by direct government borrowing, which could be by the sale of designated infrastructure bonds. These bonds would bear a much lower rate of interest than commercial rates. The long construction periods that affect large nuclear reactors could be avoided by resorting to small modular reactors that can be constructed off site. These will require a period of development, but it is reasonable to propose that

[VISCOUNT HANWORTH]

the Government should bear a large proportion of the associated costs. One might wonder why such a recourse has not been pursued.

One explanation lies in the fetish associated with the so-called net borrowing requirement of the Government, which successive Administrations have tried to hold in check. However, a distinction must be made between borrowing that is to service current expenditure and borrowing to finance investment in productive infrastructure. The latter should be no more subject to constraints than are the borrowings of manufacturing enterprises that are invested in plant and machinery.

We need urgently to invest in the nuclear power plants that will sustain our future prosperity as consumers and producers, and which will do so while allowing us to fulfil our commitment to staunch our emissions of carbon dioxide. Without plentiful electric power, we shall be unable to electrify our public, commercial and private transport; nor will we have the power to sustain the industrial recovery that must ensue if we are not to suffer severe impoverishment.

At present, the nation's electricity generation is preponderantly in the hands of foreign owners. Moreover, unless we support our own nuclear industry, which is still capable of bringing a small modular reactor into existence, our nuclear future will fall into the hands of the Chinese, who are currently participating largely in every viable British nuclear project.

4.25 pm

The Earl of Shrewsbury (Con): My Lords, among the many measures announced in the gracious Speech, I am especially pleased to see an agriculture Bill. I refer noble Lords to my entry on the register. Agriculture and the wider rural economy will continue to have a serious role to play post Brexit and way beyond. A successful rural economy is vital for maintaining a living and working countryside. A successful living and working countryside is vital to attracting tourism, and tourism is vital to the rural community.

I welcome warmly the Government's plans to reform UK agricultural policy and particularly the financial support, which must be continued after we leave the EU. I firmly believe that such support must be geared more towards the support of medium-sized and small farmers, rural communities and those who live and work in less favoured and upland areas. More emphasis must be placed on nurturing wildlife and the environment, forming the basis for a revitalisation of both for the future. In this context, I pay tribute to the work of the Game and Wildlife Conservation Trust.

Three weeks ago, my noble friend Lord Caithness and I visited the trust's Allerton project in Leicestershire, at the invitation of the research project's director, Dr Alastair Leake. We walked the farm, being shown beetle banks, specialised cover crops and headlands and areas of completed wilding, all of which produce cover and food around the year for both songbirds and game birds. We discussed the recovery of the populations of a variety of species through habitat support, winter feeding, predator control and changes to agricultural practices designed to conserve moisture

and promote the health of soil structure while growing viable crops in an environmentally sustainable way. We were shown the results of minimum cultivation practices, with an improvement to both earthworm populations and organic improvements to soil and soil structures. The trust is a leading world expert in its field. It was a fascinating and valuable visit. While we were at Loddington, we were told that, through a pilot scheme with Natural England called "payment by results", the trust has shown how giving farmers the freedom to manage their land for environmental good is both boosting local wildlife and motivating them to develop nature-friendly practices.

Game shooting and fishing plays an important part in the rural economy, often providing badly needed jobs and income in less favoured areas. Indeed, wildlife can prosper on well-managed shoots and fisheries. I am a firm believer that game produced by the shooting sports should go into the food chain; it is highly nutritious, low in cholesterol and fat, totally sustainable and delicious. I am enthused to learn that the supermarket chain Waitrose has announced that all game sold by it by the end of next year will be guaranteed lead-shot-free. It estimates that the resultant growth in sales of game meat will be considerably enhanced. Indeed, I had a meeting recently with the chairman of the Services Committee, together with the noble Lord, Lord Browne of Ladyton, who is in his place, and members of the catering establishment of the Palace of Westminster. I learned that our catering outlets here have a policy that game products served must be free of toxic shot. I strongly support any initiative to move forward with lead-free ammunition for game shooting, as do many of my friends who take part in those activities. I doubt whether I will enhance my reputation as a champion of the shooting sports, but my plain view is that if we ourselves do not change our practices, we will have that imposed on us.

I am delighted to learn that the National Farmers' Union, of which I am a member, broadly welcomes the agriculture Bill, stating that,

"it presents a once-in-a-generation opportunity to enhance and promote British farming".

There are two final matters I should like to touch on. First, the agricultural and horticultural industries rely very heavily on seasonal workers, as does the rural tourism industry. It is most important that UK farmers and producers continue to have access to the EU labour market, which may include the reintroduction of a seasonal workers scheme.

Secondly, we need to develop further a comprehensive food labelling policy and extend mandatory country of origin labelling to lightly processed meats and some dairy products. In this country, we produce superb artisan, regional and speciality food and drink products. We must enhance the promotion and protection of these iconic products to the very best of our ability, and provide the consumer with accurate, clear information. I agree entirely with the remarks made by the noble Baroness, Lady Mallalieu, on the stunning of animals before slaughter; it is high time we took a route down that path. The consumer must be informed about whether the meat they are eating was killed in a pre-stunned manner or not. It is vital.

In conclusion, through the new agriculture Bill, Her Majesty's Government need to establish a fully funded agricultural policy with support payments targeted at the farmers and producers who are providing the greatest public good, but who are not being rewarded for this by their market.

4.31 pm

Lord Browne of Ladyton (Lab): My Lords, I draw attention to my entry in the register of interests, in particular my involvement with the BioRISC initiative at St Catharine's College, Cambridge. I am delighted to follow the noble Earl, Lord Shrewsbury. I pay particular attention to his remarks and I thank him for raising the continued use of lead ammunition in this debate. As he indicated, he and I, with others, have been discussing this issue over some months. I have discussed this with the noble Lord, Lord Gardiner of Kimble, and I know that he has an interest in this issue.

From my perspective, this is a simple issue. Lead is a poison. We ban it in many areas of our lives, but still use it in game shooting. The use of lead ammunition is partly banned and ought to be banned completely. There is compelling evidence that lead shot pollution damages extensively the environment in which it is used, poisoning wildlife that graze on it accidentally and poisoning meat served as food, posing dangers to the vulnerable, particularly our children.

The 2019 Great British Game Week, which begins on 25 November, aims to promote the Game to Eat campaign and I expect it will have a high profile in Parliament's catering outlets. We have been reassured that no lead shot meat will be served in the House of Lords catering outlets, but we need to ensure that none is served in any of the catering outlets in the Palace of Westminster. Of course, we then need to address the question that if we are not prepared to eat lead shot meat because we know it is potentially poisonous, why do we allow other people, particularly children, to eat it? Following up on the noble Earl's remarks, it is our intention to invite ammunition manufacturers to come to your Lordships' House to brief us on the alternatives. It is my intention to invite the Minister to join us at that meeting. This could be done relatively simply.

In my remaining time, I want to concentrate on one point only: measures to stop invasive species coming into the UK through existing and potential new trading routes. This may seem rather a narrow point, but it is a significant issue. Invasive non-native species cost the UK an estimated £1.7 billion per year. Ash dieback alone is predicted to cost the UK £15 billion over the next 100 years, with about half of the cost—£7.5 billion—occurring in the coming decade.

Invasive species are the focus of an inquiry of the Environmental Audit Select Committee of the other place. The committee convened an evidence session at St Catharine's College in Cambridge at which it took evidence from a wide range of experts. On another occasion, on 9 July, the Minister himself gave evidence to the Select Committee. The evidence-taking having concluded, the committee's report is expected to be published soon. I think it will make some very stringent recommendations.

The adequacy of measures to stop invasive species entering via trading routes was raised with the Minister when he gave evidence to that committee. Caroline Lucas raised the specific question that I want to concentrate on: the degree to which the Government are prepared for the inevitable change in this threat that will occur as a result of their ambition to expand and open up new trading routes post Brexit.

This summer, an expert workshop held at Cambridge University identified changing trading patterns as one of the key risks to biosecurity in the UK. Under Brexit, we might reasonably expect novel pests and diseases to arrive through new trading patterns. For example, as a result, the UK might shift from being an overall recipient to an overall donor of tree pests and diseases into Europe.

Historically, the UK has received most invasive species after they have already established and spread through mainland Europe. Consequently, we have benefited greatly from engaging with our European partners to anticipate and to understand the likely risks posed by them, and from tried-and-tested management techniques developed first on the continent with the species before it gets here. That is about to change dramatically.

When questioned, the Minister revealed a commendable level of knowledge of this issue. He agreed with Caroline Lucas that an inspectorate dedicated to invasive species at the UK border ought to be considered and expressed sympathy with that consideration. Further, he said that it was something his department would be looking at in the spending review because,

"it is vital that we raise the bar on the considerations of invasive species".

On 15 May, during a Brexit debate on plant and animal biosecurity, I asked what assessment the Government have made of our capacity to discharge this responsibility in a post-Brexit world, where we would have considerably more trade directly with countries such as China, the USA and the 53 diverse members of the Commonwealth. The informative answer I received at the conclusion of that debate was that we,

"will leave this well established and effective system and replicate it, as best we can, on our own".—[*Official Report*, 15/5/19; col. 1628.]

It appears from his evidence to the Select Committee that the Minister is in a position to give a better and more detailed answer on this issue. In addition to updating the House on his department's deliberations in the context of the spending review, I should be obliged if he would respond to the following two additional questions. How well prepared is the UK for understanding and prioritising risks to biosecurity under changing trade patterns? How will the UK continue to engage with European partners in sharing information about emerging biological risks? These are essential and necessary questions.

4.38 pm

Lord Razzall (LD): My Lords, numerous noble Lords have indicated that it is difficult to treat the gracious Speech as a serious programme of legislation. There is no doubt that a general election will come soon, so Her Majesty will have to start again. It is only

[LORD RAZZALL]

fair to treat the content of the gracious Speech as part of the Government's election manifesto, together with Boris Johnson's speech to the Tory conference and the Chancellor's financial statement.

As a Liberal Democrat, I am obviously glad that the Prime Minister and the Chancellor are answering calls from all sides to loosen the purse strings. I welcome a number of the commitments made at the party conference and by the Chancellor, but his claim that the Tories are now the workers' party cannot really be true until the damage done to the fabric of our services over the past 10 years is genuinely repaired.

I cannot agree with the Prime Minister that austerity is now over. Local councils have borne the brunt of austerity, with funding for local authorities cut back by 49% in real terms since 2010. These are the raw figures, but when we dig into the detail we can see where the impact has been. The impact on social care has been perhaps the most dramatic and, dare I say it, the most relevant to your Lordships' House. Real-term spending started to fall in 2009 and has fallen by nearly 6% since. At the same time, demand is rising, with the number of people over the age of 65 in need of care increasing over 40% since 2010. We await with interest the Government's proposals, but whatever they are, it is clear that they will not be enough to remedy the situation.

Other services have been hit as well. Libraries and youth centres have been decimated, and what about the unrepaired potholes? I will not intrude into the private grief of Tory colleagues over the effect of the benefits cap and the stuttering introduction of universal credit, other than to point out that food-bank use has increased by more than half in areas where universal credit has arrived. The Government are clearly aware of the impact of police cuts. Their commitment to increase police numbers will not restore us to where we were before austerity began.

We are where we are. The Prime Minister appears to promise jam today and jam tomorrow for everyone. He says that he will both cut taxes and spend more, which the Chancellor says that we can do by taking advantage of incredibly low interest rates. The Prime Minister is prepared to blow the Tory reputation for fiscal responsibility in order to tempt voters in the north to vote Tory. The effect on our borrowing will be dramatic. Last week the IFS predicted that government borrowing in 2020-21 would be £52.3 billion, over double the OBR forecast of £21 billion and higher than the Treasury limit of 2% of GDP, so he is competing with Jeremy Corbyn in financial profligacy.

However, whatever his financial profligacy, the Prime Minister cannot wish away two major problems. The first is productivity. Before the financial crisis of 2008, our productivity was growing by 2% per year. Since 2008, Britain has been outperformed by all other G7 countries except Italy. The most likely cause is lack of investment. It is no surprise that the Institute for Fiscal Studies says that business investment is 15% to 20% lower today than if Britain had voted to remain in the European Union.

The second issue is growth. Noble Lords will not be surprised to hear me repeat from these Benches that all independent forecasters predict that the UK growth

rate will be significantly less outside the EU than if we stay in. Specifically, I highlight the report from the Institute for Fiscal Studies, suggesting that gross domestic product is between 2.5% and 3%—between £55 billion and £66 billion below where it would have been without the vote on Brexit.

If Brexit is to happen, it is vital that we learn the lesson of where our growth might come from in a post-Brexit world. Clearly, the future for manufacturing is poor. The whole just-in-time manufacturing process will be damaged by the artificial borders created by Brexit. Growth is more likely to come from the leisure industry, particularly the TV and film production sector, which came to Britain's rescue, enabling the economy to expand by 0.3% during the last quarter. This was not a one-hit wonder. Between 2010 and 2017, Britain's creative industries grew by 53.1%, nearly twice as fast as the broader economy.

The creative industries also help on productivity, because their companies tend to be more productive, requiring more investment and training than equivalent-sized manufacturing businesses. Therefore I would be grateful if the Minister would confirm that, whatever happens with Brexit and bearing in mind their importance, the creative industries will be protected, particularly regarding the free movement of people to provide the talent necessary for those industries to thrive. Better still, let us have a referendum on the PM's deal and vote to remain.

4.43 pm

Baroness Redfern (Con): My Lords, I welcome Her Majesty's gracious Speech and, on day 3, I am pleased to have the opportunity of addressing the Chamber, but first I thank the right reverend Prelate the Bishop of Bristol and the noble Baroness, Lady Bennett, for their excellent maiden speeches.

In the time allotted, I wish to focus on responding to the measures to improve agriculture, business and the environment, which I welcome. Supporting a successful rural economy is vital to maintain a vibrant living and working countryside, not only for farmers and land managers but for taxpayers and businesses large and small, who are all, in their own way, pioneering an environment in which all can prosper. I too welcome people visiting the countryside. It will be a better place than we inherited if we can make the countryside the best we can.

As Brexit comes even closer, minute by minute, my next comments regard the CAP. I am no defender of the CAP, which has created perverse incentives and reduced opportunities, and cutting out the layers upon layers of bureaucracy has to be the way forward. It will create a more dynamic and responsive culture, given the ever-changing demands from customers for more healthy foods. By releasing farmers from the rigidity and bureaucracy of the CAP, based now on public money for public goods, the new support system will reward farmers for environmental stewardship and help them become more productive, more sustainable and, of course, more successful.

Increasing investment in nature-based solutions to climate change is an immediate way of putting nature on the path to recovery. We must roll out large-scale native tree planting in appropriate locations that can

deliver multiple benefits for carbon, wildlife, the environment and people, while the protection and enhancement of areas of ancient and semi-natural woodland must be prioritised. The burning of blanket bog must be banned, as well as the use of peat in horticulture. Funding for wetland and rewetting restoration must also be drastically increased. Landscapes such as wetlands, coastal habitats, salt-marshes and permanent grasslands must all be protected and restored. They sequester huge amounts of carbon while providing a home for numerous vulnerable species. I hope that the Environment Bill will encapsulate much of what I have said, and go a long way to ensure that we protect and preserve this planet for generations to come.

The Environment Bill also gives the Secretary of State the power to amend two pieces of legislation regarding the use of chemicals in the UK, under REACH 2008. This will allow us to take further steps, where necessary, to ensure a smooth transition to a UK chemicals regime following the UK's exit from the EU. It will also make it possible to keep the legislation up to date and respond to emerging needs or ambitions for the effective management of chemicals—again, a positive step for the environment.

Secondly, here and now I speak for many who have waited so long for the introduction of measures to promote and protect animal welfare, and for the opportunity to increase maximum penalties from six months to five years. The reintroduction of the Animal Welfare (Sentencing) Bill, to increase those maximum sentences for animal cruelty, improve the welfare of animals transported for slaughter and ban the import and export of trophies made from endangered animals, is to be welcomed. We are proud to already have some of the highest animal welfare standards in the world, and aim to raise those standards even further. Again, post Brexit we must have in place strict import and export measures to maintain those high standards. We have to drive them up even further as the hallmark of a civilised society.

Thirdly, I will speak about businesses and business opportunities, particularly for the rural SMEs which, with support, can create those much-needed local jobs. With apprenticeships figuring highly as more businesses invest in their workforce, the number of people starting apprenticeships in agriculture has risen by 30% over the past five years. That is good news, as is more people being employed than ever before. Amid rural communities, there are many thriving businesses. For them, resilient digital connectivity is vital and they must not be forgotten as we continue to improve our digital infrastructure. It is also important to point out that, in supporting businesses, the Government have previously announced that the main rate of corporation tax will reduce from 19% to 17% on 1 April next year. I am sure that will be warmly received by all businesses.

I welcome the unveiling in the gracious Speech of the national infrastructure strategy, which promises to help us deliver world-class digital connectivity. High-speed broadband and mobile connectivity are essential services but they are nowhere near as available in rural areas as in urban areas, so I welcome the fund of £5 billion to roll them out to the hardest-to-reach 20% of the country so that no community is left behind. Full-fibre

broadband will play a unique role in post-Brexit Britain, underpinning incredible advances in technology to unlock huge economic growth and transform our way of life, but we should not forget another important aspect of the internet: continuing to develop proposals to improve internet safety, making the UK the safest place to be online.

Finally, all the areas addressed in the debate are intertwined; they are the glue that binds together. Together, they give the impetus of the two Os: optimism and opportunity. This is about putting the needs of all our rural communities at the heart of government and in the 25-year environment plan. Those giant steps will help to deliver our goal to be the first generation to leave the natural environment in a better state than how we found it—and a more prosperous one.

4.50 pm

Baroness Randerson (LD): A Darth Vader outfit? Lots of Lego? Unicorn pyjamas? Oh, I am sorry, my Lords—that is the wrong list. That is my eight year-old granddaughter's Christmas list. Unlike the Prime Minister, she likes to do her negotiating early. Actually, my granddaughter's Christmas wish list compares rather well with the Prime Minister's because she has a much better chance of achieving her list. As a girl who has been brought up with a sensible understanding of family finances, she has at least had one eye on the affordability of promises, which is much more than can be said of the Prime Minister. If he still believes in Father Christmas to help him out, then the leader of the Opposition clearly still believes in the tooth fairy to pop some magic money under his pillow.

As many noble Lords have said, it may be difficult to take this list of Bills seriously but the topics that we have addressed in today's debate are absolutely at the crux of the quality of our lives and our future. We have heard a wide range of excellent speeches and contributions; I congratulate the noble Baroness and the right reverend Prelate on their excellent maiden speeches.

If we focus on the economic and social costs of the climate emergency, and of mitigating the impact of environmental damage, we see immediately that our membership of the EU is fundamental. It strengthens our hand when there are problems to solve. We pool our knowledge and expertise. After all, pollution does not stop at national borders. Our manufacturers want to make goods to the highest environmental standards, which you invariably find in EU regulations. As the noble Lord, Lord Bilimoria, pointed out, the CBI discovered that 18 of the 21 sectors it identified want regulatory alignment with the EU. Our EU membership is precious for maintaining our environmental standards, just as it is for maintaining our prosperity.

Many noble Lords, including my noble friend Lady Kramer, have emphasised that we are already paying the economic price for Brexit. Others have pointed out that, in this week's race for a deal, it is usually not mentioned that this is the beginning of the process, with years of negotiation ahead; the noble Lord, Lord Macpherson, identified that period as a decade. This week, the Centre for European Reform reported that Brexit has already cost our economy £70 billion. That is £440 million a week, well ahead of

[BARONESS RANDERSON]

the Prime Minister's mythical £350 million for the NHS. As my noble friend Lord Razzall pointed out, our economy is already 3% smaller than it would have been if there were no plans to leave the EU.

In recent evenings my television watching has been ruined by dire government adverts warning that I need to prepare for Brexit which do not actually tell me how to do so, so I read the Government's *No-Deal Readiness Report* with interest. It is salutary reading. I advise noble Lords to have a look at it if they have not already. It points out how many stages we would have to go through in future if we do not have facilitated free trade with the EU. Whatever decisions are made in the House of Commons this Saturday, this document is a useful reminder that it is much more complex to trade beyond the EU and without EU systems in place. The National Audit Office pointed out this week that only 25,000 out of a potential 250,000 businesses are fully prepared for Brexit.

The Minister called our transport systems the "lifeblood" that carries our economy. The success of our economy rests on the efficiency of our transport system. Although there are measures in the Queen's Speech which we certainly support in principle, it does not provide the transport revolution we need. For fundamental change, we need a far longer-term approach to investment in sustainable transport. The idea of a national infrastructure strategy is sensible, but it was immediately undermined when the Chancellor announced £22 billion for road improvements and less than 4% of that figure for buses.

We need a public transport revolution that puts the passenger and the environment at its heart. We must invest to provide a fair deal for long-suffering commuters. We need to create a public transport system that tempts them out of their cars. Liberal Democrats would change the balance of spending on transport, spending much more on buses and trains. As my noble friend Lord Fox pointed out, we would have more money to invest because we, in government, would not face the costs of Brexit.

The Queen's Speech completely overlooks bus services. Not only are they the most popular form of public transport—60% of all public transport journeys are made by bus, 4.4 billion journeys a year—but they tend to be used by the most vulnerable in society: the young, older people and poorer people. We are on the brink of an environmental transformation of bus services akin to the rapid revolution in energy sources that has occurred in the last decade. The electric bus has arrived, but government support is vital because, ironically, bus services have been declining in Britain as our roads become more and more congested.

The problem is that cash-strapped local authorities need additional funding to ensure that newer buses are used in their area, reduce fares and provide concessionary fares, particularly for young people. The way bus funding is distributed at the moment needs reform. It does not do the job it should. It needs reform to subsidise environmental improvements as well as the communities that have been most undermined by the decline of bus services.

I was very pleased to see the Williams Rail Review referred to in the Queen's Speech. It is certainly needed. We have positive suggestions to make to the review on how we can retain a heavily reformed franchising system, which could include, for instance, co-operatives and employee and passenger representatives on the board. Unlike the Labour Party, we do not believe that it is a good idea to spend £196 billion on renationalisation, not least because the Department for Transport has hardly demonstrated its effectiveness in recent years.

We need to invest in a massive programme of electrification, which is the only sensible future for our railways. Commuter services outside London and the south-east are very patchy. We need a big expansion to improve existing services by reopening old lines and building new ones. Moreover, local authorities need to be far more involved in designing, supporting and running local services. We need legislation to ensure that integrated ticketing and the creation of proper transport hubs make for a really efficient system. It is a disappointment that that was not included.

The shadow hanging over HS2 was certainly not lifted by the reference to it in the Queen's Speech. We see it as a vital spine running up the country, linking planned east-west services and fundamental to the regeneration of the north. Costs must be controlled, but not by truncating the route.

Finally, I want to mention the gap between the Government's rhetoric on air quality and their lack of ambition. As Liberal Democrats, we have a comprehensive action plan of measures involving government, local authorities and individual action. It is needed to clean up the air that our children and grandchildren breathe. This can be done now and it can be done urgently. We need to create a greater sense of ambition about the improvements needed to do this.

We will continue to use every opportunity to act to stop Brexit. Our economy needs trade with the EU, our environment needs the standards it sets, and the workforce and families of Britain need the rights it has given them.

5.01 pm

Lord Stevenson of Balmacara (Lab): My Lords, this has been a very good debate which has ranged far and wide. It is right that it should do so, because it is an opportunity to reflect on where we are, where we have come from and where we might be going—although the timescales are rather difficult to read, as many noble Lords have said. I thank the noble Baroness, Lady Vere, for her clear and concise introduction, which got us off to a good start, and I thank the right reverend Prelate and the noble Baroness for their excellent maiden speeches. I think that we all picked up that they were coming from slightly different places, in different tones, but both presaged contributions to come that we all look forward to hearing.

Today we have been dealing with a small subgroup of Bills that are contained in the gracious Speech that was given earlier this week. I am not going to go through them one by one. My noble friend Lady Jones highlighted a number of points, particularly in her field of expertise, and I will turn to points relating mainly to the trade and BEIS briefs as I reach the end

of my remarks. However, I am sure that the noble Lord, Lord Gardiner of Kimble, will respond to all the various points that have been raised in his usual courteous and effective way. He will make sure that no one is left out in any way, and letters will surely follow. We should look forward to them—the noble Lord writes well. I am particularly looking forward to his response, which I hope will be verbal and immediate, to the noble Duke, the Duke of Somerset, who giped a little bit but I am sure had a serious point about HS2, which of course is the favourite infrastructure project of the noble Lord, Lord Gardiner. I see that the noble Lord smiles.

A number of noble Lords questioned whether this assemblage of Bills was more than just a party political broadcast or a manifesto rather than a programme for government. Well, that is a bit of a daft question since I have never known any Queen's Speech that has not been an advertisement for the Government in charge and an opportunity to fly the flag for the future, and this is no different in any way. What is interesting is why it is so short. Looking back over the past few years, we have had virtually no ordinary work to do. In my experience, we normally deal with around 30 Bills a year—so about 90 Bills are stacking up somewhere. Where are they? What exactly has been going on?

I presume that it is the pressure of Brexit and preparing the secondary legislation for it that has squeezed the supply chain, but I do not think that we should complain about the relative paucity of the Bills before us. We should be asking what is happening to the rest of the stuff. Indeed, that point did come out in the debate. Many noble Lords have pointed out gaps that could and perhaps should have been filled by legislation relating to housing, energy, transport, the rural economy, productivity in particular, and regulatory issues. Are there more to come? Perhaps the Minister can respond, as there seems to be a bit of a black hole here.

The Bills in the list have deficiencies. Most of them appear to be around environmental issues arising from day to day, but others have come up in other debates, and I am sure that the Minister will also want to come on to those points.

We are in a rather odd situation, where we have the prospect of a Government who may continue for considerably longer than many people expect—but even if they do not, they will have a good go at it—and we will have to consider these Bills in due time and with due process. We should not be complaining about that but should focus hard on what they are and what they would do to the overall polity of our country.

I will start with points made by a number of noble Lords about broadband. The Bill that is being brought forward from DCMS is rather skeletal. It simply says in the notes:

“New legislation will help accelerate the delivery of fast, reliable and secure broadband networks to millions of homes”.

The Chief Whip, who is in his place, will recall endless discussions about what level we should set for the new USO under recent legislation—the Digital Economy Act and others. I think he will also acknowledge that

this side of the House was strong on the idea that we should go for a gigabit economy. I am pleased to see that the Bill is now moving in that way as well.

“Roll out gigabit-capable broadband across the UK to achieve nationwide coverage as soon as possible so people can reap the huge benefits of the fastest, most secure and most resilient internet connections, regardless of where they live”,

is, I think, a quote from one of my speeches. It also has two good points that came up in the Bill which we should have resolved but did not: the question of access to blocks of flats where there are difficulties in identifying freeholders, and ensuring that new homes will be built with reliable and fast internet connection speeds available to those who wish to have them. These are good things. However, it is not entirely clear where we are on this; it sounds a bit like a briefing for a Bill to be considered in Committee rather than a Bill to be brought forward in Parliament. I would be grateful if the Minister when he comes to respond can give us a bit more information about the timetable, because, as many noble Lords have said, this is an important area.

We touched on the question of the *Online Harms White Paper* in an Urgent Question earlier, so I will not go into that in detail. I wanted to make a point then, but there was not time to do so, so I would be grateful for a response from the Government at some point on this. It may be the right thing to do to move forward in relation to the new thinking about the duty of care, and it may be that that will provide an overall solution that is better. However, there will no doubt be a gap between the aspiration for stopping the flow of pornography to those who should not be receiving it and making sure that suitable regulation is in place.

However, the particular problem I wanted to ask about is the question of the regulator. The brief we have on the Queen's Speech does not say how the Bill will be shaped, because in essence it will be a pre-legislative scrutiny arrangement. But a key element in the Bill will be the question of the regulator. If it is thought that the regulation will be left until such time as the Bill has been through its pre-legislation structure, we are talking about three years before a Bill is likely to be appointed. Given the reaction to the Government's announcement yesterday, in the House today and more broadly in the wider world, this is probably too long. Will the Minister consider this again and bring it back for further consideration? It would be possible to begin the process of setting up a regulator at least in parallel with if not in advance of the full legislation, and indeed there is a regulator sitting there waiting that could be adopted for that: Ofcom. I am sure that further thinking about this is necessary, and I would be happy to participate if that would be helpful.

On employment and BEIS-related issues, I was pleased to see the allocation of tips Bill. I do not think there is anything more to be said about that. It is a good thing; it has been an outstanding issue that should have been addressed a long time ago, and I and pleased that it is happening. The territorial extent of it is interesting. The Bill extends and applies to England, Wales and Scotland, while employment law is a reserved matter for Scotland and Wales but is devolved to Northern Ireland. Could the Minister give us a bit more information about how the Government will

[LORD STEVENSON OF BALMACARA] make sure that this applies to all UK citizens? I say that in the particular knowledge that on the island of Ireland it has just been agreed in the Republic that a similar Bill should be brought forward—so we will have a situation in Ireland where the only part of the British Isles that is not covered by this legislation will be the Northern Ireland territory, which seems a little unreasonable.

A Bill is listed for national security and investment legislation. That is rather coded, but it would strengthen the existing power of the Government to scrutinise and intervene in business transactions—in other words, takeovers and mergers—to protect national security. I leave the Minister with three questions, which may be beyond the brief that he has been given but I should be interested in his response in writing. This is a more complicated area than the Bill would suggest.

We are in the midst of a revolution led by a Member of our House, the noble Lord, Lord Tyrie, at the CMA, affecting the regulatory structure for mergers and acquisitions. The proposal, which I think has been accepted by the Government, is that the CMA will allow the consumer a stronger role in any decisions affecting mergers and takeovers. It seems to me that the current situation—where we have a mix of statutory legislation, legislation related to listings on the Stock Exchange and other considerations, such as national interest powers which can be used at the discretion of Ministers—needs to be brought together. Is this the Bill within which that could be done?

That goes some way to answer the points made earlier by the noble Baroness about broader regulatory issues, because the whole regulatory framework, particularly if it is tied to changes to the auditing framework, which are also taking place, may require a more considered view before final legislation is brought forward. Otherwise, we are in danger of spawning more and more regulatory initiatives without thinking about the wider implications of them all coming together. I agree with her point.

I have only two more things I wish to raise. One is employment reform. I am concerned about the way in which BEIS is making proposals to bring into statute the recommendations of *Good Work*, the Matthew Taylor review of modern working practices. From this side, we have for some time been trying to find out from the Government exactly how far they are prepared to go on this report, and I would be grateful if the Minister could respond positively on this. They continue to say that the vast majority of the Taylor recommendations will be introduced through legislation, but the legislative proposals do not deliver that. There is a gap. The narrow point here is the long-standing issue of the difference between employees and workers. It is an easy thing to say but we need to think it through very carefully, because it lies at the heart of a lot of concerns about the gig economy and how we treat people fairly in employment.

The Government say that they are contemplating the single largest shift in employment status since the Employment Rights Act 1996. If that is the case, they should definitely be thinking hard about the present arrangements. We have two forms of employment status

and two forms of taxation status, which I shall come to in a minute. Employees have superior rights and protections, including on dismissal and sick pay; workers have limited rights, including on the national or minimum living wage and working time protections. Not all workers are employees, but all employees are workers. The definitions are created by case law, not by statute, and their shape changes as formulated by judges, who have adapted the tests over the years. Recently, we have had cases involving Uber and Addison Lee which have materially changed the way in which employment rights are applied.

Taylor recommended that those employment statuses should be in legislation. Do the Government agree and will they do that? If so, will they also look at continuity of employment, because there are real problems in the gig economy around whether people are in continuous employment—something which could be sorted by statutory change? There is also the question of unfair dismissal, on which we have a different view from most of Europe. What about the taxation differences between who is an employee and who is not? All those things need to be picked up.

Finally, there is the trade Bill. I see the former Trade Minister in her place, and I am sure she will join me in saying that she is a bit disappointed by the Government's approach to reintroducing what looks like the original trade Bill. Or is it? As I read it, one thing is different in the current one. A particular issue about data movement is not in the Bill included in the Queen's Speech notes. That may be a simple mistake, and perhaps we can have some clarification on that.

The main point is that the Bill went through your Lordships' House and arrived at the end of that process with, I think, 30 or 34 amendments. Quite a lot of these were government amendments. What is happening to them? Will they be reintroduced, or will the Government have to bring them back for discussion? There are a number of quite substantial issues relating to future trade arrangements. These are obviously highly contingent on what is decided on Brexit and may not be as imminent as necessary.

There was a very strong feeling in this House that what was originally based on a no-deal scenario, and only a transition Bill, had to be amended in order to provide a genuine way in which this Parliament would get involved in trade. It is not clear from the document and the narrative that we have been provided with for the Queen's Speech whether this trade Bill will be taken in the same vein as the previous one, or whether any new amendments will be put in to reflect the changes made by the noble Baroness when she was Minister. If not, are the Government really ready to start again on a process which will end up in a document not dissimilar to that which was agreed by this House in March 2019?

5.16 pm

The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Gardiner of Kimble) (Con): My Lords, it is a great pleasure and privilege to conclude today's debate on Her Majesty's gracious Speech. First, I declare my farming interests, as set out in the register. I am most grateful to my noble

friend Lady Vere for opening the debate so comprehensively and with panache. I thank all noble Lords who have taken part in this diverse debate on critical issues. I agree with the noble Baroness, Lady Randerson, and the noble Lord, Lord Stevenson of Balmacara, that we have discussed some of the most critical issues, not only for this country but across the world. So many important points have been raised today. The generous noble Lord, Lord Stevenson, has already raised this. I fear I will not be in a position to respond to every question put by every noble Lord. I do promise that there will be a substantial letter with a detailed response. Your Lordships should be prepared for many pages. I want to ensure that points are covered fully either with my reply or with the letter.

From the outset I acknowledge and congratulate the right reverend Prelate the Bishop of Bristol and the noble Baroness, Lady Bennett, on their maiden speeches. They raised issues of profound importance and I look forward to their future contributions. I think it is fair to say that discussions on all the matters the noble Baronesses raise will be lively.

On economic affairs, I was interested in what my noble friend Lord Leigh of Hurley said in comparison with what the noble Baroness, Lady Jones of Whitchurch, opened with. Our view is that the fundamentals of the UK economy are strong. The measures in the Queen's Speech are built on economic progress over the last decade, a period during which our economy has grown by almost one-fifth and 3.6 million more people are in work. I am very glad that my noble friend Lady Redfern referred to the rural economy, where so many small and medium enterprises are established.

Wage growth has outstripped inflation for over a year and unemployment is down by 1.2 million since 2010. Youth unemployment has fallen by 47% and borrowing has been cut by over four-fifths as a share of GDP since 2010. I acknowledge, and in acknowledging I look at noble Lords on the Liberal Democrat Benches, that success would not have been possible if we had not taken difficult decisions from 2010. I believe it was in the national interest and responsibility that the public finances were restored. The noble Lord, Lord Macpherson of Earl's Court, was probably very much in the front line of some of those thoughts.

I picked up the words on austerity from a number of noble Lords. I think of the noble Lord, Lord Darling, then Chancellor, recognising that there had to be a retrenchment. When we cut through all this, the piece of legislation the Labour Government passed in 2010 was a recognition that matters had to be taken in hand. I am particularly mindful of what the noble Lord, Lord Livermore, said about fiscal caution.

I also think we are right to begin a new decade of investment and renewal. My noble friend Lady Neville-Rolfe set that out strongly. When I look at noble Lords on the Labour Benches, I do not dream for one minute that this is associated with them, but I and the Government would say that the current views of the present Labour leadership do not seem to chime with enterprise, private ownership or, indeed, success. I am mindful of what the noble Lord, Lord Bilimoria, said on these matters.

It is, after all, that economic engine that will always do all the things that noble Lords across the House have sought today.

I am grateful to the noble Lord, Lord Stevenson, for raising the tips Bill. I am afraid I do not have the answer on Northern Ireland yet, but that will be part of my letter.

On the issue that the noble Lord, Lord Fox, raised about fiscal rules, the 2019 spending round continues to meet existing fiscal targets. The Government will review the rules alongside updated forecasts at the Budget.

On the question about regulation from the noble Baroness, Lady Kramer, financial services will not see diluted regulation. We remain committed to world-leading regulation standards. Furthermore, the UK remains committed to equivalence with the EU in any scenario. But as my noble friend Lord Leigh said, it is essential that our regulation is reformed and responds to changes in the market to make sure that there is an appropriate balance—I emphasise “appropriate”—between investor freedoms and protections. Indeed, I understand that my noble friend is due to meet the Economic Secretary to the Treasury shortly, and I am sure some of those points will be outlined.

The noble Baroness, Lady Kramer, mentioned that there was nothing in the financial services Bill on fintech. The Government already launched the fintech sector strategy in March 2018 to show how the UK could remain the best place in the world for fintech. All announcements in that strategy have already been delivered. The UK has been independently ranked as the best place in the world to start a fintech business.

I am not sure the noble Lord, Lord Bilimoria, was in his place at the time, but he and the noble Lord, Lord Haskel, take contrary views on corporation tax cuts. The rate of corporation tax has been cut from 28% in 2010 to 19% now—the lowest in the G20—benefiting businesses large and small, we believe. I am afraid these are the words I must say: as normal, the Chancellor will set out the rates for all major taxes at the Budget, now due in November.

A number of your Lordships—particularly the noble Baronesses, Lady Jones of Whitchurch, Lady Parminter and Lady Mallalieu, and my noble friend Lady Browning—asked about standards and future trade agreements. Any future trade agreements must work for consumers, farmers, businesses and the UK. We will not water down our standards on food safety, animal welfare or environmental protection as part of any future deals. Yes, we want to negotiate an ambitious and comprehensive free trade deal with the United States, but any new products wishing to enter the UK market must comply with our high standards on animal welfare and food safety, for instance. We will not—I underline “not”—compromise on these standards. Indeed, WTO rules allow WTO members to adopt and maintain trade-restrictive measures on specified public policy grounds.

The noble Lords, Lord Fox and Lord Stevenson, asked about the trade Bill. Again, final decisions are still to be taken, but I have these words: we welcome your Lordships' work and it will certainly be taken into account. Legislation will ensure that we deliver

[LORD GARDINER OF KIMBLE]

certainty to business, seek continuity of existing EU trade agreements and establish an independent trade remedies authority.

The noble Lord, Lord Haskel, mentioned productivity. Funding of the national productivity investment fund has increased from £23 billion to £37 billion. We are determined to tackle the, I think, serious issue that this great country does not have the strongest productivity figures, and I believe it should. We need to work on that.

I turn to business and energy. Climate change is one of the most urgent and pressing challenges we face, as raised by the noble Baroness, Lady Jones of Whitchurch. I say to your Lordships' walking legend, my noble friend Lord Bates, that he is right—as we sometimes should be prepared to say—in speaking of our country's strong record on these matters, even when we need to do much more. It is fair and right that this Government wish to deliver their ambition to be the greenest Government ever. We also need to ensure that economic and environmental success go hand in hand. That is surely the major challenge.

Lord Bilimoria: My Lords—

Lord Gardiner of Kimble: I have very little time; if I take this intervention, I cannot answer any questions.

Lord Bilimoria: I am sorry. I apologise. I need to make a correction to the House. In my speech, I said that energy from renewable sources over the last three months was more than from conventional, but that was only for electricity. Electricity makes up only 18% of our energy, so we still have a lot to do. This was pointed out by a professor at Cambridge University.

Lord Gardiner of Kimble: I will cover the Environment Bill in more detail, but it is important, in signifying the bona fides of the Government, that today the Prime Minister announced that he will chair a new Cabinet committee on climate change. This will drive further action across government to protect our environment, reduce emissions and improve air quality, and it shows the importance of climate change to this Government. We clearly need to do a great deal on this, although I am going to cut in here to applaud the tree speech of the noble Lord, Lord Stone. We need more detail on this area. The noble Baroness, Lady Young of Old Scone, raised National Tree Week—23 November to 1 December. I am going to plant some trees, and I am sure every noble Lord here will too.

I move on quickly to broadband. My noble friends Lady Byford and Lady Redfern, and the noble Lord, Lord Stevenson, raised this and the importance of digital connectivity everywhere. As the Rural Affairs Minister, I stress its importance in the countryside. The Chancellor has already announced that £5 billion will be spent on gigabit connectivity to underpin the outside-in approach. I am also pleased with our ambition on mobile for the majority of the population to have access to a 5G signal by 2027, with much more coming in to improve the situation in rural areas. I will write more fully on that.

The noble Baroness, Lady Jones of Whitchurch, and the noble Lord, Lord Whitty, mentioned our carbon budgets. We outperformed our first and second carbon budgets. We are on track to exceed the third. The latest projections suggest that we are on track to deliver over 90% of our required performance for the fourth and fifth carbon budgets, but that is before taking into account many of the measures and proposals of our green growth strategy.

The noble Lord, Lord Fox, raised a point about the industrial strategy. The industrial strategy is a cross-government programme focusing on strengthening the foundations of productivity, encouraging innovation, supporting UK businesses and fostering growth in all parts of the United Kingdom. I am again speaking as the Rural Affairs Minister; the shared rural prosperity fund means across the nation. I agree with the noble Lords, Lord Fox and Lord Bilimoria, that we need to invest more in science and research. The UK has an ambition to spend 2.4% of GDP on R&D by 2027 and 3% in the longer term. This autumn, the Government will set out plans to boost significantly public R&D funding, providing greater certainty for our great scientific community.

Nuclear was raised by the noble Viscount, Lord Hanworth, and the noble Lords, Lord Bilimoria and Lord Broers. We are working to deliver an ambitious energy White Paper that addresses the transformation of the energy system, consistent with delivering net zero emissions. The Government continue to believe that nuclear has an important role. Our commitment to it has been clearly demonstrated by giving the go-ahead for the first new nuclear power station in a generation at Hinkley Point. We have the largest installed offshore wind capacity in the world, and annual support for renewables will be over £10 billion by 2021. The noble Duke, the Duke of Somerset, referred to hydrogen. We are investing up to £108 million in hydrogen innovation.

My noble friend Lord Arran spoke of the Appledore shipyard and UK shipbuilding. He made a very powerful speech and I appreciate all that he said about the closure. I hope that there is a positive story on this matter. As has been said, the Prime Minister has appointed the Defence Secretary as the new shipbuilding tsar. He will be tasked with looking at how a longer-term skill base can be achieved, and this will ensure that British shipyards can compete fairly across all UK contracts. I am most grateful to my noble friend for raising that.

Transport is clearly the lifeblood of our economy. We wish to invest record sums in our railways and start the vital process of modernising our airspace. In response to the noble Lord, Lord Stevenson, the Oakervee review on HS2 is under way.

I would like to say very much more on ultra-low emission vehicles. The *Road to Zero* strategy sets out a clear pathway to zero emissions. We are working extremely hard and are investing £3.5 billion to reduce transport emissions, improve air quality and protect wildlife and habitats.

Having spoken to my noble friend Lady Vere, I know that she will be delighted to facilitate a meeting for my noble friend Lord Bates with Chris Heaton-Harris

at the Department for Transport to discuss the issues raised. The noble Baroness, Lady Jones of Moulsecomb, spoke about cycling and walking. Almost £2 billion is being invested through the cycling and walking investment strategy. My noble friend Lord Bates does not appear to need any of that sum.

The noble Baroness, Lady Randerson, spoke about buses and I want to talk in particular about electric buses. The Government recognise that electric buses play a hugely important part in decarbonisation and in bringing about improvements in air quality. Since 2015, the Government have provided £90 million of funding for electric buses, and on 30 September this year we announced £220 million for a bus package.

I do not want to be remiss on agriculture and the environment. A great deal is promised in the legislation, with a commitment to tackle climate change, biodiversity loss and environmental risks to public health. All our efforts are guided by our pledge to bequeath a better natural inheritance than was left to us, bound by our commitment to reach net zero emissions by 2050. The noble Lord, Lord St John of Bletso, is absolutely right: we aspire to be a global leader, and indeed, when I go around many countries, it is clear to me that on climate change we are deemed to be such.

There were many questions on the Environment Bill. The first was from my noble friend Lady Byford and the noble Baronesses, Lady Parminter and Lady Young of Old Scone. The OEP will be operationally independent from government. It will be governed by non-executive members appointed through a regulated public appointments process. Ministers will not be able to set its programme of activity or improperly influence its decisions. The office will come into effect from January 2021, subject to the passage of the Environment Bill. The new independent office will ensure that when we leave the EU, its environmental standards will be upheld and improved. On resources and funding, the Secretary of State is required under the Bill to provide sufficient funding to enable the office to perform its function. On the non-regressive clause to which the noble Baroness, Lady Young of Old Scone, referred, we have no intention of weakening our current environmental protections.

I am not going to forget the importance of my noble friends Lord Shrewsbury and Lord Caithness, their visit to Allerton and the important research and practical work that we need to do in working with land managers. My noble friend Lord Inglewood asked what we thought the countryside was for. It is for the production of clean air; clean and plentiful water; thriving plants and wildlife; protection from and mitigation of environmental hazards; beauty, heritage and engagement; mitigation of and adaptation to climate change and—as the noble Baroness, Lady Mallalieu, would want me to say—very good food.

I also want to outline the importance of planting trees. Yes, I will of course arrange a meeting with the Minister and the tree champion for the noble Lord, Lord Stone. The tree strategy, which is so important, is coming forward. We need to work on tree pests; we have invested £37 million on tree health.

My noble friend Lord Caithness spoke about health issues. The chief executive of Public Health England has written to the House of Commons Science and Technology Select Committee on this issue. Overall exposure is expected to remain low and, as such, there should be no consequences for public health. My noble friend Lord Caithness is absolutely right about rural crime, and my visits to farms just last week show not only the seriousness but the fearfulness of it.

On agriculture and fisheries, we need to work extremely effectively. On the agriculture Bill, a number of points have been raised. We plan to make a number of improvements to the Bill, including making clear the importance of food production. That reflects carefully on the scrutiny in the other place and, I am sure, the scrutiny there would have been in your Lordships' House as well.

The noble and learned Lord, Lord Morris of Aberavon, is not in his place, so I think I will write to him fully on what we are doing in Wales, but we are working very effectively with the devolved Administrations on that.

So far as support for farmers is concerned—and I declare my own interest—it is very clear that we need to work particularly hard and effectively with farmers to ensure stability and certainty. That is why any projects we are funding that we have agreed before the end of 2020 will be funded for their full lifetime. Of course, as we said, we will retain the cash funds for the lifetime of this Parliament. I will write to my noble friends on labelling.

My noble friends Lady Byford, Lady Browning and Lord Caithness raised the food strategy. Henry Dimbleby is leading an independent review on this; a final report will be published in the summer of 2020 and a government White Paper will follow six months later. It is very important work. On food safety—again raised by my noble friend Lady Browning—I must be allowed, if the Chief Whip will ever speak to me again, to say again that this is really important. All food safety and public health import requirements will be maintained after exit. This is absolutely essential. The noble Lord, Lord Browne of Ladyton, spoke about plant security and biosecurity. Again, it is important that we have allocated resources to recruit additional inspectors. There are already more than 107 extra APHA inspectors, for instance. Invasive species are also my responsibility. The new Invasive and Alien Species (Enforcement and Permitting) Order 2019 is going to be a very important tool for us. On trophy hunting, I am also pleased to say that we will be consulting to restrict further the import and export of hunting trophies. The noble Baroness, Lady O'Neill, spoke about electoral campaigning. I must write to her on that.

At this point, I would have liked to have said many kind things to many noble Lords. I will ensure that the points raised by my noble friend Lord Shinkwin are answered. There is much more that I can write about and that is exactly what I will do. I apologise to the Chief Whip that I spoke for so long, but surely your Lordships' contributions deserve that.

Debate adjourned until Monday 21 October.

Northern Ireland (Executive Formation etc) Act 2019: Section 3(5)

Motion to Take Note

5.40 pm

Moved by Lord Duncan of Springbank

That this House takes note of the Report pursuant to section 3(5) of the Northern Ireland (Executive Formation etc) Act 2019, which was laid before this House on Monday 14 October.

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy and Northern Ireland Office (Lord Duncan of Springbank) (Con): My Lords, on 9 October reports were published providing an update on progress on executive formation, the transparency of political donations, higher education and a Derry university, the presumption of non-prosecution, Troubles prosecution guidance and the abortion law review. Today's report is a further update, in line with the obligations under the Northern Ireland (Executive Formation etc) Act 2019.

First, I take the opportunity to welcome the inclusion in the Queen's Speech of the Bill on historical institutional abuse. I look forward to working with colleagues across the House to get that Bill passed so that we can begin to see redress for the victims in Northern Ireland. The people of Northern Ireland have gone for over 1,000 days without an Executive and Assembly. While efforts are being made to bring the parties back into that Executive, the current period for executive formation expires on Monday 21 October.

With regard to the obligations set out in the executive formation Act, should no Executive be formed before 21 October, this Government will be under a statutory duty to change the law in Northern Ireland on access to abortion services, same-sex marriage and opposite-sex civil partnerships and to introduce a new victims' payment scheme. While every effort is being made to restore an Executive, appropriate steps are being taken to ensure that the Government will meet our obligations under the executive formation Act. In furtherance of that, an awareness campaign was launched last week to ensure that the people of Northern Ireland know how these changes to the law may affect them. Further information will continue to be provided in the coming weeks.

In the absence of a restored Assembly and Executive, the Northern Ireland Office has taken steps to ensure that the Government will fulfil our obligations on abortion. As part of the information campaign, on 7 October my department, working closely with the Department of Health in Northern Ireland, published guidance for healthcare professionals to provide clarity over the new state of the law and their duties and responsibilities. The guidance sets out the changes in law in this area from 22 October 2019 until a new regulatory framework is in place by the end of March 2020.

The immediate changes from 22 October, if the duty comes into effect, will be the repeal of Sections 58 and 59 of the Offences against the Person Act 1861 in Northern Ireland, meaning that no criminal charges can be brought under that Act against females who

have an abortion or against qualified—I stress “qualified”—healthcare professionals or others who provide or assist in an abortion. There will also be a moratorium on current and future criminal investigations and prosecutions in this area.

The Government will introduce a new legal framework for abortion to come into force by 31 March 2020. It is worth noting that during this interim period, from 22 October 2019 until the new legal framework is in place, all other relevant laws relating to the termination of pregnancy will remain in place. This includes Section 25(1) of the Criminal Justice Act (Northern Ireland) 1945, which makes it a criminal offence for anyone “in good faith” to assist or wilfully act to, “destroy the life of a child then capable of being born alive”, except where the purpose is to preserve the life of the mother.

From 22 October, women resident in Northern Ireland can continue to access services in England and will now have all of the costs of the procedure, including their travel and, where needed, accommodation costs, met by the UK Government. Healthcare professionals will be lawfully able to refer patients to services in England by providing the details of the central booking service or directing them to information available on the GOV.UK website.

It is anticipated that access to abortion services will not be routinely available in Northern Ireland until the new legal framework is in place by 31 March 2020. The guidance notes that if healthcare professionals choose to offer an abortion service to women during the interim period within the bounds of the relevant laws, they should do so in line with their professional competence and guidance from their professional body.

The guidance that we have issued also notes the state of play relating to conscientious objection, and what to do in cases where patients have purchased abortion pills online. Copies of that guidance will be lodged in the Library, and I am happy to provide further information or any updated versions as we go forward. To be clear, we will take forward all the work necessary to implement the new regulations by 31 March 2020.

In addition to changing the law on access to abortion services if the Northern Ireland Executive are not restored by 21 October, Parliament has an obligation to extend same-sex marriage and opposite-sex civil partnerships to Northern Ireland by 13 January 2020, and to introduce a system of victims' payments by the end of January 2020, to be in force by the end of May 2020. I beg to move.

5.45 pm

Lord Morrow (DUP): My Lords, I am sure the House is already aware that the necessary signatures have now been collected to recall the Northern Ireland Assembly on Monday. I hope I am not being premature, but I look forward to that. I think it will bring about changes in which this House should not dabble. The issues that the Minister has laid out before us today are all matters for the devolved Assembly. It is regrettable that that has not been observed and that the civil convention and all other conventions, including the much-heralded Belfast agreement, have all been kicked aside and ignored on this occasion. Hopefully, we will

see some movement on this issue on Monday, now that the necessary signatures are in place to call the Assembly.

However, if the Northern Ireland Assembly is not restored on Monday, the legal framework that will obtain on Tuesday is one that no self-respecting jurisdiction could entertain for a single day, let alone five months. Why on earth would anyone remove one law five months before the new law is ready to take its place? It beggars belief. It is unnecessary and, in this case, downright dangerous. If the Assembly is not restored on Monday—hopefully it will be—and if Section 58 of the Offences Against the Person Act 1861 is repealed, the only remaining abortion-specific statute in place will be Section 25 of the Criminal Justice (Northern Ireland) Act 1945, which engages only with the last stage of pregnancy.

From Tuesday, if the Assembly is not restored, abortion will become legal for absolutely any reason whatever—including gender—until between 21 and 28 weeks' gestation depending on when a child is capable of being born alive. This means that until this point the unborn child in Northern Ireland—uniquely in the United Kingdom—will have no legal protection whatever. On Tuesday, in Northern Ireland, an unborn dog subject to research at seven weeks' gestation will have more rights in law than an unborn human being at 20 weeks' gestation, thanks to the Animals (Scientific Procedures) Act 1986.

As a jurisdiction that has taken pride in the fact that the decision it made in 1967 means that 100,000 people are alive today who would otherwise not be, this is traumatic to say the least. It amounts to divesting us of an important part of our culture, our heritage and our people. If that was not enough, the legislation places the safety of Northern Ireland women in jeopardy in a way that, strangely, parliamentarians have not deemed appropriate for any other part of the UK. Repealing Section 58 without bothering to put anything in its place for five months is mind-boggling to say the least and has serious implications. Of course, the Government have sought to dismiss this in the report before us today by suggesting that the NHS will not significantly change how it deals with abortion until 31 March next year and that in the interim women should travel to England.

On that point, I pause to ask the Minister a rather important question—important to me, anyway. Who will pay for this travel? Who will pay for these abortions from 22 October? Will the bill be met from the Northern Ireland block grant or will it be paid by the UK Government? I look forward to hearing his reply.

This focus on the NHS does not change the fact that on 22 October it will become legal for anyone to provide an abortion in Northern Ireland, surgical or medical, until the point a child is capable of being born alive. It is not only the NHS that could provide abortions. On 22 October the door will be open wide for private abortion clinics. In this regard, I can cite an expert legal opinion from Ian Wise QC, who specialises in health and welfare legislation. He writes:

“It is important to recognise that because the 1967 Act does not apply to Northern Ireland and as there are currently no abortion clinics there, the detailed regulatory provisions governing

abortion clinics in England and Wales are not in place in Northern Ireland. It is possible the regulations introduced on 31 March 2020 might address this, but that would not change the fact that between 22 October 2019 and 31 March 2020 it will be legal for private clinics to operate in Northern Ireland without the same level of protections for pregnant women currently in place in England and Wales. Important safeguards are for example found in Regulation 20 of the Care Quality Commission (Registration) Regulations 2009 which contains ‘Requirements relating to the termination of pregnancies’. Among these requirements is the obligation to ensure that two medical opinions are provided before an abortion is carried out, a restriction on terminations after the twentieth week of gestation and the requirement for detailed records of terminations to be kept. The absence of these requirements in Northern Ireland leads me to the view that there is a real possibility that the safeguards currently deemed necessary in England and Wales will not be in place in Northern Ireland in the likely event that abortion clinics are opened there, at least between 22 October 2019 and 31 March 2020. Whereas this lacuna would have ordinarily been expected to have been addressed by the devolved Stormont Assembly, in the absence of a functioning Assembly there is a danger that important safeguards for women seeking abortions are not put in place”.

The legislation relevant to the conduct of private clinics, the Independent Health Care Regulations (Northern Ireland) 2005, does not mention abortion and has no regulatory impact in any event if at least one medical professional is also employed by the NHS. In England, by contrast, where the safety of women is taken seriously, a clinic can provide abortions only if the Secretary of State has granted an abortion clinic licence and both the clinic and the procedure are regulated. Comparatively, however, the women of Northern Ireland will be much more exposed between 22 October and 31 March 2020. Of course, I do not know whether any clinics will open and, if they do, how many will, but I do know, first, that the women of Northern Ireland should not be exposed to the potential for significantly fewer protections than the women of England and, secondly, that that this should be a legal potential from Tuesday constitutes nothing less than a failure of governance.

Far more dramatically, of course, the repeal of Section 58 means that the provision of abortion becomes legal in any context, not just in the context of a private clinic but in all other potential contexts. There is absolutely no regulation in place whatever. This means that it will be possible to provide abortions in any context between 22 October 2019 and 31 March 2020. Thus, extraordinarily, back-street abortions, with all the attendant safety concerns for women, will be de facto legal. The latest LucidTalk opinion poll of Northern Ireland adults shows that 60% of people are concerned about the safety implications of unregulated abortion for one day, never mind five months. Fewer than 30% disagree.

I noted with interest that during the equivalent debate yesterday in another place, when challenged about back-street abortions, the Minister, the honourable Member for Worcester, said:

“Concerns have been raised about supposed backstreet abortions. We should be very clear that repealing criminal offences specifically relating to procuring abortion does not repeal other relevant criminal laws that exist to protect individuals. Medical procedures are carefully regulated and have to be carried out, as has been noted, on regulated premises with appropriate quality and care oversight. The guidance we published should help to support that”. [*Official Report*, Commons, 16/10/19; col. 418.]

[LORD MORROW]

The implication of this statement is that back-street abortions will not become legal on 22 October up until the point at which a child is capable of being born alive. That is certainly not the opinion of Ian Wise QC or that of David Lock QC, which other noble Lords will have seen. The legal reality is unquestionably that Section 9 will make back-street abortions legal in relation to pregnancies where the child is not capable of being born alive between 22 October and 31 March. It is wholly unacceptable that such a situation should obtain for a day, let alone for five months.

I am also deeply concerned that on 22 October, women will be exposed to potential exploitation. In recent years there have been a number of cases where men have placed abortifacients in the drink or food of pregnant women. These actions have led to prosecutions and convictions under Section 58. Some have suggested that, going forward, women in this situation will be protected by Section 24 of the Offences Against the Person Act, which is similar to Section 58 in that it also deals with noxious substances. While not suggesting that the protection offered by Section 24 is without relevance, the legal opinion of Ian Wise QC questions its comparable efficacy. He writes:

“It is important to note that sections 23, 24 and 58 of the 1861 Act all make the administration of a ‘noxious thing’ a component of an offence. The context is however different, a difference that has been recognised by the courts. With respect to section 58 (which is of course specifically related to abortion) the courts have interpreted ‘noxious thing’ as being something that produces the effect mentioned in the statute, namely an abortion. The courts have however interpreted ‘noxious thing’ in relation to sections 23 and 24 as being related to the person to whom the ‘noxious thing’ is administered. For present purposes this means that a ‘noxious thing’ administered to a pregnant woman would have to cause harm to the woman to engage sections 23 and 24, the effect on the unborn child being irrelevant. The non-consensual administration of an anti-abortion pill to a pregnant woman, which causes an abortion but which does not harm the mother, which may have given rise to a criminal liability under section 58, may not give rise to such a liability under section 24”.

The irony of this is obvious. The movers of the amendment that became Section 9 told us that they were moving it because they wanted to advance the rights and interests of women. They have done the exact opposite when it comes to safety, certainly between 22 October and 31 March.

What troubles me in all this is the role of the Northern Ireland Office. Why did it not see the obvious dangers in Section 9? Why did it not say that the Government could not support a version of Section 9 that involved repealing the current law five months before the new law is in place? It would have been perfectly possible to draft Section 9 to mandate the development of new legislation and not to mandate the repeal of the current legislation until the new legislation is ready. Its failure to do this—especially as the Government are supposed to be neutral on abortion rather than protagonists for it—is extraordinary.

Although this problem is certainly the result of a gross failure of governance emanating from Westminster and Whitehall, the Northern Ireland Assembly could resolve the issue by restoring the Executive by Monday. I hope that will happen. I certainly use this opportunity to appeal to it to do so. I do not think that any Northern Ireland party, even those which support

significant abortion law reform, likes this legislation, which is more permissive than that in any part of the British Isles or indeed the rest of Europe. But I think that everyone is equally concerned—or should be—about the implications of this legislation for women’s safety in the substandard regulation, or none, of private clinics, depending on whether a member of staff also works for the NHS, in the scope for unqualified people to provide abortions anywhere and in the scope for men to insert abortifacients.

In this regard I appeal to all parties, including Sinn Féin, to study carefully Ian Wise QC’s legal opinion and to restore the Assembly on Monday. The first step has been taken. I hope and pray that we do not have to stand here again and meddle in things that have been devolved to the Northern Ireland Assembly. Those who manufactured the Belfast agreement told us then that Northern Ireland would be in control of its own affairs but, alas, that is not the case.

6.01 pm

Baroness Humphreys (LD): My Lords, I thank the Minister for introducing the debate. I also express my thanks to officials for the comprehensive report that has been published. Since the previous reports were published, we have marked 1,000 days since the Executive at Stormont collapsed—1,000 days in which Northern Ireland has been without a Government. This is shameful. During that time, we have seen the already often fractious relationship between the two biggest parties in Northern Ireland become even more damaged, due to a lack of respect and a seeming unwillingness to resolve the issues on the table. However, we on these Benches do not believe that the problems preventing the restoration of devolution are insurmountable. Indeed, the parties in Northern Ireland have come together in the past to resolve challenges far greater than those detailed on page 2 of the report. Perhaps the news today from the noble Lord, Lord Morrow, could point the way forward.

In the meantime, we have seen a worrying increase in levels of violence in Northern Ireland. In recent days we have seen a UDA mural unveiled in Bangor, with masked members of that paramilitary organisation openly posing beside it. A man was shot in a paramilitary-style gun attack in Newtownards. There have been around a dozen paramilitary gun attacks in Derry/Londonderry alone in the past 12 months, six of which occurred during August, September and October. A further security alert occurred on Monday night. There is absolutely no place for this kind of violence in a democratic society. The vast majority of people in the community in Northern Ireland want to make the transition away from paramilitaries and the associated intimidation and violence. We on these Benches remain committed to restoring devolved government as soon as possible.

The Secretary of State said earlier in the week that the parties would meet this week for further talks. Can the Minister confirm that such talks will include all the political parties in Northern Ireland, and give us a sense of how any discussions with or between the parties have gone since the previous report was debated in September? Having looked at the important policy issues of health, education, Northern Ireland’s economy

and the need for political stability there, we urge the Government to ensure that there is real impetus to the discussions in Belfast to restore the Executive.

The section of the report relating to transparency of political donations states:

“There is a broader longstanding convention that changes to legislation directly affecting political parties are not made without wider discussion and consultation between parties and the Government”.

Can the Minister tell us whether any discussions have taken place with the political parties about changing the current law on the transparency of political donations to backdate it to January 2014? We continue to believe that the issue of consensus on this matter misses the point. If the political parties want secrecy around how they are funded, does that make it right or fair to the public? I want also to reiterate the point that parties were told by the Electoral Commission to inform every large donor after January 2014 that their details would eventually be published, so donors would have known this when they chose to donate.

I thank the Minister and his officials for the details included in the section of the report regarding abortion law reform. Clearly, a huge amount of work is being done to ensure that, if the Executive have not been restored by next week, there is guidance in place for healthcare professions.

Finally, I welcome the commitment in the report to updating the House in the next month.

6.06 pm

Lord Mackay of Clashfern (Con): My Lords, I take part in the debate because a gentleman in Northern Ireland asked me to do so. As your Lordships know, I was responsible for the judicial system in Northern Ireland when it was extremely difficult because the danger to life for people accepting office was very real. Personally, I am very concerned so far as Northern Ireland is concerned.

First, if the Assembly assembles on Monday, and if an Executive are in place on Tuesday, all the dangers in this business will disappear. I therefore emphasise as best as I can the responsibility resting on the Members of the Assembly, and on the Members who could constitute an Executive, to take their opportunity to act—otherwise, they pose a dangerous risk to the pregnant women of Northern Ireland. I will deal with this issue in a minute or two but I want to emphasise that point. Surely this should weigh with the people responsible so that, on Tuesday, we have a working Executive. Then, all the difficulty described in considerable detail by the noble Lord, Lord Morrow, will not, in fact, take place.

If all that does not happen, the danger is considerable because the 1861 Act, along with the relevant provisions, will be taken out of the law of Northern Ireland. So far as I know, no other law protects an embryo up to the time when it is sufficiently mature to be delivered in a way that will bring forth life. Therefore, the object of this provision, which was put into Section 9 of the Act, was to help the women of Northern Ireland. I cannot think of a greater danger to the women of Northern Ireland than allowing unrestricted abortion again. It is a very serious matter. It does not affect clinics and so on; as has been pointed out, no real

protection is available through the clinics because they escape registration if one employee is employed by the National Health Service.

Apart from that law, there is no protection whatever for embryos up to the point of sufficient maturity for life. Therefore, the back-street abortions that were the great burden of life before the Bill of the noble Lord, Lord Steel, will again be possible in Northern Ireland. I do not know, and I do not suppose many of your Lordships know, how many of these would happen, but the Government and those responsible for the management of government in Northern Ireland will carry the responsibility if that happens.

Therefore, I will do my utmost to persuade the Members of the Assembly to meet on Monday and constitute an Executive on Tuesday, because then all this difficulty will immediately disappear.

6.10 pm

Baroness O’Loan (CB): My Lords, I will talk about abortion and the return of the Assembly. It is really important that we remember why we are debating this provision; it is because of the recommendations of the report produced by the CEDAW committee, which were deemed to be so imperative because of concern for women’s rights in Northern Ireland. When moving the provision that became Section 9, the honourable Member for Walthamstow in another place said that she wanted women in Northern Ireland to have the same rights as women in England and Wales.

We need to keep this in mind as we consider the Secretary of State’s report and what it says about the period between 22 October 2019 and 31 March 2020 if regulations are not laid before then. The report acknowledges that during this period the law will not be quite all that it should be and seeks to deal with that problem by saying that,

“there are no plans for additional services to be routinely available before 31 March”.

That is a curious statement. It seems to be predicated on the thoughts that if additional abortion services were made available they would be provided by the government-controlled National Health Service, and that the Government can prevent abortions being provided in the new legal void by simply instructing the NHS not to provide them.

There is a huge problem with that approach, which the noble Lord, Lord Morrow, and the noble and learned Lord, Lord Mackay, have referred to: that the NHS will not be the only body which will be able to provide abortions lawfully during this period. Unless the Assembly is restored, Sections 58 and 59 of the Offences against the Person Act will be repealed and only two laws engaging with abortion in Northern Ireland will remain. Under the Criminal Justice Act (Northern Ireland) 1945, as noble Lords have heard, abortions cannot take place lawfully from the time at which a child is capable of being born alive. The presumption in the Criminal Justice Act is that that is 28 weeks, but we know that babies now routinely survive at 22 weeks. It means that there will be a legislative void regarding abortions until that point.

Abortion procedures are dangerous, so responsible governance provides legislation regulating how they should be provided. In England, for example, every

[BARONESS O'LOAN]

private abortion clinic must have a licence. The licence is not a generic clinic licence but a specific abortion clinic licence, and clinics have to perform to required operating standard procedures. Under Regulation 20 of the Care Quality Commission (Registration) Regulations 2009 there are requirements relating to the termination of pregnancies, including an obligation to ensure that two medical opinions are provided before an abortion is carried out, a restriction on who can carry out abortions after 20 weeks, because of the risks, and a requirement for detailed records to be kept.

The English legislation very properly recognises that the procedure of abortion requires abortion-specific regulation of both the premises and the procedure. In addition, under the Health and Social Care Act 2008 and associated regulations, any person who offers or undertakes abortion carries out a “regulated activity” and has to be registered with the CQC. Subject to limited exceptions, it is a criminal offence to carry out a regulated activity unless you are registered for the provision of that activity. So in England the practitioner, the location and the process are all subject to regulation. None of this regulation, designed to protect women and their unborn children, will apply to private abortion clinics in Northern Ireland which, unless the Assembly is restored, will be free to operate until regulations are laid.

From Tuesday, any provider of medical abortion services by a doctor at an independent clinic has to be registered under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003. If it is registered, the clinic will be inspected and its services will be quality assured, but only as generic clinic services. No specific reference is made to standards for abortion. Moreover, this is the real danger: if the regulations say that if one medical professional who works for the National Health Service works in the clinic, it does not have to be regulated or assessed by the RQIA, so there is lots of scope for private abortion clinics employing one registered medical practitioner working for the NHS not to be subject to any regulation at all. Even worse, there will be no prohibition on anyone without medical qualifications providing abortion services in any context, and no prohibition on women accessing abortion as long as they give consent. I have to remind noble Lords that if there is a challenge as to whether a woman has given consent, it can be determined only after the event.

As the noble Lord, Lord Morrow, and the noble and learned Lord, Lord Mackay, referred to, we have seen legal opinions on the law in this area. David Lock, an eminent lawyer in the field of NHS and medical legislation and a former Labour MP, has written this:

“A person who was not a doctor (whether a nurse, other clinical professional or with no qualifications) who provides abortion services outside any form of clinic, agency or establishment does appear to not need to be registered under the 2003 Order. Further, there does not appear to be any other regulatory regime that will apply to such a person or any law which means that such a person will necessarily be acting unlawfully”.

He concedes that other criminal offences may be committed depending on the precise facts. He also says:

“In general, under the common law it is lawful to do anything unless there is a specific legal prohibition against doing that thing. Thus an individual is entitled to carry out any form of activity

unless the activity is regulated by law and the regulatory framework imposes restrictions on the way in which the activity can be undertaken”.

There will be no such regulation and no framework for Northern Ireland until we see what the regulations say, possibly as late as 31 March 2020. David Lock goes on to say:

“It follows that an unintended consequence of section 9 of the 2019 Act may be the possible return of unregulated ‘backstreet abortion’”.

I know that this was discussed yesterday in the other place and I heard the Minister, but I think that the other place was labouring under a misunderstanding about the actual state of the law in Northern Ireland after 22 October if the Assembly and Executive are not formed. That is why I have set out the law as clearly as I can. This point was also raised last month by the Northern Ireland Human Rights Commission when it referred to the fact that the,

“likelihood of individuals resorting to potentially unsafe practices remains while prosecutions under the criminal law have been removed and the healthcare process has not been established”.

If even one mother or one baby suffers as a consequence of this legislative void, this Parliament will be responsible, as will be those who do not return to the Assembly. That is a very sombre thought.

In addition, the new guidelines issued by the Secretary of State state that,

“there is no expectation that general practitioners (GPs) will prescribe medication for early medical abortion”.

Such medication should be taken only up to nine weeks and six days of pregnancy. In England and Wales, this medication is available from private services because GPs do not provide abortion services. David Lock QC has also advised that,

“there is no legal bar on a GP issuing a prescription for medication for an abortion (either privately or as part of NHS funded care). These are ‘prescription only medicines’ which a GP would be fully entitled to prescribe for his or her patient if the GP considered that it was clinically appropriate to do so”.

So there will be no legal bar on women asking GPs for medication. The Government’s expectation therefore seems irrelevant.

What then of the rights of conscientious objection, which are required to give effect to the protection of human rights of medical practitioners? A couple of weeks ago, over 800 healthcare professionals wrote to the Secretary of State to oppose the imposition of this new regime, saying,

“our consciences demand that we not be silent”.

The medics say that they,

“wish to make known our opposition to the imminent introduction of abortion in Northern Ireland”,

and that their,

“concern throughout is for pregnant mothers and their unborn children”.

The only reference to conscience in the recent report by the Secretary of State is that current UK law permits conscientious objection only in “hands-on situations”. This is entirely inadequate—there is no legal definition of hands-on situations. However, it is also inadequate to suggest, as the report does, that medical practitioners should consult the GMC and other professional bodies.

The reality is that that does not provide any guidance to medical practitioners during the lacuna period from 22 October. Of course, it is not possible to provide such guidance in the absence of regulation. The UK professional guidance is predicated upon compliance with existing law. That law does not apply here.

As the noble Lord, Lord Morrow, said, the situation is entirely unnecessary; government could have behaved entirely differently. When Back-Benchers come up with proposals that have dangerous unintended consequences—I am absolutely sure that neither the Minister here, the Secretary of State nor anybody else intended that this situation would prevail—it is the job of departments and Ministers to point out those dangerous unintended consequences. It is also their job to point out that the dangers can be avoided with a proper understanding of the imperative—or lack of it, as I would argue—attached to the findings of the UN committees. Government should have insisted that our existing legislation should not be repealed until such a time as there was new legislation to take its place.

With that in mind, I introduced my Northern Ireland (Executive Formation etc) Act 2019 (Amendment) Bill the day after the Act received Royal Assent to change the date of the repeal of Sections 58 and 59 to the time when the new regulations are introduced, thereby doing away with this dangerous five-month period, and seeking the consent of a majority of MLAs to any new proposed regulations tabled under the Act. In this sorry, sad, dangerous situation, the Secretary of State must do everything he can between now and Monday to get the Assembly Executive up and running by Monday. The political parties in Northern Ireland are under an even greater obligation to do so.

As we speak, some 26,100 people have signed my petition to the Secretary of State and to MLAs calling for the recall of the Northern Ireland Assembly and for it to become operational. A petition by unionist MLAs has been laid for the recall of the Assembly on Monday, as the noble Lord, Lord Morrow, informed the House. The Assembly will now be recalled on Monday and, for the first time in over 1,000 days, at this time of extreme urgency—not just because of the abortion provisions but because of Brexit and all the other things that affect Northern Ireland so terribly—the Assembly will gather. There are people who say this is a political stunt, but the people of Northern Ireland have been calling for the Assembly to reconvene for years. This is no political stunt. As I said in my letter to the Secretary of State on Monday:

“We need our own legislature to deal with matters relating to Brexit, to all the numerous and urgent problems which exist in Northern Ireland, and most of all to deal with the difficulty of the situation with regard to abortion if the assembly and executive are not reformed”.

I appeal to all those who do not share my views on this matter to study the David Lock and Ian Wise opinions to which the noble Lord, Lord Morrow, referred, and to recognise the hazards to the safety of women and their unborn children, of which I have spoken tonight, and so to restore the Executive. An opinion poll just released by LucidTalk shows that 60% of people in Northern Ireland are concerned about the prospect of unregulated abortion for one day, let alone five months.

I cannot express too strongly the fact that the 26,000-plus people who signed the petition come from all parts, all parties and all communities in Northern Ireland and represent so many nationalities. I have watched the signatures rolling in. I can see the different nations of the world represented among the signatories. I can see people I know and do not know, but because of the way we work in Northern Ireland, I know that they come from all parts of the community.

I say to Northern Ireland’s elected politicians: respond to this opportunity; respond to the call to appoint an Executive and get back into government. I know that only our politicians can do this. We, the people, have waited long enough.

6.25 pm

Lord Bates (Con): My Lords, the final few sentences of the remarks of the noble Baroness, Lady O’Loan, were exactly what I sought to say. As was stated eloquently by the noble Baroness, Lady Humphreys, I wanted to express a heartfelt desire for those vital institutions in Northern Ireland to be restored and to function. My noble friend, who is doing incredible work in Northern Ireland as a Minister, said in this House on 9 September:

“Without an Executive, the people of Northern Ireland have seen the quality of their public services decline, and decisions that affect their day-to-day lives kicked into the long grass. The people of Northern Ireland deserve better”.—[*Official Report*, 9/9/19; col. 1356.]

I was reminded of that when there was a march on Sunday to mark 1,000 days since the Assembly had sat. I read a number of speeches from that day. One was from Nichola Corner, the sister of Lyra McKee. She said:

“Our elected politicians continue to let their differences be barriers to progress, peace and change and have transformed the word concession into a dirty word and use it to refuse to honour the will of the people and work together”.

I read of another group called Our Future Our Choice—a group of young people attending the march. It said:

“The children of the peace process deserve better than this. We have been left without oversight, without decision making and without leadership”.

I was in Belfast on Good Friday this year, as my wife and I began a walk in search of common ground over Brexit, believe it or not—a long time ago, but still relevant, I think. We were beginning a walk from Belfast to Brussels and chose Belfast to start because of the Good Friday agreement. We believed that that was an occasion when, through political courage, people stood up and came together, rising above their differences and reaching out to each other to bring about peace.

As we began that walk from Belfast, news was coming through of the murder of Lyra McKee, which was of course a very significant moment. I remember when Arlene Foster went to the Creggan in Londonderry, stood side by side with Sinn Féin and said: “Your pain is our pain”. It was an incredible moment. The president of Sinn Féin responded by saying that these people were not going to drag Northern Ireland back into the dark days of violence, and she recommitted herself to the peace process.

[LORD BATES]

A week later there was the incredible service in St Anne's Cathedral, a memorial for Lyra McKee, in which Father Martin Magill asked why in the name of God it took the death of a brilliant 29 year-old woman to bring them all together under one roof. At the end of that powerful address, the entire cathedral, including the leaders of all the political parties, stood up to applaud that sentiment.

And yet—as I was going to say—still we wait and still we hope that this will be brought about. I hope and pray that the reports we are hearing of a possible restoration of the Assembly and formation of an Executive are true, not just for those of us in this place but for all the people of Northern Ireland and for the peace process, in which so many in this House have invested time, treasure and hope.

6.30 pm

Lord Alderdice (LD): My Lords, I am grateful for the opportunity to speak briefly in the gap. I declare my interest as a medical graduate from Northern Ireland and formerly a medical practitioner in Northern Ireland.

Lest the House be in any way misled, we should be clear that there is no prospect of the resumption of an Executive at the beginning of next week. The recall of the Assembly has been at the request of unionist Members only and an Executive cannot be formed on that basis. Let us be clear: it is not going to happen.

I refer to the issue of the Ulster University graduate medical school in Derry/Londonderry. I have three brief points. First, let us not forget that the decision to locate the University of Ulster's main campus at Coleraine is still a sore point for many people in Derry/Londonderry. It was one of the great aggravations of the 1960s and it has not gone away. Whether the Ulster University graduate medical school is established is not a neutral question. It is still a painful question that refers back to the 1960s decision, which was a bad decision.

Secondly, it is not purely an education and health decision, as implied by the report. It is also an economic decision, because one value in having graduate entry for medical students is that it attracts people from other parts of the world who are prepared to come and pay substantial fees. For example, many of the young psychiatrists I see now from the United States of America as part of their training have graduated from Caribbean medical schools and completed their training in the United States. Many Caribbean islands with good medical training facilities, from the University of the West Indies, for example, are able to do very well, so this is an economic question as well.

Thirdly, it is not possible simply to turn on a tap for a medical school. Graduate entry occurs at only one time of the year. If an opportunity for graduates to come in next year or the year after is lost, it will be at least another year or more before there is another opportunity. Since this has been waiting for some time, the kind of academics who were prepared to set up a school will move on if it keeps being delayed. I appeal to the Minister: sadly, in the likelihood that we will not have a devolved Executive, can this issue not be looked at again and pushed for? It is not a matter of

dispute in Northern Ireland. People right across the community, even at Queen's University, want to see this development. Can it not be looked at and implemented soon?

Baroness O'Loan: Is the noble Lord aware that nationalists have indicated that they will attend Stormont on Monday. I do not know whether there will be an Executive, but I do know that nationalist politicians will be there and I encourage every politician to be there.

Lord Alderdice: I am aware that many may attend. That is not the point. The issues being referred to cannot be decided by the Assembly in the absence of an Executive. Anybody who knows about the politics of Northern Ireland—and the noble Baroness does—knows perfectly well that this is not yet the time for some people to participate in the Executive. That is political reality and it is ill advised for the Chamber to feel that another possibility for next Tuesday is a real one.

Lord Caine (Con): Before an Executive can be formed, the first item of business is the election of a Speaker, as the noble Lord well knows, having served in that position himself. There is absolutely no prospect on Monday of a Speaker being elected.

6.34 pm

Lord Murphy of Torfaen (Lab): More is the pity—of course a Speaker should be elected. We should have an Assembly and an Executive up and running in Belfast, but I agree with the noble Lord, Lord Alderdice, whose experience in these matters is enormous, that it is not going to happen. However, this short debate is important to deal with the issues in the current Act—and to do so at the time we are debating it.

I have huge sympathy for noble Lords who have spoken about the issues that should be devolved, whether the sensitive issues of abortion and equal marriage, victims' pensions or the university in Derry. These are all hugely important, of course, and people have different views on them, but I did not spend three years of my time chairing the talks on strand one of the Good Friday agreement, setting up the Assembly and Executive, not to agree with devolution. These things should be for the devolved Assembly and Executive, and the noble and learned Lord, Lord Mackay, rightly said that is the only solution to this. It is a great pity that they have not been set up before today, because those issues would then be before the Assembly and Executive in Belfast—but it has not happened.

Looking at the events of the past 24 hours, I suppose one thing has changed with regard to how the Government deal with Northern Ireland. It was good to see the Taoiseach and Prime Minister in Cheshire and to hear that they talked on the telephone last night and that relations between Ireland and the United Kingdom are beginning to get better. But one of the tragedies of the past 1,000 days is that the British and Irish Governments could have come together more frequently, maybe delegated by the other 26 members of the European Union. I am convinced that had that happened, the two Governments would have been able

to deal with the detail currently being dealt with and the talks would have been more serious than they were. The talks should have had an independent chair and involved all parties equally, and the two Prime Ministers should have bothered to go to Belfast more, because frankly it was farcical when they did. They made only day trips to Belfast, and you just cannot produce results like that. However, I hope they have learned how you can do things from the last week.

I make no comment on the deal other than this. If it eventually goes through, it is partly a result of the Irish and British Governments having actually started talking to each other properly. They are the co-guarantors of the Good Friday/Belfast agreement. It is an international treaty lodged with the United Nations and should have been treated as such. We have had 1,000 wasted days with no shape, no structure and no form to the talks, but I am optimistic about the present Secretary of State. He is working extremely hard with his counterpart in Dublin and the political parties in Northern Ireland—which, at the end of the day, are of course key to all this.

I hope Sinn Féin decides that it will engage in proper discussions with the DUP on setting up the Assembly and Executive. I know the DUP plays a hugely important role in all these matters, but I remind your Lordships that it is only one side of the story. In all the arguments about consent that we have listened and are currently listening to, both sides in Northern Ireland have to agree. The principle of consent—that you had to get them to agree—was the genius of the Good Friday agreement. I hope that is embedded in any deal.

There is some optimism about the restoration of the Assembly and Executive. If they are not restored, we will come back to this House time and again to deal with issues such as this, which should properly be matters for those elected in Northern Ireland. I still fear that the Good Friday/Belfast agreement has been seriously dented by the events of the past two or three years. It is a matter of great sorrow to me personally but, much more significantly, of great sadness to the people of Northern Ireland, who, quite frankly, deserve better.

6.39 pm

Lord Duncan of Springbank: My Lords, I begin where I think we need to begin. Everyone in this House is of the same view that we need to restore an Executive in Northern Ireland. There is no doubt about the importance of that, not just going forward, but for what could have been achieved, which we will never know. However, my right honourable friend the Secretary of State for Northern Ireland has been working tirelessly, and I am pleased that the noble Lord, Lord Murphy, has recognised that. He has been straining every sinew to try to bring the two principal parties and all the other parties together. In response to the question asked by the noble Baroness, Lady Humphreys, we have made and will make every effort to bring the five parties together to move that forward.

The challenge, however, is that the obligations of the Northern Ireland (Executive Formation etc) Act fall on the shoulders of the United Kingdom Government

early next week. While the Assembly may seek to convene—I do not doubt it will do so—and while I do not doubt that there may be a broader base of attendance than might have been expected, it is unlikely to be able to deliver on those issues that some noble Lords have wished it to do this evening, for the reasons raised by my noble friend Lord Caine and the noble Lord, Lord Alderdice.

I say that with some regret because we all recognise the value of that. As has been pointed out by the noble Lord, Lord Murphy, this is a time when we would have valued that information. But I do not believe that, unless we make some serious progress on Monday, we will face anything other than the reality that the United Kingdom Government will take forward their obligations. That is how the Northern Ireland (Executive Formation etc) Act was formed. We did so recognising that, once we had taken on the obligation, we would see it through to its fulfilment. Whether that is deemed right or wrong, it is the law of the land and is exactly what we will do.

I shall take some of the points in reverse, as that may be easier. In response to the question from the noble Baroness, Lady Humphreys, about donations, the issue is that none of the parties has expressed any change in its view about backdating. The sister party of the Liberal Democrats here, the Alliance Party, has pushed strongest and most consistently for backdating, but other parties, notably the DUP and UUP, were keen for this to be a point going forward. Some of the other parties did not express a view on this, but none has changed its view. I am happy to write again to the noble Baroness with more details, but in the recognition that we need to bring this area to rest. I will write on that point.

My noble friend Lord Bates kindly brought the issue back to where we need to focus, for we are here today doing something that should be done elsewhere. As a number of noble Lords have observed, we have seen a deterioration of the situation in Northern Ireland, which is much to be regretted. The political vacuum that exists now will continue to be a problem. What we are doing here today is trying to address certain issues, in but a small moment in time. In truth, until an Executive is formed and the devolution situation works, we will not have adequate governance in Northern Ireland.

I hope that the deal spoken of by the noble Lord, Lord Murphy, delivers for Northern Ireland. I hope that that happening will take away one of the principal obstacles to the parties coming back together. We should be under no illusion that Brexit has been a factor in the parties' approach to the situation. It would be remiss of me not to point that out. I therefore hope that a deal will remove one of the stumbling blocks—not the only one—and allow those parties to return to government, but, at present, we look forward to that, rather than being certain that it will happen.

I now turn to the conspicuous and very serious issue that has been raised by a number of noble Lords. That is abortion. I state at the outset that I believe this matter should have been taken forward by a devolved Executive. I am happy to put that on record once again. It will not be so; it will be taken forward by us.

[LORD DUNCAN OF SPRINGBANK]

We have debated this more than once, and I want to correct some of the statements that I believe have been made in error.

The five-month period we talked about is the most challenging aspect of this. At the outset, we need to recognise that abortions in Northern Ireland can take place only in a registered clinic. Some have said that this can simply be circumvented if there is but one NHS employee. That is not true. The clinic still has to be registered and the NHS employee taking part needs the permission of the NHS commissioners. That has to be done formally. Therefore, this is not *carte blanche* for people to create an opportunity in secret, whether in a front street, a middle street or a back street. It was not designed to be that and it will not be that.

Baroness O’Loan: Perhaps when the Minister gets away from the House he could look again at Regulation 5.

Lord Duncan of Springbank: I am very happy to state categorically that in any clinic, even if it has one NHS employee, that employee must have the permission of the NHS commissioners. I will write on this point and lodge the letter in the Library to make it very clear that we eliminate this as an issue that might percolate back to Northern Ireland in a nefarious and bad fashion. Equally, it is important to stress that, should there be an attempt by any private clinic to seek registration, it will not be a simple or quick procedure. Certain obligations must be met, and they will be met very carefully during this period. It is important to stress that anyone who seeks to open a clinic that is not registered or that operates without due diligence will be subject to the criminal law, and that law will be broken if they do that. It is important to appreciate that in Northern Ireland.

Further, any independent practitioner who might wish to set up a practice must register with the Care Quality Commission. Therefore, again, it is not simply a question of wish fulfilment; they must undertake legal obligatory steps. The premises would need to be established and investigated, and it would be necessary to ensure that they met those criteria. I note that the period that we are talking of is five months. I also note that almost anything involving bureaucracy does not get resolved in five months.

It is also important to set out very clearly that guidance has already been issued by the GMC and the royal colleges to the practitioners in Northern Ireland so that they are aware that, should we be unable to form an Executive, those are the conditions under which they will operate. Any noble Lord who wishes to see those conditions can consult the Library or go to GOV.UK. We have been very clear and transparent, ensuring that they are clear.

Baroness O’Loan: I am very sorry and I do not intend to interrupt the Minister repeatedly but I would like to ask whether he accepts that the GMC guidance is predicated upon the Abortion Act 1967 and the obligations of doctors under that Act. In fact, the GMC is not a regulatory body or a law enforcement body, and practitioners in Northern Ireland cannot be asked to be bound by legislation that does not apply or guidance relating to legislation that does not apply.

Lord Duncan of Springbank: To be very clear and to correct that, it is not the GMC’s guidance; it is our guidance. It is the Government’s guidance that we have asked it to pass on to ensure that practitioners are fully informed about and entirely aware of their obligations. It is fully transparent. If any noble Lord wishes to see it, they can consult the website and it is also in the Library.

The noble Baroness raised a number of issues, particularly with regard to the conscientiousness element. I note that a number of practitioners may well have written on this matter. That is important, but I stress categorically that they are entitled to exercise their conscience in this matter and will not be obliged to act against it unless they find themselves in a situation in which the life of the female is endangered. The professional obligations will kick in at that point and they will be obliged to save the life of the female. However, it is important to stress that nobody will be obliged to act against their conscience. Importantly, from 22 October onwards, we will be consulting very broadly to make sure that we get the language absolutely correct. We have no desire to place anybody in the invidious position of having to act against what they believe, so we will make sure that there are consultations. We are looking not just at the medical professions or professional bodies but at the religious groups that might be affected.

I listened with some interest to the notion of noxious substances, raised by the noble Lord, Lord Morrow, and the deliberate attempt to abort a foetus by a dominant male administering the process. I note here that there are a number of laws in Northern Ireland that would be absolutely applicable should an individual seek to abuse the body of another person in this regard. They carry with them very significant sentences. At present, the law has not been used in this regard, but it certainly could be. There would be no question that somebody could, with some sort of lightness of touch, escape from criminal justice in this regard. I would like to make sure that nobody in Northern Ireland is of the view that there may be secret poisonings that could somehow go both unreported and unaddressed. That would be the wrong thing to take from this debate here today.

I recognise that there are going to be challenges in each of these areas, but I want it to be clear that during this particular period there is no *carte blanche* but rather a recognised period of necessity until we are able fully to frame the law as needs be—the law that we wish to see that will come in in March. The laws now in existence will protect the mother from poison or other abuse of that nature. There are existing laws that protect the viability of a foetus that could be born alive. Although we might argue where that particular window might rest—it is between 22 and 28 weeks—it will be on a case-by-case basis, determined not by us here or others, but by the practitioner who is involved in the delivery of that medical situation. That is as it should be.

This is not a legal free-for-all. It is not an opportunity for those in Northern Ireland to create a whole new sector of abortion clinics. It is a recognition that, in Northern Ireland, there are challenges because of the situation over the years with the abortion law. As I said before, I would have much preferred this to have

been done elsewhere, but it will not be so. It is therefore important for us to ensure that we do all we can to ensure that during that period the health and well-being of females is paramount. That is our guiding light and that is what we are seeking to do.

We do not believe that during that period there will be a fully-fledged abortion regime put in place because of the challenges that will exist within that, not least just trying to make it so. That is why we are making sure that those who wish to seek an abortion are able to do so in England, and that all costs will be met; and that advice and information can be given by medical professionals without fear or recourse to the criminal law to females to make that decision for themselves. They can, at that point, come to Great Britain to undertake that particular medical procedure.

However, the issue that we need to be more conscious of is the notion of people buying medicines online. The difficulty there is that it is not just for abortion purposes: more widely, there is a criminal offence of individuals selling those particular medicines unprescribed. Again, should a female find herself in a situation where she is suffering because of this, she can now go to a medical professional and seek the necessary help to ensure that she is safe and well. That is important. We need, as a Government, to consider how medicines are now being marketed or purchased online, because health is much more difficult to ensure when we are unable to be sure what the medicines themselves are. That is even if they are what they claim to be, let alone when they are not what they claim to be.

I realise that this is not where any of us would wish to be, but it is important for me to stress that, going forward, the most important issue will be the health and well-being of the females of Northern Ireland. We will do all we can to ensure that that is so, and we will make sure that where we can offer that guidance, it will be understood by those who now will be able to take forward their own approach to the question of abortion. After March, there will be a fully-fledged regime in Northern Ireland. I hope that this period will give us the opportunity to ensure that it is fit for purpose and carefully constructed, and that it recognises the challenges that we have witnessed in the debate this evening and, more widely, the question of people's own conscience and views.

The important thing today, however, is to recognise that we need an Executive in Northern Ireland. On that we can all be absolutely clear. I can assure noble Lords that I do not want to be back doing this again. The important thing for us all right now, however, is to hope that the deal itself might well bring a new opening and a new opportunity for Northern Ireland; and that the parties themselves recognise that there is a way forward and that they can begin to work again in the interest of the people of Northern Ireland. They are better fit and able than we are to do that. On that basis I would like to close my remarks.

Motion agreed.

House adjourned at 6.54 pm.

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