

Vol. 802  
No. 29



Tuesday  
25 February 2020

PARLIAMENTARY DEBATES  
(HANSARD)

HOUSE OF LORDS  
OFFICIAL REPORT

ORDER OF BUSINESS

Message from the Queen.....	115
Questions	
War Widows' Pension.....	115
Housing Insulation.....	117
Afghan Interpreters: Security Clearance.....	120
Flooding Compensation.....	122
Sentencing (Pre-consolidation Amendments) Bill [HL] ( <i>Law Commission Bill</i> )	
<i>Order of Commitment</i> .....	124
High Speed Rail (West Midlands–Crewe) Bill	
<i>Motion to Agree</i> .....	124
Flooding Update	
<i>Statement</i> .....	128
Immigration: Points-based System	
<i>Statement</i> .....	139
Birmingham Commonwealth Games Bill [HL]	
<i>Committee</i> .....	151
Birmingham Commonwealth Games Bill [HL]	
<i>Report</i> .....	203
Electricity and Gas (Energy Company Obligation) (Amendment) Order 2019	
<i>Motion to Regret</i> .....	203
<hr/>	
Grand Committee	
Trade: Standards	
<i>Question for Short Debate</i> .....	GC 67
Post Office: Horizon Accounting System	
<i>Question for Short Debate</i> .....	GC 82
India: Citizenship (Amendment) Act 2019	
<i>Question for Short Debate</i> .....	GC 96
Gypsy, Roma and Traveller Communities: Inequalities	
<i>Question for Short Debate</i> .....	GC 110

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

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

*This issue of the Official Report is also available on the Internet at  
<https://hansard.parliament.uk/lords/2020-02-25>*

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

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

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

© Parliamentary Copyright House of Lords 2020,  
*this publication may be reproduced under the terms of the Open Parliament licence,  
which is published at [www.parliament.uk/site-information/copyright/](http://www.parliament.uk/site-information/copyright/).*

# House of Lords

*Tuesday 25 February 2020*

2.30 pm

*Prayers—read by the Lord Bishop of Peterborough.*

## Message from the Queen

2.37 pm

**The Lord Chamberlain (Earl Peel):** My Lords, I have the honour to present to your Lordships a message from Her Majesty the Queen, signed by her own hand. The message is as follows:

“I have received with great satisfaction the dutiful and loyal expression of your thanks for the speech with which I opened the present session of Parliament.”

## War Widows' Pension Question

2.37 pm

*Asked by Baroness Crawley*

To ask Her Majesty's Government, further to the announcement by the then Prime Minister on 8 November 2014, what plans they have to reinstate the war widows' pension for those widows who were required to surrender that pension due to marriage or cohabitation.

**The Minister of State, Ministry of Defence (Baroness Goldie) (Con):** My Lords, in 2014 the then Prime Minister announced that changes would be made to the rules of the war pensions scheme and armed forces pensions scheme from April 2015 onwards. The amendments allow survivors' pensions to be paid for life—known as pensions for life—for widows who remarried or cohabited on or after 1 April 2015. These changes were applied on a prospective basis.

**Baroness Crawley (Lab):** My Lords, I thank the Minister. As a vice-president of the War Widows' Association I am extremely disappointed that after five years, the Government are still dragging their feet on reinstating these widows' pensions. We are talking about 200 to 300 war widows whose former partners served in the Falklands, Northern Ireland and the first Gulf War, among other theatres and whose only course of action today, if they want their pension reinstated, is to divorce and remarry their present partners. How bonkers is that? Will the Minister, despite what she has said, take back to her department our call that this has to be resolved once and for all?

**Baroness Goldie:** I thank the noble Baroness and pay tribute to and thank the War Widows' Association for its excellent work. I also pay tribute to the noble Baroness for her role within the association. I realise that this is an emotive issue that provokes many passions and I sympathise with and understand that. The noble Baroness will be aware that the difficulty with applying

retrospective treatment to the provisions is that the policy of successive Governments—not just this one but previous ones—and across departments has been that such benefits cannot be applied retrospectively. I make it clear that in no way do the Government seek to diminish or disregard the support provided and contribution made by the ladies to whom the noble Baroness refers. My problem is that I have a very hard nut and I do not have a hammer to crack it.

**Baroness Fookes (Con):** My Lords, as president of the War Widows' Association, I say to my noble friend that the Answer she has given will not wash with those ladies who naturally feel aggrieved by this decision. Will my noble friend at least agree to a meeting where this could be discussed more thoroughly with the officers of the association and honorary members, such as myself who are able to be present?

**Baroness Goldie:** I thank my noble friend for her question—I am beginning to feel a formidable array of onslaught opening up before me. I also thank her for her invaluable role as president of the War Widows' Association. The department is very anxious to continue a dialogue and to continue to hear what war widows are experiencing. The noble Baroness, Lady Crawley, referred to data, which is notoriously difficult to quantify. No one has the data but the association might now be able to pinpoint more accurate information. Anything that adds to our aggregate knowledge will be welcome. I say to my noble friend Lady Fookes that the Central Advisory Committee on Compensation, chaired by the Minister for DPV—which covers service charities, including the War Widows' Association—is meeting tomorrow. I very much hope that the association will use that forum to make plain the strength of views that I am detecting clearly in the Chamber today.

**Lord Craig of Radley (CB):** My Lords, the Minister is relying on the usual excuse of no retrospection. I remind her that in the 1980s an award was given to widows. It was deemed to be an award and therefore did not get caught by retrospection. Perhaps she could see whether such an approach could be used on this occasion.

**Baroness Goldie:** I thank the noble and gallant Lord for that helpful contribution. I am unaware of that situation but I undertake to look carefully at what he has said and to have it explored.

**The Lord Bishop of Peterborough:** My Lords, does the noble Baroness agree that the scandal of this situation is that it applies only in cases where the incident that caused death occurred between April 1973 and April 2005? Those widowed because of an incident before 1973 or after 2005 do not lose their benefit if they remarry. That is complete nonsense and shameful. Should it not be put right? Furthermore, the noble Baroness has described this payment as a benefit. Can we not describe it instead as compensation? Should not war widows' pensions be called war widows' compensation so that widows are not subject to this sort of withdrawal?

**Baroness Goldie:** The right reverend Prelate's latter point is an interesting one. I understand that technically, the payment is a pension. As I said earlier, the difficulty confronting my department is not imaginary; it has confronted many Governments and has reached across all government departments. To be fair, the difficulty at the time of the change, which was welcomed in 2015, was reflected by the War Widows' Association. At the time, it said that it understood the principle that legislation cannot have a retrospective effect. It realised that that was not unique to the association and its campaign, and that trying to change it would have been very difficult. I detect the strength of sentiment in the Chamber and reassure your Lordships that I undertake to relay that to the department.

**Baroness Garden of Frognal (LD):** My Lords, I declare an interest both as a military widow and as another vice-president of the War Widows' Association. Service life means that families follow the flag and are regularly relocated. We ourselves moved 24 times in 30 years. As such, it is well-nigh impossible for wives—now widows—to have a career that earns them a pension, so they are entirely dependent on their husband's pension entitlement. Therefore, was it not an act of real meanness that they lost that pension if they found happiness in a new relationship? Surely the Government cannot keep hiding behind the pretence of not being prepared to consider retrospection. It must be time to remedy this. The sum of money involved would be a pittance in the MoD budget.

**Baroness Goldie:** I pay tribute to the noble Baroness for her role in this and her connection with the War Widows' Association. I hear clearly what she says and I agree. She is absolutely right that the women to whom we are referring have made sacrifices: they were frequently required to be posted abroad and may have put their own careers on hold. I understand all that. I think the noble Baroness will be familiar with the difficulty because she was a government Minister at the time of the change. It is a difficulty over which I personally have no control. However, her voice is added to the chorus that I hear very clearly this afternoon.

## Housing Insulation *Question*

2.46 pm

*Asked by Lord Teverson*

To ask Her Majesty's Government what plans they have to insulate existing housing in order to contribute to (1) ending fuel poverty, and (2) achieving net zero carbon emissions.

**The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan) (Con):** My Lords, the energy company obligation is our main domestic energy efficiency policy. It is worth £640 million a year and is focused on fuel poverty. This year, we will announce further policies to upgrade the energy performance of our homes, which will address fuel poverty and support the transition to net zero.

**Lord Teverson (LD):** My Lords, I welcome the noble Lord, Lord Callanan, to his new position as Minister for Energy. It is estimated that, if we had each of the 29 million households in this country with an energy performance certificate rating of A or B—which we would like to—we would save something like the energy from six Hinkley Points and abolish fuel poverty at a stroke. Does he feel that that is a good policy and focus?

**Lord Callanan:** I thank the noble Lord for his good wishes. It is nice to answer questions on something other than EU withdrawal for a change. I take on board the noble Lord's concerns. He makes a very good point. As I said, we will be announcing further policies in this field in the Budget and in the forthcoming energy White Paper. He will understand that I cannot predict what might be announced at those times.

**Baroness Jones of Moulsecocomb (GP):** My Lords, it is fantastic to hear that the Government will have another policy. I welcome the noble Lord to his new post—I am sure that we will confront each other about this quite a lot. It is not just about having policies but having the funding in place. Will we see some funding for this in the Budget?

**Lord Callanan:** I thank the noble Baroness for her best wishes. I am sure that confronting is not the right word. Working together for the common goal would be more appropriate—you have to start out optimistically. There were funding commitments in the Conservative manifesto. As I said earlier, we will set out the details of that funding in the Budget and the energy White Paper.

**Baroness Corston (Lab):** My Lords, in welcoming the Minister to his new post, I remind him that we are now supposed to save energy wherever we can under the Paris climate accord. Can he tell the House why new builders are allowed to build traditional homes? Why do they not have photovoltaic panels or tiles on the roof so that every building generates electricity?

**Lord Callanan:** The noble Baroness makes a good point about building standards. That is something we will seek to address. There have been tremendous improvements over recent years in building standards and quality; the issue is the relative cost of installing all these measures in new homes, and the price that will be reflected. However, as I said, she makes a good point; it is something that we will need to look at.

**Lord Low of Dalston (CB):** My Lords, I would like to add a third part to the Question: what plans do the Government have to protect existing housing against flooding?

**Lord Callanan:** Given the recent horrible news from many parts of the country, particularly in the north, the noble Lord makes a very good point.

**Viscount Ridley (Con):** My Lords, will my noble friend agree to look into why it is that, if you switch a house from oil-fired to gas-fired central heating, its energy performance certificate gets worse, not better? It is a perverse system in the regulations. I declare my interest as a landlord.

**Lord Callanan:** It does sound like a particularly perverse incentive. I will certainly look into the reasons why and write to my noble friend.

**Lord Foster of Bath (LD):** My Lords, the Government already have ambitious targets for improving home energy efficiency, so 10 days ago I introduced a Bill simply to put those targets into legislation and give the home energy efficiency industry the certainty that it needs. The noble Lord, Lord Duncan, said that the Government could not support my Bill because it would cut across their plans for strategies and a route map. Yesterday, the Energy Minister in the other place told people at a Sustainable Energy Association reception, “We tend not to support Private Members’ Bills when we are going to legislate for the same things.” Which excuse is right?

**Lord Callanan:** I notice that my noble friend Lord Duncan is watching the performance today. I will certainly not disagree with what he told the House. As I said, there will be a number of upcoming announcements in this field. I cannot at this stage predict what they will be, but I am sure that the noble Lord will be pleased when he hears them.

**Baroness Boycott (CB):** My Lords, I congratulate the Minister on his new post. Can he share with the House any thinking in the forthcoming White Paper that will ensure that the cost of cutting carbon and retrofitting will not fall unevenly on the poorer people in our society, who are already suffering from fuel poverty and will need all the help they can get?

**Lord Callanan:** The noble Baroness makes an extremely good point. As she will be aware, the ECO scheme is funded from fuel bills. If we increase funding for the ECO scheme for poorer households, that puts up the cost of bills for all customers. That is one of the points we need to address; her point is well made.

**Lord Whitty (Lab):** My Lords, I too welcome the Minister to his new post—and his new collaborative approach. However, he still manages to miss the point. He said that the ECO scheme was the main weapon for tackling fuel poverty, but it has failed to do that and to meet what is necessary on home heating to tackle climate change. Has the time not now come—I hope that he will raise this with the Chancellor—for the restoration of a tax-funded intervention for the nearly 4 million homes that are suffering particularly from lack of insulation and failed heating systems? This was dropped 10 years ago; it now needs to be restored.

**Lord Callanan:** I am, of course, always happy to work collaboratively with the noble Lord, but I point out gently that he is not correct to say that the ECO scheme has failed. The latest fuel poverty statistics show that the aggregate fuel poverty gap is falling year on year. We can always argue that we need to make faster progress, but the scheme is a success and it is working to bring down fuel poverty.

## Afghan Interpreters: Security Clearance *Question*

2.53 pm

*Asked by Baroness Coussins*

To ask Her Majesty’s Government, further to the Written Answer by Baroness Goldie on 22 October 2019 (HL19), whether the review of security clearance policies for Afghan interpreters who have been relocated to the United Kingdom has been completed; and if so, what was the outcome.

**The Minister of State, Ministry of Defence (Baroness Goldie) (Con):** My Lords, I am pleased to confirm that the Ministry of Defence has revised its national security vetting policy for all interpreters who deploy overseas in support of military operations. Afghan interpreters who have relocated to the United Kingdom will now no longer be disadvantaged for not meeting the previous residency and nationality requirements. The Government will also now take account of previous loyal service alongside UK Armed Forces overseas.

**Baroness Coussins (CB):** My Lords, I am relieved by and pleased to hear that Answer, although I find it odd that if residency and nationality for five years are no longer a barrier to security clearance, a minimum of five years’ residency is still required as proof of honesty and integrity—as set out in the Minister’s letter to me earlier this month. What is the difference and why can the two not be aligned? Also, I ask about the interpreters who remain in Afghanistan and do not qualify for the provision to relocate to the UK under the excellent ex-gratia scheme, but who might still be vulnerable to intimidation and death threats from the Taliban. Since responsibility for interpreters was contracted out to the private company thebigword, protection and the general duty of care for them has not matched the previous government-run scheme. When will this contract be reviewed and what due diligence will be undertaken to ensure that the previous intimidation policy will at the very least be restored, if not improved?

**Baroness Goldie:** As I indicated to the noble Baroness, in determining security vetting the Government will take account of previous loyal service alongside UK Armed Forces overseas. A variety of criteria are applied for UK clearance. It is for other groupings such as NATO to determine what satisfies them. On the point about thebigword and monitoring, I reassure her that the Ministry of Defence holds regular governance and assurance meetings with the contractor and has performance metrics in place to ensure that standards are met. On the intimidation angle, she will be aware that the UK Government have been at the forefront of providing support—and to considerable effect. In addition to the checks that the Government expect the contractor to carry out, there is an intimidation unit in Afghanistan, manned 24/7, to deal with any situations of concern. She asked for some specific figures; I will check *Hansard* and undertake to write to her.

**Lord West of Spithead (Lab):** My Lords, these people effectively fought the Queen’s enemies alongside us. Does the Minister not agree that the foot-dragging,

[LORD WEST OF SPITHEAD]

delays and confusion over this is a terrible message to give, because our forces will again, without a doubt, fight elsewhere and people will not be willing to help them if they see that we do not look after them?

**Baroness Goldie:** I respect the noble Lord's experience on such matters, but I disagree. The United Kingdom Government have effectively demonstrated that they stand by the people they ask to work alongside them in situations of hostility and conflict. Help has been forthcoming, particularly for those who feared intimidation: 570 locally employed staff have received support throughout the scheme, ranging from bespoke security advice to 40 locally employed staff being supported to relocate within Afghanistan. The two systems, intimidation and redundancy, indicate that a great deal of help has been available from the United Kingdom Government, which is something of which we should be very proud.

**Baroness Hooper (Con):** Can my noble friend tell us, in addition to the good news she has already given, how many of these brave interpreters are still in the pipeline or are being processed, and when they can expect to hear when they and their families will be relocated?

**Baroness Goldie:** My understanding is that, under the redundancy scheme, there are only two former locally employed staff and their families waiting to relocate, neither of whom is an interpreter. So far, 445 former locally employed staff and their families—1,317 people in total—have been relocated to the UK, the vast majority of whom were interpreters. The noble Baroness referred to families in the pipeline; I understand that the Ministry of Defence is processing 66 spousal applications and 58 child applications for relocation from former locally employed staff who relocated without their families.

**Lord Campbell of Pittenweem (LD):** My Lords, I do not know if in preparing for this Question the Minister had regard to the *Hansard* of 17 June last year. At that time it was made abundantly clear that there was considerable sympathy on all sides of the House for the position of those who were willing to risk life and limb by being interpreters for the British Army. Some of that good will has in fact been dissipated by the length of time that it has taken to reach the conclusion that she announced in her initial response to the Question. However, I go back to those who have not yet been afforded the opportunity of settling in the UK. There is of course at the moment the suggestion of some kind of peace treaty between the Americans and the rebels in Afghanistan, but it is highly unlikely that the position of these interpreters will in any way be protected by that. Should we not be much more generous towards those who were willing to assist us, not least for the pragmatic point made by the noble Lord, Lord West: why will other people be willing to do the same thing if they do not believe they will be properly treated?

**Baroness Goldie:** I have endeavoured to reassure the House by giving the information that I have been able to disclose. A great deal has been done for the very

reasons that the noble Lord rightly states. We value what these people have done in supporting our Armed Forces in an area of conflict; we value the contribution that they have made. It is clear that with the two schemes we have done everything we can to ensure that these people are not compromised, placed at risk or put at a disadvantage. In fact, the noble Lord will be aware that in particular the training and finance packages available for those who seek to stay in Afghanistan are very generous. They are having very positive outcomes as we speak, which is to be applauded and commended. We do not want a situation where people would be reluctant to work with the United Kingdom, and I am not aware of any evidence to that effect.

## Flooding Compensation Question

3.01 pm

Asked by **Lord Greaves**

To ask Her Majesty's Government what steps they are taking to compensate households and local businesses that have been affected by flooding caused by recent storms and heavy rainfall.

**Baroness Bloomfield of Hinton Waldrist (Con):** My Lords, the Government are firmly committed to supporting local areas impacted by recent severe weather. Following the floods in November and storms Ciara and Dennis, we rapidly activated both the Bellwin scheme and the flood recovery framework, offering support to flooded households and businesses through community and business recovery grants, council tax and business rates relief schemes. The Government continue to stand ready to support areas affected by such devastating impacts.

**Lord Greaves (LD):** My Lords, we have a Statement coming up so I will stick to this specific point. The letter sent recently to MPs by George Eustice, the Minister, says:

"We have triggered the Flood Recovery Framework", which the Minister referred to,

"ensuring that families and businesses will receive funding from the local councils and can get back on their feet, whereby: Flood-hit households can apply for up to £500 and 100% council tax relief"

while flooded businesses can apply for up to £2,500. Obviously this short-term money is welcome, but the Statement put out by the Government on 18 February read:

"Measures announced today apply to those affected in district or unitary authorities that have 25 or more flooded households as a result of Storms Ciara and Dennis."

Does the Minister agree that people in a village where perhaps 10 or 15 houses are flooded are not eligible for this, because there are not more than 25 flooded properties locally, and that this is not fair?

**Baroness Bloomfield of Hinton Waldrist:** I will try not to steal the thunder from my noble friend who is following on behind me. On the noble Lord's specific question about why the support from the flood recovery

framework is available only to district or unitary authorities with over 25 flooded properties, the framework is premised on the principle that recovery is led at a local level, and that it is reasonable for local authorities to plan for and cover emergency costs up to this level.

**Baroness Wilcox of Newport (Lab):** My Lords, communities across Wales have been terribly affected by these recent floods. Per head of population, the county borough of Rhondda Cynon Taf has been harder hit than anywhere else within the UK. The council needs £30 million, at least, to cover necessary repairs and resilience work. As these exceptional events remain exceptional but are becoming more frequent, does the Minister think that while funding is devolved, the UK Government still have responsibility to help those flooded areas? Will they make additional funding available to local authorities in Wales?

**Baroness Bloomfield of Hinton Waldrist:** I thank the noble Baroness for raising a cause that is also dear to my own heart. She is right about the terrible effects in Rhondda Cynon Taf. The glib answer, of course, is that flood defences are a devolved matter but on the day the flood events took place, Defra and the Environment Agency were immediately offering mutual aid to the Welsh Government, should they need it. We offered whatever help they would need to respond. The Secretary of State for Wales has already met the First Minister, but the Welsh Government have not yet specified what support, if any, they require. The First Minister of Wales announced today £500 for every household affected by flooding and an additional £500 for those without insurance, to be paid within the next 24 hours. I am sure that the UK Government will also offer similar help.

**The Lord Bishop of Worcester:** My Lords, Worcestershire has been as badly affected as anywhere in England by the recent floods and the river level is still rising in Worcester. At the same time, I have to observe that a great deal of work has been done since 2007, which has meant the damage has been much less than would otherwise have been the case. I support the call for swift and full compensation. At the same time, I pay tribute to the emergency services, which have been superb during these floods. Will the Minister join me in paying tribute to them?

**Baroness Bloomfield of Hinton Waldrist:** Of course I pay tribute to the extraordinary response from the national response centre. It was stood up on February 14 and the scale of its response was truly extraordinary: we have installed three miles of temporary flood barriers and 90 mobile pumps. However, that is not to say there are no grave risks involved in the rising tides, particularly on the River Severn. I know that the peak time will be between midnight tonight and 5 o'clock tomorrow. We are severely worried that the flood defences in place will be tested by the amount of time they have been under pressure; there is some risk of overflow.

**Baroness McIntosh of Pickering (Con):** My Lords, will my noble friend also thank the council officials and those from the Environment Agency who have been on duty for weeks during the present floods?

Does she not agree that it is morally indefensible to continue to build and sell in flood plains houses for which no insurance cover can be bought?

**Baroness Bloomfield of Hinton Waldrist:** I agree with my noble friend, but it might be helpful to set out that “building on flood plains” is a catch-all expression. There are two different forms of flood plains; indeed, London is on one of them—I am not sure whether she is suggesting that we stop building here. However, high-risk flood zones, known as flood zone 3a, were developed as permitted, subject to Environment Agency concerns being satisfied. National planning policy is clear: inappropriate development in areas at risk of flooding from all sources should be avoided by directing development areas to lower risk. Where development is in a high-risk area and is absolutely necessary, sufficient measures should be taken to make sure homes are safe, resilient and protected from flooding. New housebuilding and most other forms of development should not be permitted in functional flood plains where flood water has to flow or be stored in times of flood. These flood plains are known as flood zone 3b.

**Lord Campbell-Savours (Lab):** My Lords, if buildings are to be built on flood plains, why are they then excluded from Flood Re?

**Baroness Bloomfield of Hinton Waldrist:** I am not sure that the noble Lord is correct in that. Flood Re was introduced specifically to help with insurance for houses particularly at risk. The Government have that whole scheme currently under review.

### Sentencing (Pre-consolidation Amendments) Bill [HL] (*Law Commission Bill*) *Order of Commitment*

3.08 pm

*Moved by Lord Keen of Elie*

That the order of commitment be discharged.

**The Advocate-General for Scotland (Lord Keen of Elie) (Con):** My Lords, I understand that no amendments have been tabled to the Bill and that no noble Lord has indicated a wish to move a manuscript amendment, or to speak in Committee. Unless, therefore, any noble Lord objects, I beg to move that the order of commitment be discharged.

*Motion agreed.*

### High Speed Rail (West Midlands–Crewe) Bill *Motion to Agree*

3.09 pm

*Moved by Baroness Vere of Norbiton*

That if a Bill in the same terms as those in which the High Speed Rail (West Midlands–Crewe) Bill stood when it was brought to this House in the 2019 session is brought to this House from the House of Commons in this session—

(a) the Bill shall be deemed to have been read a first and second time,

(b) the Bill shall stand committed to a Select Committee,

(c) any petition deposited against the Bill in the 2019 session (if not withdrawn) shall be taken to have been deposited against the Bill in this session and shall stand referred to the Select Committee on the Bill, and

(d) the Standing Orders of the House applicable to the Bill, so far as complied with or dispensed with in the 2019 session, shall be deemed to have been complied with or (as the case may be) dispensed with in this session.

**The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con):** My Lords, the High Speed Rail (West Midlands–Crewe) Bill, also known as the phase 2a Bill, concerns the section of HS2 which extends the railway from the end of phase 1 just north of Birmingham to Crewe—the gateway to the north. On 11 February, the Prime Minister announced the go-ahead for HS2. He also confirmed that the Government would seek to revive the phase 2a Bill as soon as possible.

Bills are not revived often but doing so is far from unprecedented. It is more common for a Bill to have a carry-over Motion, but revival has the same effect, as if a carry-over Motion had been agreed. Noble Lords may be familiar with revival from private Bills, where it is common. Hybrid Bills are relatively rare but revival has been used previously for them also.

The Bill was originally introduced in July 2017. It then took over two years to complete its Commons stages, which involved a specially convened Commons Select Committee, which reviewed more than 300 petitions. Petitions were from those who found themselves specially and directly affected by the Bill. Two additional provisions were tabled which made changes to the Bill to meet the needs of those individual petitioners. Many were based on the recommendations of that specially convened committee. Last September, the Second Reading debate took place in your Lordships' House and the Bill was committed to a Lords Select Committee. In the 2019 Session, that committee was nominated but did not meet, owing to the Dissolution. If this Motion is agreed today, and a similar Motion is subsequently agreed in the House of Commons, it will allow the Bill to resume in the same place that it stopped in the last Parliament.

A Select Committee will then be nominated, and I thank in advance the Members of this House who have agreed to sit on it, including those who volunteered but did not get to participate due to the Dissolution. That Select Committee will hear the remaining 28 petitions which are yet to be heard. It is crucial that those petitioners are given the chance to be heard and the opportunity to air their concerns.

Passing this Motion allows the Bill to retain the progress previously made and make further progress. It allows those who are directly and specially affected to continue with the legal process, and to achieve a resolution to their concerns in a timely fashion. I beg to move.

**Lord Adonis (Lab):** My Lords, I strongly support the Motion and join the Minister in paying tribute to noble Lords who have agreed to serve on the Select Committee. However, as she is aware, the extension of HS2 from Birmingham to Crewe—the phase 2a Bill we are talking about—is integrally linked to the 2b provisions that will extend HS2 from Crewe to Manchester and from Birmingham to Leeds.

In the Statement of policy made two weeks ago, the Prime Minister said that there would be a further review of the northern elements of HS2 covered by phase 2b. He indicated that the review would last about six months, but no detail has been given so far. Because it is so vital to understanding the implications of 2a, can the Minister tell the House more about the review? Who will conduct it? What will the timescale be? When will the Government publish the terms of reference? When will the review start? Is she aware that there is serious concern in Crewe, Manchester, Derby, Nottingham, Sheffield, Leeds and Scotland—where HS2 will ultimately terminate—that, if the review is unduly delayed, we will end up with a high-speed line that goes to Birmingham and Crewe but does not extend these vital benefits to the north?

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, I endorse what my noble friend has said. It is important that consideration is given to the further extension, particularly to Scotland. In addition, there have been reports that China has expressed interest in taking over the construction of the high-speed link, and that it could do it more quickly and cheaply. Is that a serious proposal? Is it being looked at by the Government? If so, when will it be considered by Parliament?

**Lord Clark of Windermere (Lab):** My Lords, I would like to pursue the point made by the noble Lord, Lord Adonis, about the effect of the phase 2a Bill on phase 2b. Can the Minister confirm, first, that under this legislation a station separate from the current mainline station will be built at Crewe? This will mean that people coming down from Scotland will have to change trains. Secondly, will she confirm that, under phase 2b, trains north of Crewe are not going to run at the same speed as the HS2 trains, and that trains to Manchester from Crewe will be doing only the same speed as the 125 trains?

3.15 pm

**Lord Greaves (LD):** My Lords, I support the comments just made by the noble Lord from Cumbria—whose name I have forgotten and to whom I apologise—whom I often meet on the trains coming down from Cumbria and Lancashire. Is not one of the problems of the whole organisation of HS2 the lack of adequate integration of stations in cities and towns where it joins the traditional network, and that the stations proposed in Birmingham, Manchester and Leeds are not ideal because in effect they are not the same stations as far as passengers are concerned?

While I am talking about Crewe, for some of us Crewe, like Balham, is the gateway to the south, not to the north. Even if the Minister wants to take a southern-centric view of Crewe, it may be the gateway to the north-west but it is certainly not the gateway to Yorkshire or the north-east.



**Lord Blunkett (Lab):** My Lords, first, I reinforce the point made by the noble Lord, Lord Adonis. It is a genuine pleasure to be able to support something he has said in the House, as quite often recently he and I have appeared to be on different trajectories. Secondly, to reinforce the point he made about the part of the b leg that goes through the east Midlands to Sheffield and Leeds, perhaps the Minister could help me out. Two weeks ago, when there was no mention whatever of Sheffield and South Yorkshire in the Prime Minister's Statement, it became clear that the review might have more to do with doing away with that leg rather than actually reviewing the route. If she could clarify that, it would be a miracle.

**Lord Grocott (Lab):** My Lords, like my noble friend Lord Blunkett, I feel slightly disorientated in agreeing wholeheartedly with my noble friend Lord Adonis. I particularly agree with his point about needing some clarity about 2b. I slightly wondered whether the Prime Minister had introduced reference to 2b just so that he could make his gag about "2b or not 2b". The crucial thing is how long that reconsideration or re-examination will take. Of all the questions the Minister has had thrown at her, perhaps she can at least give a specific answer to the question: how long will that take and when will it start?

**Lord Berkeley (Lab):** My Lord, can the Minister tell the House a bit more about the review that the Government published last week, I think, about HS2 and the northern powerhouse—the Williams Rail Review? I believe it answers some of the questions posed by my noble friend Lord Adonis about the review that is to be led by the Government—perhaps she can tell us who in the Government—but with input from the National Infrastructure Commission, to cover not only the whole of phase 2b but the northern powerhouse and possibly Midlands Connect. Can she also explain why the National Infrastructure Commission has been asked to look at this bit of HS2 but the Infrastructure and Projects Authority has been asked to look at phase 1? It seems a bit odd that two separate government organisations are looking at different bits of the same project.

**Baroness Vere of Norbiton:** My Lords, I thank the noble Lord, Lord Adonis, and his new friend, the noble Lord, Lord Blunkett, for their interventions in this very short HS2 debate—which I feared was going to turn into a much larger debate; but I am sure there will be many of those to come.

First, I will address the comments about the integrated rail plan—which I point out is a rail plan, not a rail review. Obviously, it is being led by the Secretary of State for Transport, and he will have assistance from the National Infrastructure Commission, as well as from the Infrastructure and Projects Authority, which, as noble Lords will know, is taking a much closer look at the way that large projects are being run in government; indeed, this afternoon I have a meeting with it on roads.

The noble Lord, Lord Adonis, will be relieved to know that the terms of reference for the plan have already been published—they were published last Friday—so he can look at them and I will be happy to

answer any further questions he may have. We aim to publish the integrated rail plan—IRP—by the end of the year to ensure clarity on how best to proceed with HS2, Northern Powerhouse Rail, the Midlands rail hub and all the other major projects in the Midlands and the north, because it is essential that these projects work well together in order that we can maximise the opportunities they provide.

The noble Lord, Lord Foulkes, asked whether China will be building the railway. China's involvement has not come to my attention, apart from some stuff in the media, but if I can find anything out, I will write to him.

As for Crewe, services on HS2 will run into Crewe station. I have visited Crewe station and it is undergoing significant redevelopment, which I think will be hugely beneficial to Crewe and the services that will be coming into it.

The noble Lord, Lord Greaves, mentioned the location of stations. I fear that at this point we get into the whole HS2 debate and I might just leave that one for another day: I am sure there will be many more opportunities to discuss that.

As I said, passing this Motion will give a lot of closure to those who are affected by the Bill.

**Lord Adonis:** Before the Minister sits down, I would be grateful for her further response. I note that "six months" has already become "the end of the year", which is already a significant extension. She said that this review will be led by the Secretary of State for Transport, but we were led to understand there would be a new HS2 Minister, who I understand the Government also announced last week. Is this an HS2 Minister who is not, in fact, really responsible for HS2?

**Baroness Vere of Norbiton:** No, not at all. As the noble Lord knows, all Ministers within the department are ultimately responsible to the Secretary of State, and that includes the HS2 Minister. The noble Lord will be very pleased to know that Andrew Stephenson has been appointed Minister of State in the Department for Transport with specific responsibilities to oversee HS2, Northern Powerhouse Rail, which of course is closely integrated, and the trans-Pennine upgrade. I beg to move.

*Motion agreed, and a message was sent to the Commons.*

## Flooding Update

### Statement

3.21 pm

**The Minister of State, Department for the Environment, Food and Rural Affairs, Foreign and Commonwealth Office and Department for International Development (Lord Goldsmith of Richmond Park) (Con):** My Lords, with the leave of the House, I will now repeat a Statement made by my right honourable friend the Secretary of State for the Environment, Food and Rural Affairs in the other place. The Statement is as follows:

"Mr Speaker, with permission, I will make a Statement to the House on recent flooding caused by Storm Dennis, which followed Storm Ciara and affected many parts of the country. I would like to begin by extending my condolences to the families and friends

[LORD GOLDSMITH OF RICHMOND PARK]

of the five individuals who sadly lost their lives through the storms. I am sure the thoughts of the whole House are with those grieving families today. Our thoughts are also with all those who have suffered damage to their properties as a result of the storms. To have one's home flooded is an incredibly traumatic experience, and I am conscious that some have been flooded repeatedly over recent years.

Storm Dennis cleared the UK during the course of Monday 17 February. However, this remains a live incident and I urge people in at-risk areas to remain vigilant. We are monitoring the situation closely and most areas are moving into recovery phase. However, rainfall over the last few days is still leading to higher water levels, so we will continue to see the effects this week.

Communities have been affected across our union. We have had an incredibly wet winter. Some areas have already received almost double their average rainfall for February, with others experiencing a month's worth of rain in just 24 hours. Records have been broken. Some 18 river gauges across 15 rivers recorded their highest levels on record during, or triggered by, Storms Ciara and Dennis, including the Colne, Ribble, Calder, Aire, Trent, Severn, Wye, Lugg, and Derwent. Storm Ciara flooded more than 1,340 properties. The latest number of properties flooded by Storm Dennis stands at more than 1,400. Wales has also seen significant impacts and we are in close contact with the Welsh Government.

The scale of the response has been huge, from setting up temporary defences to knocking on doors and issuing residents with warnings. In anticipation of the storm, we stood up the national flood response centre on Friday 14 February. The Environment Agency issued 348 flood warnings for Storm Ciara and 514 flood warnings for Storm Dennis. On 17 February we saw a record concurrent total of 632 flood warnings and alerts issued in a day; two severe flood warnings, 107 flood warnings and 207 flood alerts remain in place in England. There are an additional 13 flood warnings and 39 flood alerts in place in Wales, and one flood warning in Scotland.

We have been sharing information with the public, so people can prepare for flooding wherever they live. We have deployed over three miles of temporary flood barriers and 90 mobile pumps, and we have been keeping structures and rivers clear of debris. Over 1,000 Environment Agency staff per day have been deployed, with the assistance of around 80 military personnel. In Yorkshire, the military helped deploy temporary defences in Ilkley, and kept the road open between Mytholmroyd and Hebden Bridge in Calderdale. I would like to record my thanks to all the response teams, including the Environment Agency, local authorities, our emergency services and the military. They are still working hard—over 20 government bodies, local authorities and volunteers, all over the country. The Government acted swiftly to activate the Bellwin scheme to help local authorities cope with the cost of response in the immediate aftermath. On Tuesday 18 February we also triggered the flood recovery framework to help communities get back on their feet.

I am working alongside the Secretary of State for Housing to help households and businesses recover. This includes making available hardship payments, and council tax and business rate relief. Households and businesses will also be able to access grants of up to £5,000 to help make them more resilient to future flooding; a ministerial recovery group is co-ordinating efforts across government. Storms Ciara and Dennis affected thousands of acres of farmland, so we will consider the need to extend the farming recovery fund, once we have all the data.

Investments made in recent years have significantly improved our resilience, but there is much more to do. We are investing £2.6 billion in flood defences, with over 1,000 flood defence schemes to better protect 300,000 homes by 2021. To put this in context, in the floods of 2007 55,000 properties were flooded, but with similar volumes of water in places this year, thankfully far fewer properties have been flooded, and flood defence schemes have protected over 90,000 properties in England this winter. Our manifesto commits us to a further £4 billion in new funding for flood defences over the next five years. Since the incidents of 2015, we have strengthened and improved our system of flood warnings. In 2016 we introduced the Flood Re scheme so insurance cover for floods is accessible for at-risk properties. An independent review of the data on insurance cover will help us ensure that it is working as effectively as possible.

Of course, none of these steps will take away from the anguish of those who have suffered flooding in these storms. Climate change is making the UK warmer and wetter, with more frequent extreme weather events. We need to make nature's power part of our solution, alongside traditional engineered defences. We are already investing £10 million to restore our peatland habitats, planting enough trees to cover an area the size of East Anglia, with a new £640 million nature for climate fund, and supporting farmers to be part of preventing flooding through our new environmental land management scheme, to reduce and delay peak flows in our landscapes. Later this year, we will set out our policies to tackle flooding in the long term, and the Environment Agency will publish its updated flood and coasts strategy. This country will also lead global ambition as the host of COP 26, urging the world to achieve net zero in a way that helps nature recover, reduces global warming and addresses the causes of these extreme weather events. I therefore commend this Statement to the House."

With your Lordships' permission, I would like further to update the House about the situation since this Statement was made yesterday. The number of properties impacted by Storm Dennis now stands at more than 1,500 and there are 106 flood warnings and 156 flood alerts in place in England, with an additional six flood warnings and nine flood alerts in Wales. There are no flood warnings currently in force in Scotland.

3.29 pm

**Baroness Jones of Whitchurch (Lab):** My Lords, I thank the Minister for repeating that Statement. We echo his condolences to the families and friends of those who have lost their lives and offer our solidarity and sympathy to all those whose homes have been flooded, particularly those for whom it has become an ongoing trauma.

We also pay tribute to the emergency services and the staff of the Environment Agency, who have been battling the effects of these storms for several weeks without let-up. It is a shame that the Prime Minister could not find the time during his holiday to visit these shattered communities, to listen and learn from the voices on the ground as well as offer practical support.

The Minister rightly listed the scale of the challenge, with 632 flood warnings issued in one day and over 200 still in place. This is not a normal winter and these are not normal circumstances. There has never been a starker reminder that our weather is changing, with warmer and wetter winters an inevitable by-product of global warming. This is why, time and again, we have urged the Government to take more urgent and decisive action to address the climate emergency. Does the Minister now accept that the Government's aim of achieving net-zero emissions by 2050 is too little, too late? By then the tipping point will have been reached. Does he accept the evidence from the Committee on Climate Change, which has estimated that there are 1.8 million homes at significant risk of flooding in England? That number will rise unless we hit net zero in the next 10 years.

We agree that harnessing nature and delivering better land management are part of the solution, but we have known this for some time. Does the Minister accept that the promise of a long-term flooding policy later this year is simply layering delay on delay? When will the Government take decisive action to stop any more houses being built on flood plains, an issue we discussed in Oral Questions? It has been reported that there are more than 11,000 new homes planned in areas with high flood risk. This cannot be right. When will the Government put a complete stop to this reckless profiteering by housebuilders or make sure that they take full responsibility for the long-term clean-up costs if flooding later occurs?

Of course we welcome the new flood defences that are being erected, but many areas flooded in 2017 have still seen no sign of improvement. Local authorities continue to protest that the current emergency funding system is not working properly, particularly where the need for match funding is emphasised. Can the Minister explain the proposed annual allocation of the promised £4 billion in new flood defences, and does he accept that it should be front-loaded to deal with the immediate and ongoing threats we now face? Can he clarify how quickly individuals will be able to access the £5,000 flood resilience grant that has been reported? I am sure he recognises that the money needs to be available now, as the clean-up repairs are put in place, to have any real effect.

During the last Statement on flooding, on 10 February, I asked the noble Lord, Lord Gardiner, about funding for the Environment Agency but did not get a reply. It has said that it needs at least £1 billion a year to provide an effective response to flood risk. Is that money now forthcoming? The Minister also referred to the review of the Flood Re insurance scheme. We accept that Flood Re has provided a solution to many households, but many others are still excluded from the scheme and remain in uninsurable properties. Does the Minister accept that the review is rather urgent? When does he anticipate its conclusions being published and acted on?

I doubt that the communities under threat of flooding will be very reassured by the Government's Statement today. The truth is that they feel supported by the emergency services and local staff, who are working alongside them day and night to alleviate the threat, but they feel let down by a Government long on promises but short on action. None of the issues we are discussing today is new. The Government have had 10 years to come up with a credible flood defence plan and an action plan to mitigate the impact of climate change. I hope the Minister can reassure us that there will be a more immediate, urgent and responsive plan for the future than we have heard so far.

**Baroness Pinnock (LD):** My Lords, I thank the Minister for the Statement and draw the attention of the House to my register of interests, which include being a councillor in Kirkstall, which is in West Yorkshire, where there has been significant flooding.

On behalf of the Liberal Democrat Benches, I wish to record my admiration and gratitude for the amazing dedication and sheer hard work of the staff from local councils, the Environment Agency, the emergency services and, of course, the many volunteers.

When the flooding is no longer news and when the water has receded, local people will still be picking up the pieces of what is left of their lives. A resident in my town whose home was flooded is living in a local hotel, where she will be for months. A profitable manufacturing business in the next-door town is to close permanently, with inevitable job losses, because it can no longer afford recovery costs. It is simply not worth its while. My understanding is that due to escalating costs, businesses are not eligible for the Flood Re insurance scheme. Are the Government content to see businesses close by not extending this scheme? If not, will the Minister commit to providing the House with a definitive and—I trust—positive answer to this problem?

The flooding experience has been intensive and devastating. We have heard what steps the Government are planning, but anyone living in a flood-prone place will probably not feel reassured if other places are being protected while they are not. The Government must make flood-water retention a key element of their approach, which currently appears to be more about physical barriers. Does the Minister agree that it is simply not possible to build ourselves out of this regular flooding crisis?

There are alternative approaches which, to coin a phrase, go with the flow. The noble Baroness, Lady McIntosh, who is not in her place, has recounted the success of the Slowing the Flow at Pickering scheme. The peat moors of the Pennine uplands will act like a massive sponge where landowners allow that to happen, and the University of Exeter has reported that beavers on the River Otter have successfully contributed to flood alleviation. Beavers everywhere: what fun that would be. What is so thoroughly disappointing is the Government's commitment to building defences when natural approaches may well be more effective and enable natural improvements to our environment. Will the Government's flood alleviation policies include many of these ideas?

I have referred previously to the issue of the number of organisations responsible for different parts of the drainage system. Every part is under considerable stress,

[BARONESS PINNOCK]

which inevitably contributes to flooding. Local authorities are under extreme financial pressure. As part of the flood prevention approach, will the Minister consider government funding for flood-prone councils, so that highway drainage systems can be properly cleared and, if necessary, upgraded?

Finally, there is the thorny issue of development on land at risk of flooding, which the head of the Environment Agency has spoken about today. It is not as simple as that, of course. Local authorities avoid allocating land that is set aside for flood plains, but developers are not required to take responsibility for building on land that will cause flooding elsewhere, and are not required to construct homes that include flood prevention as an essential element. Will the Minister ask his colleagues in the Ministry of Housing, Communities and Local Government to instruct all local authorities to review land allocation to ensure that no such land is in an area with a high risk of flooding? Further, will he request that the necessary regulation are introduced to include responsibility for buildings to be part of the Hackitt recommendations, which the Government have accepted in full? The Environment Bill provides the opportunity to set out a long-term approach. Meanwhile, thousands of people, communities and businesses need the assurance that the Government will provide a significantly more generous financial offer than currently exists, and that the Government have recognised the fact that, once the media headlines have long gone, their needs will not disappear with them.

**Lord Goldsmith of Richmond Park:** I thank the noble Baronesses for their questions and statements. I join them in acknowledging the heroic efforts of our emergency response teams and volunteers. That has been an extraordinary endeavour and, in many respects, a success story in terms of the sheer number of people who have stepped up. I of course agree that recent events are yet another wake-up call in relation to climate change. We are seeing records broken, not just in this country but around the world. I sometimes wonder how many wake-up calls we need before we globally agree and accept the responsibility that falls on this generation.

The noble Baroness, Lady Jones, referred to the Government's target to achieve net-zero emissions by 2050. I would love us to achieve net zero sooner; I do not think anyone would disagree. But we must be realistic when we set policy and even the Committee on Climate Change has been clear that there is no path to net zero that does not involve a major commitment on tree planting. However, trees do not tend to be able to absorb significant amounts of carbon until they are about 15 years old. If nature-based solutions are to form part of our endeavour to meet net zero, there is no way we can meet that target by 2030. When we legislated, we were the only serious industrialised country to make such a commitment in law and I am proud of that. We are in many respects world leaders in tackling climate change at home and contributing against it abroad.

The question of building on flood plains has been raised numerous times in the debate and will no doubt continue to be raised. It is a legitimate point: we

should not build in areas where homes are at risk of floods if there are alternatives. As was pointed out by my noble friend Lady Bloomfield in her answer to an earlier question, I am standing at a Dispatch Box on a flood plain right now—London is largely constructed on a flood plain. It is not possible or realistic simply to have a blanket ban. Equally, we should absolutely ensure that homes are not built in areas that put residents at risk and, where there are no alternatives, that such homes are built to be resilient—with raised floor levels and so on.

We have been asked about the review of the insurance scheme, Flood Re. It is correct that it does not currently extend to businesses. However, there is a review, as the noble Baroness, Lady Pinnock, knows, and part of that will look at what answers will need to be provided by government in relation to businesses. I should say that a number of specific mechanisms have been available to local authorities to help businesses following the 2015 floods, such as business rate relief and a broader package, none of which would leave a local authority out of pocket. It is not enough, and there is no taking away from the fact that the lives of people, as well as homes and businesses, affected by floods are turned upside down. There is nothing that any Government can do to make that not the case. However, the Government are reviewing the issue and Flood Re may well be extended beyond its current scope, depending on the evidence that is returned.

I hope that I have covered all the points raised but one final issue relates to working with nature as a means of trying to prevent an increase in this problem in the years to come. That is very much part of our strategy and there is no doubt that if we want to prevent the ever-increasing ferocity of floods, we will need somehow to increase the absorbability of land and slow the flow of water across its surface. We know that planting trees massively increases that absorbability and that, when we restore peat lands, the same effect is true. The noble Baroness, Lady Pinnock, mentioned beavers. I am a huge fan of the beaver experiment that is unfolding across this country. There is no doubt that where beavers form colonies their activities, not least building dams, enable that particular catchment to hold much more water than it otherwise would. There is some quite strong evidence that where beavers form a colony it reduces the impact of flooding.

As a Government, we are doing a number of things that will ensure that we increasingly put the emphasis on nature-based solutions, not least the new land use subsidy system that we will introduce to replace the common agricultural policy. Instead of paying landowners more or less simply for owning farmable land, we will ensure that those payments are entirely conditional upon the provision of some kind of public good, whether that is flood prevention, biodiversity support or access for people in cities. Equally, we have committed to establish a nature for climate fund worth £640 million. Much of that will be spent to ensure that we deliver on our manifesto commitment to plant trees on 30,000 hectares per year, but it also includes money for restoring our valuable peat lands across the country, among other things.

There is an enormous amount of work to do but, from the commitments that this Government have already made, which I hope we will continue to build on over the coming months in this hugely important year—the super year for nature—it is clear that the Government have taken these issues extraordinarily seriously and are responding to the challenge as they should.

**Baroness Jones of Whitchurch:** Before this Minister sits down, I have asked this question several times, but so far I have not had a reply, so I will press him on it. It is about funding for the Environment Agency. It has said it needs at least £1 billion a year to provide an effective response to flood risk. I asked the noble Lord, Lord Gardiner, about this and did not get a reply and the Minister has similarly not replied. I will be grateful for a response.

**Lord Goldsmith of Richmond Park:** I thank my noble friend for her question. I believe that when that question was put to my noble friend Lord Gardiner on the previous Statement he promised to write to noble Lords, and he did so today.

**Baroness Jones of Whitchurch:** It was not in the letter.

**Lord Goldsmith of Richmond Park:** I have not seen that letter so I cannot argue with the noble Baroness. It is not an answer that I am able to provide, so I will ensure that we follow this up and that the information she has requested is provided.

3.46 pm

**Lord Wigley (PC):** My Lords, the Minister mentioned the situation in Wales. He was in the Chamber when the Minister, the noble Baroness, Lady Bloomfield, referred to initiatives being taken by the Welsh Government in relation to the dangers to households and businesses, and to the danger of coal tips sliding down mountain sides. Can the Minister give an assurance, which the noble Baroness, Lady Bloomfield, was not in a position to give, that there will be additional money for the Welsh Government in order to fund this work?

**Lord Goldsmith of Richmond Park:** I thank the noble Lord for his question. I am not in a position to pledge any additional funding from this Dispatch Box, but I can tell the noble Lord that my colleague the Secretary of State is looking closely at this issue and is working closely with his colleagues in all the devolved Administrations.

**Lord Trefgarne (Con):** My Lords, my noble friend listed a number of rivers that have been affected in the recent bad weather. I do not think he mentioned the River Wey, in Surrey, which flows through Guildford. Does he have any information about it, and will Guildford be eligible for any of the support to which he referred?

**Lord Goldsmith of Richmond Park:** I thank my noble friend for his question. I cannot provide him with specific information in relation to that river, but I will gladly do so following this exchange. Government

support will go where it is needed. There are a number of different supports available centrally and locally for those areas most badly affected.

**Lord Fox (LD):** My Lords, I am from Herefordshire, my wife is from Herefordshire and most of our family lives in Herefordshire. It is a county under an unprecedented amount of water. The short-term clean-up measures announced in the Statement are very welcome, but it goes much deeper than that. The already appalling state of the roads has been made much worse now that they are rivers. They are frankly little more than rubble in some cases. The flooding in people's homes has been exacerbated by the raw sewage that is coming out of poorly maintained sewers and drains. A big reconstruction job is needed. Will the Minister undertake to recognise the scale of reconstruction required if a place such as Herefordshire is to recover? Will he take the county's case—my county's case—to the Chancellor so that when the Budget is announced, there is money not just to clean up but to rebuild places such as Herefordshire? Herefordians need to see that their lives are valued by this Parliament.

**Lord Goldsmith of Richmond Park:** I thank the noble Lord for his question. I absolutely make the commitment to take the case of Herefordshire initially to my colleague, the Secretary of State for Environment, Food and Rural Affairs. As I said earlier, there is no exaggerating the impact of what happened to the people affected. I can stand here and provide figures showing that the areas affected this time were affected even more so a few years ago. I can provide all kinds of examples of our intervening with conventional flood defences having yielded very impressive results. However, none of that is going to improve the situation for people who have sewage in their homes or whose businesses risk going bust as a consequence of this natural disaster. Yes, I will emphasise the Hereford case when I talk to the Secretary of State later today.

**Baroness Boycott (CB):** My Lords, absent from the discussion has been farming and the crops lost due to the flooding—not just winter planting but spring as well. What are the Government going to do to provide for our farmers and to counteract any rise in food costs resulting from this natural catastrophe, which has not yet come to an end?

**Lord Goldsmith of Richmond Park:** I thank the noble Baroness for her question. The farming recovery fund is specifically designed to provide compensation for loss that is currently uninsurable; it particularly relates to agricultural land that has been damaged. I may be wrong but I believe that it does not apply to livestock, which, on the whole, can be insured. We are not yet in a position to determine how big that fund should be or how it should be deployed, because we do not yet have the data on the damage to farmland. The noble Baroness makes a very important point—this is going to be a priority for the Secretary of State when the data comes in.

**Baroness Ritchie of Downpatrick (Non-Aff):** My Lords, climate change is a challenge facing all the regions of the United Kingdom. Flooding has occurred

[BARONESS RITCHIE OF DOWNPATRICK]  
right across the United Kingdom, and the Minister referred to the issue throughout the devolved regions. Will he have immediate discussions with the Defra Secretary of State and consider using the vehicle of the British-Irish Council for an emergency summit with ministerial colleagues throughout the devolved regions, in order to address the impact of climate change and to look at new solutions to flooding?

**Lord Goldsmith of Richmond Park:** I thank the noble Baroness for her question. The various parties in this House and those who do not belong to any particular party agree that we face a climate emergency; there is already consensus on that. A number of commitments have been made relating to England, and a number relating to the UK. Combined, these are designed to take us towards net zero by 2050. They all involve a major uplift of our focus on nature-based solutions, which have been largely ignored in the climate debate for many years. We should not forget that at the end of this year, Scotland will host COP 26 on behalf of the United Kingdom. We should set ourselves the ambition that that will be the moment when the world finally comes together to move the dial on its collective approach to tackling climate change. There are an enormous number of moments this year where we will be required to work together, both within the United Kingdom and globally, in order to solve this problem.

**Lord Beecham (Lab):** My Lords, will the Minister invite a review of the planning system in relation to the issue of flooding?

**Lord Goldsmith of Richmond Park:** I thank the noble Lord for his comment. I and the Government are clear that we should not build homes in areas at risk of flooding. That is not to say that there cannot be any building on flood plains. The point was made earlier—I think by my colleague—that a number of important places, not least London, are built on flood plains, so we cannot have a blanket ban. What we can do is have a default position that says, “No building in areas at risk, where there is an alternative”. Where homes are built in areas that are at risk, they should not be built in such a way that makes it hard for their owners to secure insurance. If the new owner of a new home built in an at-risk area is unable to secure insurance through an ordinary route, that, I suggest, is a symptom of planning failure.

**Baroness Humphreys (LD):** Storm Ciara had a devastating impact on Llanrwst in the Conwy valley in north Wales. Homes were flooded, businesses were devastated and our historic Gwydir Castle fell victim to the deluge. I know that residents will find some comfort in the announcement about financial support made today by the Welsh First Minister. However, heavy rainfall is no respecter of devolution. Rain falling on Welsh hills eventually finds its way to English rivers, contributing to the floods that we have seen recently in Shropshire and Herefordshire. To alleviate problems in the Conwy valley and other areas, even in England, what discussions have the Government had with the Welsh Government about guidance on updating catchment management plans in the light of these more frequent and serious events? What guidance will they give to

local authorities and other landowners regarding the identification of land to enable them to meet their manifesto pledge of planting at least 30 million more trees every year and to reinstate woodlands, particularly in the uplands?

**Lord Goldsmith of Richmond Park:** I thank the noble Baroness for her question. On her first point, there has been continuous dialogue between Defra officials, Environment Agency officials and their counterparts in Wales and Scotland. We have seen an extraordinary coming together of the various agencies—the fire service, the police, the Environment Agency, local authorities and volunteers—and that collaboration and co-operation will clearly need to continue. On her broader point about tree-planting targets, we will be publishing a tree strategy in the coming months and a flood strategy will be published around springtime. We are very keen to ensure that those two strategies are not developed entirely in isolation. Inevitably, part of the answer to the flood strategy will be found in the tree strategy, and it is very important that when we honour that 30,000-hectare commitment, we do so in a way that solves as many problems as possible. We should not aim only for carbon absorption, which is merely one of the benefits of planting trees in the way that we have committed to do.

**Lord Greaves (LD):** My Lords, in response to the Oral Question that I asked, in relation to the flood recovery fund for local businesses and households, the Minister said that responsibility for the first 25 houses and an unspecified number of local businesses falls on the local authority. However, will the Government have another look at that? I understand that this new rule has only just come in, but local authorities really cannot be expected to budget for something that has just happened. Furthermore, who is responsible if, as a result of the recent storms and downpours, flooding comes from an active building site because of disturbance to the land? I remind the House that I am a local councillor in Lancashire and I refer to a site in the ward that I represent. Persimmon is developing a site on a steep hillside there and some pre-existing properties, as well as some of the new properties that are occupied on the site, have been flooded. Persimmon is telling the occupiers of those properties that the damage is not its responsibility because it is an act of God. Whose responsibility is it?

**Lord Goldsmith of Richmond Park:** I thank the noble Lord for his question. His first point related to the property level flood resilience, or PFR, scheme. He is right to say that this scheme is deployed locally. The view is that local authorities are much better placed and know more about their local areas than central government when it comes to providing the support that is needed. I do not believe that the policy is new, but I am happy to be corrected or to provide a correction if that is wrong. I am afraid that I cannot answer the noble Lord’s question about building sites, so I will have to get back to him about who is responsible in the grey area between development and keys being handed over.

**Lord Tyler (LD):** My Lords, is the Minister prepared to publish a comparative table to indicate what funding was available to communities hit by flooding pre-Brexit and what is now available, with precise detail of both so that we can make that comparison public?

**Lord Goldsmith of Richmond Park:** I thank the noble Lord for his question. I am not entirely sure of the relevance of Brexit to this. The Government made a commitment to provide £2.6 billion up to the end of 2021 in every region across the country. The commitment in the manifesto on which the Government were elected was to increase that to £4 billion. That figure is obviously subject to negotiations in the run-up to the Chancellor's Budget in a few weeks' time. I do not think that Brexit has had any real impact on this at all, other than allowing us to change the land use subsidy system so that, instead of encouraging flooding, we can introduce measures to reduce the flow of water and invest in nature. In my view, this is an enormous Brexit bonus for nature. Other than that, the record and the commitments made show that funding is increasing, not decreasing. Brexit is just a thing that happened in the middle.

## Immigration: Points-based System

### Statement

4.01 pm

**The Minister of State, Home Office (Baroness Williams of Trafford) (Con):** My Lords, with the leave of the House, I will repeat a Statement given by my right honourable friend the Home Secretary in the other place. The Statement is as follows:

“With permission, Mr Speaker, I would like to make a Statement about the United Kingdom's new points-based immigration system. Last week, I announced our plans for a radical new approach that works in the interests of the British people. It will be a fair, firm and fundamentally different system in the control of the British Government that prioritises those who come to our country based on the skills they have to offer, not on the country they come from. It will enable the UK to become a magnet for the brightest and the best, with special immigration routes for those who make the biggest contribution. We will create new arrangements for new migrants who will fill shortages in our NHS, build the companies and innovations of the future and benefit the UK for years to come. As this Government restore our status as an independent sovereign nation, we will set out our own immigration standards and controls as an open, democratic and free country.

The Government have listened to the clear message from the British public and are delivering what people asked for in the 2016 referendum and the December 2019 general election. That includes ending free movement through the introduction of a single global immigration system that prioritises the skills that people have to offer, not where they come from, and restoring public trust in our immigration system with a system that truly works for this country. That is what the people voted for and we are a Government who will deliver on the people's priorities.

We are ending free movement: that automatic right for EU citizens to enter and reside in the UK, which does not apply to people from other countries. Now that we have left the EU, this ambitious Government of action are ending the discrimination between EU and non-EU citizens so that we can attract the brightest

and best from around the world. Our country and people will prosper through one system and an approach in the control of the British Government—one that will also deliver the overall reduction in low-skilled immigration that the public have asked for.

Many of the values that define our great country originated from the huge benefits that immigration has brought to our nation throughout its history. People from every corner of this globe have made an enormous contribution to the fabric of our society. This is why at the heart of the new single global immigration system will be a focus on attracting talented people from around the world and on the contribution that they and their families will make, irrespective of their country of origin.

Last Wednesday, I published a policy statement setting out our new UK points-based immigration system, which will start operating from 1 January 2021 and work in the interests of the whole United Kingdom. This will be a single, comprehensive, UK-wide system for workers and students from around the world. Our points-based system will provide simple, effective and flexible arrangements and give top priority to the skilled workers we need to boost our economy and support our brilliant public services. All applicants will need to demonstrate that they have a job offer from an approved sponsor. The job must be at an appropriate skill level, and the applicant must be able to speak English and meet tougher criminality checks and standards.

We have acted on the advice of the independent Migration Advisory Committee to make the skilled workers route more flexible, as businesses asked for. We have reduced the required skill level to the equivalent of A-level qualifications and cut the general salary threshold to £25,600. The threshold for many NHS workers and teachers will be set in line with published pay scales to ensure that our public services do not suffer and we attract the talent that we need. Experienced workers who earn less than the general threshold—but not less than £20,480—may still be able to apply tradeable points to reward vital skills and bring us the talent that our economy needs. For example, a PhD in a relevant subject will earn extra points, with double the number of points for specialists in science, technology, engineering and mathematics.

Additional points will also be awarded for occupations that struggle to fill vacancies, and I am asking the Migration Advisory Committee to keep its list under regular review to ensure that it reflects the needs of the labour market. The Government will ensure that talented employees from overseas, on whom our great NHS relies, can come here to work and provide high-quality, compassionate care. That means we will prioritise qualified staff who seek to move to the UK to work in our NHS, as well as retaining our own national commitment, through the investments made by this Government, to invest in and train more brilliant nurses, doctors and health professionals in our own country. The new NHS visa system will provide a work visa with a fast-track decision, a larger dedicated advice service for applicants and reduced fees.

Like many other Members, I represent a partly rural constituency. Our commitment to British agriculture is clear. In addition to the reforms that I have outlined,

[BARONESS WILLIAMS OF TRAFFORD]

I am quadrupling the size of the pilot scheme for seasonal workers in the horticulture sector to ensure that our farms, and our horticultural sector, continue to thrive. This is happening immediately.

We will continue to welcome international students who want to study in our world-class universities across the United Kingdom, and there will be no cap on their numbers. Those who apply will be accepted, provided they are sponsored by an approved educational institution, have the necessary academic qualifications and English-language aptitude, and are able to support themselves financially once in the United Kingdom. When they have finished their studies, our new graduate route will allow them to stay in the UK and work at any skill level for up to a further two years. Let me also take this opportunity to reassure the House that the immigration arrangements for members of the Armed Forces, musicians and performers are completely unchanged and these routes will operate as they do now.

In line with ending free movement, there will be no immigration route for lower-skilled work. No longer will employers be able to rely on cut-price EU workers. Instead, we are calling upon them to invest in British people, as well as investing in technology and skills to improve productivity, and to join the UK Government's mission to level up our skills and economic growth across our country. These changes are vital if we are to deliver a high-skill, high-wage and highly productive economy, and, because we have provided certainty in respect of the new immigration system, the economy and businesses have had time to adjust.

The proposals set out in our policy statement are just the start of our phased approach to delivering a new immigration system. We will continue to refine our immigration system and will build in flexibility where it is needed. Over time, more attributes for which points can be earned—such as previous experience and additional qualifications—may be added, which will allow us to respond effectively to the needs of the labour market and economy. However, to be effective, the system must also stay simple, so there will not be endless exemptions for low-paid, lower-skilled workers. We will not end free movement only to recreate it in all but name through other routes.

The world's top talent will continue to be welcomed in this country. From January, we will expand our existing global talent route to EU citizens, giving all the world's brightest and best the same streamlined access to the UK. Reforms that I introduced last week will allow us to attract even more brilliant scientists, mathematicians and researchers through that route to keep this country at the cutting edge of life-changing innovation and technology, and the points-based system will provide even more flexibility to attract the finest international minds with the most to offer.

Alongside the employer-led system, we will create a points-based unsponsored route to allow a limited number of the world's most highly skilled people to come here without a job offer, as part of the phased approach, if they can secure enough points. Our new, fair and firm system will send a message to the whole world that Britain is open for business, as we continue

to attract the brightest and best from around the world, but with a system that the British Government have control over. Our blueprint for taking back control will transform the way in which people come to our country to work, study, visit or even join their family. Our new independence will strengthen border security, allowing us to reject insecure identity documents from newly arriving migrants. We will be able to do more to keep out criminals who seek to harm our people, communities and country.

Finally, I am pleased to say that, when it comes to EU citizens already in the UK, the EU Settlement Scheme—the biggest scheme of its kind ever in British history—has already received 3.2 million applications, resulting in 2.8 million grants of status. Through this system we will finally develop a true meritocracy, where anyone with the skills who wants to come here will have the ability to do so. This is just the start of a phased approach to delivering a new system. I will shortly be bringing forward an immigration Bill and radically overhauling and simplifying the complex Immigration Rules that have dominated the system for decades. For the first time in decades, the UK will have control over who comes here and how our immigration system works. I commend this Statement to the House”.

4.11 pm

**Lord Rosser (Lab):** I thank the Minister for repeating the Statement made yesterday in the House of Commons. In their separate policy statement, the Government said that the points system set out in the Statement the Minister has just repeated will reduce overall levels of migration, without telling us what reduction is expected. That leads one to suspect that this policy statement is a continuation of the Government's policy of talking big, in their eyes, about reducing migration to satisfy their own anti-immigration constituency, when the reality is the exact opposite.

Over the last decade, we have been told by the Government of their determination to reduce net migration. For many years, their objective was to bring it down to the tens of thousands. Net migration actually went up under Conservative Governments over the last decade, even though the Government had control over non-EU migration which, in each and every year since 2010, has been in excess of net migration from EU countries. In 2018 non-EU net migration, over which the Government have control, was in fact three times the rate of net migration from the EU.

Are the Government now telling us that EU net migration—which I believe was about 75,000 in 2018—was made up of large numbers of people who we really do not need in this country? How many people are the Government now saying came into this country in 2018 and 2019 who they now want to stop coming in, first from EU states and secondly from non-EU states, and who will no longer be allowed in under the points system referred to in the Statement?

We have been told that a distinction will be drawn between skilled and low-skilled workers, and that points will be awarded only if a laid-down salary level, skill level and level of ability in speaking English are achieved. The idea is apparently to keep out those whom the Government deem to be low-skilled workers, who appear



to include most of those working in care services, retail and hospitality, construction and agriculture, for example. What percentage of jobs in the UK do the Government consider fall into the low-skilled category referred to in the policy statement? Perhaps the Government could tell us in their response.

The Government do not really believe that the jobs they deem to be low-skilled can be filled from people already in the UK, particularly since their claim that 20% of people aged between 18 and 65, who are not in full-time work, are currently available to do these jobs has been somewhat demolished by the facts. Presumably this is why in the Statement there are significant loopholes, such as declaring shortage occupations, to get around the criteria referred to for when the Government inevitably find that labour shortages are damaging the economy and they still need those so-called low-skilled workers, just as we have up to now.

The Statement is less than clear on, for example, the detailed application of the salary thresholds, the position of the families of those coming into the country, the position of those who wish to be self-employed and the criteria for acceptance of degrees under the points system. Presumably, these are issues on which the Government intend to say more later. What is clear, though, is that this points system does not have as its primary objective bringing into the country the people needed to fill the vacancies and shortages that we need to address, as should be the case. Instead, in order to draw this distinction between skilled and low-skilled, an elaborate admissions system will be created in a short time to be administered by a resource-stripped Home Office—a recipe for error, confusion and unfairness, while many people feel somewhat dismayed by the Government's view of the lack of importance or necessity of the much-needed jobs that they currently undertake.

I suspect the Government will soon learn that posturing with their changed immigration policy will no more work than their earlier posturing over getting net migration down to the tens of thousands. Even this Government will eventually have to recognise that the economic and social needs of the country must take priority in immigration policy. It is for that reason that the evidence suggests that a declared objective of reducing net migration by amounts as yet unstated and unknown will not be achieved by the Government's intended points-based immigration system, any more than was the commitment to reduce net migration to the tens of thousands. Only a reduction in the necessity of recruiting people from outside the UK will do that—something that I have no doubt the Government, in their heart of hearts, already know.

**Baroness Hamwee (LD):** My Lords, I too thank the Minister for repeating the Statement, which included the claim that the points-based system will provide “simple and flexible arrangements”. Can they be both? To me, “flexible” suggests some sort of discretion. Or is that about the tradability of points—something on which I for one reserve judgment?

We may understand just how workable this will be when we have details, so I would like to check with the Minister whether the new arrangements will be incorporated in primary legislation, or will they be part of rules? In other words, will Parliament be able

to have a good say on them? Indeed, will it mean primary legislation with wide ministerial powers to make changes? I am just checking; your Lordships understand.

Yesterday in the Commons, the Home Secretary said the Government

“will look at the labour market as a whole across key sectors.”—*[Official Report, Commons, 24/2/20; col. 44.]*

Was that not done before arriving at the points-based system?

What assumptions have been made about emigration? Can the Minister confirm that there is not a pool of economically inactive people available to take up the low-skilled jobs, about which there has been much discussion? Employers have been told they will have to adjust how they operate. How have they responded?

Much has been and will be said about carers. One of those who have spoken is my noble friend Lady Thomas of Winchester, who is in hospital at the moment but emailed me this morning saying that she is “absolutely incandescent”, so I said I would quote her email. She says:

“I am absolutely incandescent about the stupid lack of flexibility for care workers ... What may not be realised is the extent to which refugee families settled here (for example from war-torn Somalia) have family members scattered all over Europe who now can travel freely here. They are hard-working carers and often regard those they care for as part of their own family. It is just so shaming that we are turning our back on such caring people, labelling them as ‘low-skilled’.”

I am sure she could have gone on, and I am sure other noble Lords can and will.

It is not possible, obviously, to mention today all the sectors that will be affected, but I want to mention the creative industries—performers and so on—because we are told there will be no change to existing routes. However, many agents and promoters have previously engaged EU performers only. They will need to get into the bureaucratic world of certificates, sponsorship and so on, and they are asking: what will be the “right talent”? I put that term in quotes, as it is the term the Government use and want to encourage. All this and more is very relevant to our economy. How easy will it be for UK creatives to work elsewhere? It will be quite reasonable for there to be reciprocity between nations; if we are negative about people coming in, it will not be surprising if others are too.

There has been much discussion about the lack of time to get the new arrangements in place. Is there any confidence, outside Government, that the changes can be coped with by the end of the year?

Finally, the Migration Advisory Committee has been very forceful about the need for good data. Its recent report says:

“Good data and evaluation are vital to ensure that effective monitoring is in place and necessary adjustments are made in a timely fashion. Without it, there is a danger that the UK, unable to learn from the past, continues to lurch between an overly open and overly closed work migration policy without ever being able to steer a steady path.”

Can the Minister comment? Good evaluation is certainly needed if the Government are to begin to counter the criticisms of what I saw yesterday in the press described as the Government's

“self-defeating tunnel-vision, exceptionalism and xenophobia.”

**Baroness Williams of Trafford:** My Lords, I thank the noble Lord, Lord Rosser, and the noble Baroness, Lady Hamwee, for the points they have raised. The noble Lord, Lord Rosser, started off by talking about our aspiration, or rather our intention, to reduce overall numbers but not having any idea of what those numbers will be. We have been quite clear that we are not getting into a numbers game, but what we are getting into is a new immigration system where the British people know that the numbers coming in are under democratic control. That is the important thing here.

Both the noble Lord and the noble Baroness, Lady Hamwee, talked about low-skilled workers and, more particularly, care workers. We have been clear—and I was clear in the Statement—that we will not implement a dedicated route for low-skilled workers and that UK businesses will have to adapt, upskill workers and not rely on cheap labour from the EU. Care workers can, with an A-level, or the equivalent, be able to come to the UK under our new skilled worker route. The salary levels have reduced as well.

The noble Lord, Lord Rosser, talked about loopholes through the shortage occupation list. We have recognised that there is a high demand for certain skills, both in the regions of the UK and in the UK as a whole. I think it is a very sensible suggestion to create that list so that those people can come quickly and efficiently to fill those skill gaps.

The noble Baroness, Lady Hamwee, talked about creatives. The system will not change for the creative sector as it is as present. It will be exactly the same system, but she makes the point that EU versus non-EU will now be one and the same: it will just be non-UK.

The noble Baroness also made a good point about the MAC having access to good data. It will give regular opinions, behind which will have to be good data on what it proposes next. I take her point that the effective monitoring of data will be important in informing our future thinking. She also asked whether the new system will be in legislation or rules: it will be both. I hope that answers the question.

4.24 pm

**Lord Hunt of Kings Heath (Lab):** My Lords—

**Lord Green of Deddington (CB):** My Lords—

**Noble Lords:** Cross Bench!

**Lord Green of Deddington:** My Lords, the Minister will be well aware that this is a massive reform of the immigration system. Does she recall that the Migration Advisory Committee has reported that 16 million UK jobs will be open to new or increased international competition from the whole world? There must therefore be a risk of an enormous inflow of workers, well beyond anything that the Government are expecting. What precautions are the Government going to take against such an event happening, as we saw in the Blair years and when we opened our borders to eastern Europe? It could well happen; precautions must be taken.

**Baroness Williams of Trafford:** The noble Lord is correct to raise this. We have to be careful of the unintended consequences of any new system. In my response to the noble Baroness, Lady Hamwee, I said that there would be regular reviews and advice to the Government from the MAC. As with any new system, it will be under regular review. At the heart of what the Government want to do is taking control of our borders and immigration system.

**Lord Hunt of Kings Heath:** My Lords, the noble Lord is right to suggest that the Government's policy will not hold. It will certainly not hold in the health and social care sector; it is only a question of when they will be forced to reverse their policy. Does the Minister acknowledge that health and social care has relied on migration ever since it started? The 50,000 nurse target that the Government are committed to depends on thousands of nurses coming to this country. I accept that they can come under this new policy, but what about the care sector? According to the Minister yesterday, in 2018 the ludicrous MAC said that the problems of the care sector should be solved by the sector itself investing in,

“making jobs in social care worthwhile”.—[*Official Report*, 24/2/20; col. 9.]

Have noble Lords ever heard such nonsense? The care sector is collapsing. There is no resource there—no funding for training and recruitment. The Government are saying that they are prepared to see the whole sector collapse as a result of this ludicrous policy. It is only a question of time before the Minister comes back to tell the House that she will reverse this policy; she will have to.

**Baroness Williams of Trafford:** I am not sure whether or not the noble Lord is agreeing that we should allow more migrant workers in health and social care. He will know that we have had a 150% increase in migration from non-EU countries to health and social care. I am well aware that we have relied on migration for health and social care for many years. It is the reason I am in this country; both my parents are migrant doctors. We are lucky indeed to have them, generally, in this country. I agree with the noble Lord that we have to have the funding to underpin making extra places for doctors and nurses in this country. The Government have announced a huge increase in funding for the healthcare sector. It has always been our intention that, when we leave the EU, EU and non-EU migrants will be treated exactly the same. The competition will be there to get the best and brightest people, from all parts of the world, for our NHS.

**Lord Lang of Monkton (Con):** My Lords, while I welcome this new development in immigration policy from my noble friend, in particular the flexibility to which she referred, which creates huge opportunities, I believe that this is an important policy that must be controlled and delivered from the centre, from the United Kingdom Government. Nevertheless, there are so many wide variations in different parts of the United Kingdom of a social, economic and demographic nature that it is very important to take this new opportunity that we have with the flexibility the policy allows to take account of these circumstances and to try as fully as we can to

meet them. Therefore, will my noble friend consult with the Governments of the devolved parliaments and assemblies to find out the facts that they are able to provide and also to test their opinions as to how the Government can best help them in getting a policy that will bind the United Kingdom together?

**Baroness Williams of Trafford:** I thank my noble friend for raising that question. He is absolutely right that we should be mindful of regional variation, regional demand and regional supply. In fact, the shortage occupation list that was drawn up does not look much different in Scotland than it does in the UK as a whole. But he is right to make the point that, in terms of engagement, we should listen to the devolved Administrations and be mindful of what they say. We would not want them to be unable to have the workforce that they need in their areas.

**The Earl of Clancarty (CB):** My Lords, I do not understand when the Minister says that musicians, for example, will be treated exactly the same. If they are going to be treated as though they are from non-EEA countries, it will be a massive change; it will not be the same at all. The noble Baroness, Lady Hamwee, was absolutely right to mention reciprocity. Of course, what we will do to the EU will be done to us. From the point of view of the creative industries, which are so important culturally and economically, it is hugely disappointing to see in paragraph 25 of the policy statement:

“We will not be creating a dedicated route for self-employed people.”

The effect on our own UK workers will be devastating if there is not a dedicated route, unencumbered by the need for sponsorship and allowing onward movement, among many other things, not only in the arts and the creative industries but in the UK services sector more widely, for which Europe is the major market.

**Baroness Williams of Trafford:** I take the noble Earl's point on board and I will try to get a fuller answer on the creative industries, because I recognise the point that both he and the noble Baroness, Lady Hamwee, make. As I was on my feet, I was thinking that maybe it was because of the short time for which performers might want to come to the UK. But I will get a fuller answer for the two noble Lords and put a copy in the Library.

**Lord Dholakia (LD):** My Lords, it is estimated that there are more than 10,000 Indian restaurants in this country, and between them they employ more people than the British coal, steel or shipbuilding industries. During the referendum campaign, Priti Patel launched an appeal urging voters to save our curry houses by leaving the European Union. She then said that it was “manifestly unfair and unjust” that south Asian chefs should have to deal with a “second-class immigration system”. Can the Minister explain how the proposed points system will assist in recruiting chefs from the Indian subcontinent?

**Baroness Williams of Trafford:** I think the point that my right honourable friend was making was that people from the Indian subcontinent were less advantaged when wanting to come to this country than those from

the EU, and this now levels out the playing field. Indeed, in this country we have some world-class chefs and people with fantastic skills, who, on the points-based system, I am sure would not only command decent salaries but have the requisite skills to come to this country.

**Baroness Lister of Burtersett (Lab):** My Lords, most carers are women, which is one reason their work is undervalued and treated as not skilled. According to the Women's Budget Group, the proposals will discriminate against migrant women generally, because women are underrepresented in privileged occupations and therefore less likely to reach the points threshold. I am sure the Minister will agree that women are just as likely as men to be among the Government's beloved “brightest and best”. Given that the Government are obliged to have due regard to the impact of their policies on equality, when will they publish an equality impact assessment? If these proposals, as seems likely, demonstrate an adverse gender impact, will they rethink them?

**Baroness Williams of Trafford:** Of course, the Government, in whatever legislation they bring forward, publish an equality impact assessment, as the noble Baroness knows. But I have to agree with her point about how women are adversely affected by policy. Immigration alone will not be the solution to some of the problems that women in the care sector face. The point I made about employers upskilling workers and not relying on cheap labour—I think that would be to the benefit of women in the care sector. I want women to be more valued in the work they do.

**Baroness Blackwood of North Oxford (Con):** My Lords, my noble friend the Minister made reference to the uncapped and fast-tracked global talent visa. It has been widely welcomed by the science and innovation sector, which will be critical for our post-Brexit success. Will she also undertake to look into the problems faced by world-leading experts who are seeking to come to speak at academic conferences and universities in the UK? Such short-term collaborations are critical to scientific knowledge exchange and the UK's reputation as an innovation nation, and any immigration form that seeks to attract the brightest and the best will have to get this right.

**Baroness Williams of Trafford:** I totally concur with my noble friend. On 20 February—only a few days ago—we launched the new fast-track arrangements, managed by UK Research and Innovation, which enable UK-based research projects that have received recognised prestigious grants and awards to recruit that top global talent. However, as she also says, we want those experts to be able to come and furnish us with the benefit of their knowledge: I will most certainly take that back.

**Lord Hannay of Chiswick (CB):** My Lords, will the Minister answer a couple of questions about the impact of this points-based system on the higher education sector? First, she said in the Statement that there would be an English test: is that test to be carried out by the Home Office or by the higher education establishments,

[LORD HANNAY OF CHISWICK]

which are required to offer a place to a student before they can get a visa? Secondly, I think she said, but perhaps she can confirm this, that the points-based system will not apply to higher education. However, my reading of the Statement is that it will apply. What I cannot understand, for the life of me, is how on earth students coming to our universities can acquire the points that are required. They certainly cannot state that they are going to get a particular income. They are not getting an income at all: they are coming with a large amount of money in their hands to pay to us. Will she answer those two points about higher education, and also perhaps say how we are going to test whether they have enough funds to see them through a three- or four-year course?

**Baroness Williams of Trafford:** A student coming to this country will have to demonstrate that they have the funds to pay for the course and be sponsored by the relevant university or higher education establishment. I think that point has long been clear. As for a student coming to this country having the English language, I have a feeling it depends on the course, but I will check that for the noble Lord and return to him on that point. Of course, the student can now stay for an additional two years after they have qualified in order to find work, which obviously makes the system far more generous than it was before.

**Lord Haselhurst (Con):** My Lords, given that, for more than a century, our catering and hospitality services have been heavily staffed by young Europeans, to the apparent satisfaction of our own people and tourist visitors to the United Kingdom alike, are the Government absolutely confident that the importance of this sector to our economy will in no way be impaired by the new system?

**Baroness Williams of Trafford:** My Lords, we have made it clear that it is incumbent on UK businesses to start to upskill the people who work for them and not to rely on cheap labour from the EU and beyond, as they did before. That is the challenge to businesses, but I take my noble friend's point—I can hear the tutting—and obviously we will keep the system under review. It is a brand new system and the MAC will, of course, be advising us on it as we proceed.

**Lord Dubs (Lab):** My Lords, does the Minister accept that the words that she has uttered today will have given little comfort to the many employers in this country who are worried about having enough people to work and do the necessary jobs that they have? The Statement referred to talented employees and she talked about people with A-levels and so on. Is there not a danger that we will simply be denuding key industries of the people we need? Is there not a terrible danger to the health service, particularly in social care? I am not aware of anything in what the Minister suggested that would make us feel that social care is going to work. It is on the point of collapsing anyway, and it will collapse even further if there are no people willing to do the job. Of course, the answer is to have a whacking big pay increase for people in social care, but that is

not for this afternoon: it is for another occasion. I implore the Minister to understand that employers are desperately worried about what is going to happen, and they have not had any assurances in what she said.

**Baroness Williams of Trafford:** My Lords, in the coming months, we will engage widely with different sectors and, I hope, allay their fears. It is important to say, though, that employers should be moving away from reliance on the UK's immigration system as an alternative to investment in staff retention, particularly in areas such as technology and innovation. There are two things that run alongside each other: immigration must be considered alongside investment in, and development of, the UK's domestic workforce. That includes—and this relates to the noble Lord's point—valuing care staff and paying them a decent wage.

**Lord Shipley (LD):** My Lords, will the changes being made result in good-quality fruit and vegetables rotting in the ground because they cannot be picked? What assessment have the Government made of that?

**Baroness Williams of Trafford:** My Lords, on 19 February, the Government published a new policy statement, to which noble Lords have referred. As part of this, we announced the expansion of the seasonal workers' pilot, which raised the quota for this year from 2,500 to 10,000 places. It is not designed to meet the full labour needs of the horticultural industry; it is designed to test the effectiveness of our immigration system and to support UK growers during peak production periods, while retaining robust immigration control and ensuring that the impact on local communities and public services is kept to a minimum. It must be said that seasonal workers can stay in the UK for up to six months in any 12-month period.

**Lord Patel (CB):** My Lords, I have made the point before, and the Government have recognised, that our science and innovation sector is world-class. That cannot be achieved without a team, and that includes a lab technician. Yet the Government, through their immigration policy, do not recognise that, although they are skilled workers, they are not paid up to £20,000. Is it not bizarre that we train our own people as lab technicians and pay them less £20,000 but we cannot accept through our immigration system somebody who is paid the same amount of money because it is less than £20,000? The same applies to computer scientists: we have a great shortage in cybersecurity of low-level, trained, skilled people who will, in due course, move up, but initially they do not earn £20,000.

**Baroness Williams of Trafford:** New entrants will receive a 30% reduction on the salary threshold that would otherwise be required for their occupation. Given that the skills level has come down to A-level, I think a new technician entrant would meet the salary threshold.

**Baroness Masham of Ilton (CB):** My Lords, does the Minister agree that only very rich disabled people will be able to afford help? What will happen to all the

thousands of disabled people who are not super-rich? Does it not mean that disabled people will be discriminated against?

**Baroness Williams of Trafford:** My Lords, the care system in this country ensures that people on low incomes have access to the care that they need. I do not know whether the noble Baroness is referring to immigrants to this country—

**Baroness Masham of Ilton:** I am asking about disabled people living in the community.

**Baroness Williams of Trafford:** Disabled people living in the community have access to a means-tested care system which has long been established in this country.

## Birmingham Commonwealth Games Bill [HL] Committee

4.46 pm

*Relevant document: 5th Report from the Delegated Powers Committee*

### *Clause 1: Financial assistance*

#### *Amendment 1*

Moved by **Lord Foster of Bath**

1: Clause 1, page 1, line 11, after “interest” insert “and financial reporting”

**Lord Foster of Bath (LD):** My Lords, I will speak to Amendment 1, standing in my name and that of my noble friend Lord Addington. Before I begin, I congratulate the Minister on her prescience in predicting that before this stage of our Committee deliberations, the Commonwealth Games Federation would have found a solution to the issues of shooting and archery. I note that our second group of amendments will give us ample opportunity to hear more details about that.

This group deals predominantly with financial matters, in particular financial reporting, and provides an opportunity for the Minister to update us on the finances of the Games and to address some of the lingering problems. Amendment 1 proposes simply that any government grant, loan, guarantee or indemnity must be subject to the condition that the recipients provide financial reports, which seems eminently sensible.

Amendment 5, in my name and the names of the noble Lords, Lord Bilimoria and Lord Moynihan, specifies that the first such report from the organising committee should be completed within six months of the coming into force of this provision, although I note that the reference to shooting and archery in that amendment may no longer be relevant in light of the CGF’s decision.

Amendment 11, from my noble friend Lord Addington, requires in the same six-month period a report from the Secretary of State to be laid before both Houses. It too covers financial provision alongside consideration of other funding mechanisms such as a local lottery or local tax. This issue is picked up in Amendment 3, tabled by the noble Lord, Lord Hunt of Kings Heath, and other noble Lords. Quite sensibly, this too looks

for a wider report by the Secretary of State—this time within 12 months—covering not only the issues covered in other reports but how to help raise additional funds, and government support for minimising the impact of the Games on local services and maximising various legacy projects—an issue we will discuss in more detail later.

Reference continues to be made to a hotel tax. I am well aware of Core Cities UK’s enthusiasm for this. As I said in a previous discussion, before we introduce such a thing, we should reduce the VAT on accommodation and attractions, as the vast majority of other EU countries have done. However, I note that this amendment has changed from an earlier version and now refers to such a tax applying only during the Games. That is a period of just 12 days. Given that we were previously told that the estimated income for such a tax over a three-year period would be £15 million, a simple calculation suggests that a hotel tax levied solely during the period of the Games would raise just £160,000. I will leave it to the movers of that amendment to explain the benefits of such an approach.

**Lord Snape (Lab):** Is it not a fact that in previous debates, the noble Lord endorsed a hotel tax—a view shared by many of us—quite enthusiastically, whereas his noble friend Lord Addington denounced the whole idea on principle? It is very unusual for Liberal Democrats to disagree on such matters, but for clarification, could he let us know where his party stands on this important issue?

**Lord Foster of Bath:** I am enormously grateful to the noble Lord. The entire House is looking forward to a later debate on future signage arrangements around Birmingham New Street station, which he is the world’s expert on. I hope that, before our Committee deliberations are finished, he will offer to lead a team of Games volunteers at the station to guide people, since he knows his way around there better than most.

However, the noble Lord’s suggestion is wrong: at no point have I been a clear enthusiast for a hotel tax. He will note that in many debates in the other place, I expressed on the record grave reservations about such an approach until the issue of VAT had been addressed. There is commonality of agreement with my noble friend on the Front Bench on this issue, but there are a range of views, which we will have an opportunity to hear when his noble friend introduces his amendment.

My final two amendments, 19 and 20, look at the wider reporting mechanism. Amendment 20 calls for an earlier report than the Bill currently provides for. I hope the Minister agrees that on financial and other vital issues, we need early reporting. Amendment 19, from the noble Lord, Lord Moynihan, calls for not only earlier reports but far more frequent reports than is currently proposed. That way, your Lordships and the other House can keep abreast of what is happening and hold people to account. The more reports that we have as the Games develop, the better, and it is important that we use them to keep a tight grip on expenditure.

Let me give an example of why there are continuing concerns, and why there is a need to keep a grip and to understand what is meant by the Government’s plans for underwriting the Games. We know from newspaper

[LORD FOSTER OF BATH]

reports that removing the National Express bus depot in order to create the Games village and subsequently providing 1,400 much-needed homes in the area was initially estimated to cost £2 million. Reports now suggest that the cost will be a staggering eight times higher, at £15.5 million. Will the money that has to be found be additional to the £185 million that Birmingham City Council must find, or will it be covered by the Government's underwriting agreement with the council? It is important that we find out such details now. We need early and regular financial reports on what is taking place, and that is why I have tabled my amendment. I support nearly all the other amendments, albeit that one needs a slight tweak. I beg to move.

**Lord Hunt of Kings Heath (Lab):** My Lords, I shall speak to my Amendment 3 and respond to the noble Lord, Lord Foster. He is right about the need for transparency in the underwriting agreement between the Government and Birmingham City Council. It is not at all clear to noble Lords. The key issue is: who is the provider of funds of last resort if the Games run into financial difficulty? We are entitled to be told at some point during the passage of the legislation. Whether we get that is another matter entirely.

It needs to be repeated that these Games are a fantastic opportunity for the country, Birmingham and the West Midlands. Many characteristics of the Games are very exciting. Now that we have resolved imaginatively the issue of the two sports originally to be excluded, all is set fair for a brilliant competition. However, the problem of finances for a city that is already under some financial challenge is formidable. As we have heard, there is a 75:25% budget split between central government and Birmingham City Council. Birmingham has to find £184 million and it will of course look for commercial opportunities to help with that; but it also has other plans such as the post-Games housing development in Perry Barr. All that means that sources of private funding will have to be found. We must recognise that the city council's finances are under pressure, which is why this is such an important issue.

I have been interested in a tourism levy because the city council has been. The Core Cities group believes that a levy would be a sensible and fair way in which to raise funding revenue. Scotland is close to implementing such a levy for Edinburgh, and the consultation of the city council there showed high levels of support for it—85% of respondents to the consultation backed a levy of either 2% or £2 per room per night. The noble Lord, Lord Foster, rather unkindly took me to task for the wording of my amendment. We should not take the wording of amendments in Committee too literally. The point that I am trying to make and is clear in my amendment is that we want the Government to look at this matter sympathetically and produce a report. The issue that the noble Lord is right to raise is the length of time for which a levy would operate. I fully accept that important point and it surely would be discussed after review by the Government and the city council.

5 pm

**Lord Foster of Bath:** I entirely accept the noble Lord's point and that a drafting change can be made, but does he not think it more sensible to adopt the

approach proposed in the amendment tabled by my noble friend Lord Addington, which talks about the Government looking at ways they can help Birmingham City Council raise funds through, for example, a local tax more generally or even a local lottery? There are quite imaginative solutions and to tie it down to one specific mechanism is probably an error.

**Lord Hunt of Kings Heath:** We already know from what the Minister said at Second Reading that she will say that the decision on a new tax rests with Her Majesty's Treasury and it thinks that local authorities already have ample means to raise funding. I am sure she will say that again. The noble Lord raises some fundamental points about local government finance, and I am very sympathetic to them. I have been trying to put forward a very simple suggestion: as a tourism levy has been floated by a number of local authorities and we are seeing one implemented soon in Edinburgh, why not use the Commonwealth Games as a way to pilot it—without commitment to any other city or area of the country or that it will be a long-term tax—to see whether it could work?

I understood that, post-election, Her Majesty's Treasury was looking at changing all the rules of engagement as part of the Government's new strategy towards local government and to help in some of the more deprived parts of the country. This is a very straightforward way to try something out to see whether it would work, whether it would impact on the hotel economy—a downturn is clearly one risk—and whether it would be a very straightforward way to enable local authorities to raise more resources for sports, leisure and culture in the future. I do not see the problem with having a pilot scheme to allow that to happen.

**Lord Snape:** Is my noble friend aware that the Conservative candidate for Mayor of London intends to fight the mayoral campaign later this year with one of his policies being the right to levy a hotel tax in this city? If the Conservative candidate in London can say that that is what he is going to fight on, that should surely overcome the objections from the Treasury Bench and certainly from the Front Bench today.

**Lord Hunt of Kings Heath:** Indeed. I would not bet much on his chances, I have to say, but there is a growing movement for some kind of tourism levy. I am pretty sure that at some point it will be agreed to. I think this would be a great opportunity to do it now.

**Lord Addington (LD):** This is an interesting group of amendments about the funding of the Games. My initial reaction was that it is an interesting idea, but how does it affect these Games? My initial response to the amendment tabled by the noble Lord, Lord Hunt, was that it is an interesting idea but not here and now because the Government told me they have underwritten the Games. We will probably have a little more transparency and more of an idea about how that underwriting takes place in a few minutes' time, but making these Games a success is the priority in these discussions. We will not solve local government finance in a Bill with this Long Title. It was suggested to me that the department wants us to pass this amendment

so that it can fight with the Treasury. I know where my money would be on that one—it would not go beyond three rounds.

What are we going to do about this? We are going to make sure we know what is happening so we can get on and do the Games and do them well. If we get it wrong—remember it is a Bill about the Games—we will lose something that we have built up a huge amount of credit for. We can do these big events well. We have a track record. We are coming in late so we cannot have the schemes and imaginative discussions we had on the Olympic Games. We are the white knights, the rescuers, coming in to make sure the wonderful, second-biggest multi-games event on the planet functions again. We are doing a good thing. If we try and Christmas-tree too many things on it, we will get into trouble. If the Government are making very clear that they are underwriting the Games and Birmingham City Council knows what the relationship is—whether it is a loan or a gift—then we are in good shape. However, we have to know.

My amendment is designed to know what packages can be done. My noble friend described it as imaginative. It is not. It simply uses examples of what we have done before. We used the National Lottery for the Olympics. Do we use some form of lottery now? Do we use something based around it? If we place a series of handcuffs on or stumbling blocks in front of the organising committee, we risk throwing the baby out with the bath water. Let us get on with it. We have come in late. We are doing a good thing. It will not be perfect. We will not have the indulgence of discussing and preparing things like we had for the Olympics, where the Bill was there before we won the bid.

Using tried and tested ideas might be the better way forward. I suggest in future that local government should know what contributions it can make, how much it can raise and what responsibilities it has. Doing a study now will help it in the future because we do not want this to be the last thing to be put on. We do not want something getting in the way of us winning hosting, for example, the soccer World Cup. Let us make sure we have clarity. I hope at the end of this discussion we will have a little more of it.

**Lord Moynihan (Con):** My Lords, I will speak to Amendments 5, 19 and 20 in the first group. In so doing, I echo what the noble Lord, Lord Hunt, said: all of us are united in believing that the Games will be great. We already have an outstanding organising committee and there is both political and popular will to ensure that they will be memorable and enjoyable.

I thank the noble Lord, Lord Foster of Bath, for introducing my amendment so well. I need hardly say anything more, save to underline the fact that the original reporting provision required the first report to be submitted to the Secretary of State as soon as was reasonably practical after 31 March this year. Because of the delay in the legislation, that was put back a full year until after 31 March next year, which is very close to when the Games are going to be held the following year.

In the context of being transparent and accountable, not only to the people of Birmingham but to other taxpayers, it is important that there is a more regular reporting structure to and timetable for your

Lordships' House. That is why I have proposed the amendment that there should be a report, starting on 15 July 2020 and then every six months until the end of the year of the Games, 31 December 2022.

Transparency is critical. Transparency about any overruns on financing will carry the public with us. It will allow all of us to know the exact underwriting procedure, how it will be dealt with, the precise budget, the current expenditure on the Games at any given six months, and the provisions for drawing down on the contingency, which are unclear to me. I do not know if they are clear to the rest of the Committee. It would be helpful if the Minister could outline on what basis the contingency will be drawn down, particularly given that the Games are underwritten by the Government.

With those comments now on the record, clearly the amendment that I tabled about the budget and revenue sources for all Games events, including shooting and archery, has been overtaken by last night's decision. However, I look forward to the debate that we will undoubtedly have on the second group, when we will look at some of the detail of what was announced yesterday and the consequences for the Games.

**Baroness Grey-Thompson (CB):** My Lords, like many others in your Lordships' Chamber, I am very excited by the 2022 Commonwealth Games. I am excited for several reasons, not least because the Commonwealth Games book-ended my career, and my last Commonwealth Games signified that I should find something else to do with my life. Also, I lived in Ward End in Birmingham for four years, and I know that the opportunities to use the Games in an incredibly positive way for the city are boundless.

I agree with the noble Lord, Lord Foster, about the grouping of the amendments being quite sensible. The expectation that people have of the Commonwealth Games is different from the one they have of Olympic or Paralympic Games because they are different types of events. However, the challenge that this country has set itself is for the rest of the world to see how good we are at organising Games, so it is essential that we get the budget absolutely right—that we have enough money to spend, but spend it wisely. I also agree with the noble Lord, Lord Addington, about what happens in coming to this slightly late. As we get closer to the Games, things become more stressful. The amendments would ensure that all the different stakeholders worked together to do the reporting and make sure that the Games are carried on as well as possible.

The reporting of finances is important for a number of reasons—not just because of the Games in Birmingham. Looking to the future, we are much more likely to bid for another Commonwealth Games before we bid for another Olympic or Paralympic Games. I do not want the group of cities and countries that are able to host the Commonwealth Games to become smaller and smaller because of the cost and transparency involved in them; that is why I believe that the reporting is incredibly important.

I totally agree that there should be early and regular reporting. As we get closer to Games-time, those working on the Commonwealth Games organising committee will be looking for other opportunities. We know that there is a group of people who travel from organising

[BARONESS GREY-THOMPSON]

committee to organising committee, and they will be looking to join the committee for the next Olympics or Paralympics. We cannot lose that corporate knowledge of reporting, and that is why it is essential that we have very regular reporting. It would also inform what we do in relation to future bids. Whether it is for the World Cup or any other Games, this information is incredibly important.

**Lord Grocott (Lab):** My Lords, one advantage of putting my name alongside that of my noble friend Lord Hunt is that he has said pretty well everything that needs to be said on the subject. I want to make the much more general point that we need not only to think about the Birmingham-based Commonwealth Games but to reassure cities which host similar events in the future that they will not be put in huge financial difficulties. That is the reason for the amendments in the names of the noble Lord, Lord Addington, and my noble friend Lord Hunt.

Clearly, the most important thing is the arrangement for underwriting and the relationship between central and local government. However, if any additional source of funding can be identified, through whichever amendment we consider, that would make the possibility of a city bidding for a major sporting event more attractive, then it must be part of the legacy. We need to say to the next group of bidders, “These are ways in which the costs can be met.” I think we all know what the Minister will say. If she wants to give us all serious heart problems, she should say, “Yes, the Government agree with all these amendments.” However, showing some degree of sympathy about the financial arrangements and their importance is a really important message that the Government ought to pass on to the city concerned, and to any cities that look to fund future events of this sort.

**Baroness Janke (LD):** My Lords, I want to speak in particular to Amendments 3 and 11. This is a major opportunity for Birmingham to promote itself in an international context, with all the subsequent benefits. I know that Birmingham is a fantastic city and that it has been regenerated with huge imagination, creativity and great ambition. Following on from the noble Lord, Lord Grocott, it is very important for us here to give other cities the confidence that they can take their ambitions forward, bring huge benefits for the people who live there and demonstrate what fantastic places they are in an international context.

As has been said, these amendments particularly address the demands that are likely to be made on local authorities, as well as the scope for the maximisation of benefits. I have been a city leader myself, and I can only imagine how the city council feels about the Games. There will be huge pride and ambition against a backdrop of unprecedented cuts to council budgets and the anxiety that must come with that. In an international context, they will have to face great pressures.

5.15 pm

Amendment 11 would introduce a range of financial possibilities. The amendment is also very timely. I know that there are very many ways that the

Core Cities, among others, could advise the Government if they wish to look at alternative funding sources.

The principle of the pilot tourist levy proposed in Amendment 3 is supported by many cities, not just for major events but as part of a programme for greater devolution of powers, including fiscal powers, to our cities and appropriate local authorities. There is an absolute weight of evidence showing the economic potential that could be unleashed in our cities through a more radical devolution of powers. I like to feel that the Government will look at giving powers—not just words of comfort about giving big sums of money—to the constituencies that they have said are being left behind in this country.

Other forms of fiscal devolution and local fundraising powers have been examined and evaluated by many organisations, such as the City Growth Commission, the London Finance Commission and many others. Amendment 11 offers the opportunity for these to be considered at an early stage in the context of these Games. However, having had direct contact over a tourist levy, I would say there will be a strong need to consult on these proposals. We should not underestimate the level of opposition that can be amassed against such things by interested parties, not necessarily citizens. Nor should we underestimate the need for a realistic timetable, because any new measures need that. We need measures to be taken so that they can be smoothly introduced and supported, rather than constantly opposed.

I know that this has all already been said. I was here at Second Reading when the Minister did not accept the principle behind Amendment 3. However, I hope that the Government will consider the opportunities offered by Amendments 1 and 11 to bring forward more detailed proposals so that there are feasible options available to Birmingham or any other city in the future. I also hope that there might be some new thinking on local taxation and devolution to provide cities and local authorities with the means of taking forward their ambitious plans for the future and putting their own cities on the international map.

**Baroness Crawley (Lab):** My Lords, as noble Lords have said, Birmingham 2022 will make us all proud. It will be a huge fillip for the city and for investing in it, alongside all the wonderful things that the Games themselves will bring. Briefly, I support my noble friend Lord Hunt of Kings Heath on the idea of a tourism tax. I know that you should never ask a government Minister a question that you do not know the answer to yourself, but I will take a risk. Have the Government done any modelling at all on a tourism tax? Have they had any preliminary conversations with the local authority about it? If the Minister would like to tell us, we promise that we will keep it to ourselves.

**Lord Shipley (LD):** My Lords, I was not able to speak at Second Reading but I have listened carefully to the debate on this group of amendments. I hope that, when the Minister replies, a number of points that have been raised will be clarified. I support the amendments in this group. In particular Amendments 11 and 3, which broadly cover the same issue of how to raise more income at a local level, should be supported



by the Government. The questions that have been asked about a tourist tax, a hotel bedroom tax or a lottery are all about the same thing: how to get more local income raised. My concern is whether the council taxpayers of Birmingham could be faced with a big bill—or else, big cuts in services—if there are difficulties for Birmingham in raising its 25% contribution. I hope the Minister will be able to clarify this; she needs to explain it to the Committee.

I also seek the Minister's confirmation that the 25% contribution will include all costs that fall to the city council, or other public bodies, outside the formal structure of the governance of the Games—things such as extra street-cleaning, refuse disposal, information services, policing and emergency planning. There is a long list of them; I assume the Government have discussed it with Birmingham and that these matters have been agreed. It is important that the Minister clarifies what is included in the 25% contribution and what lies outside it.

I am sure we all accept that financial and other long-term benefits will accrue to Birmingham, so a local contribution to the cost of the Games is clearly appropriate. However, I have not really understood why 25% is the right figure or what discussion there has been about that. If it is not the right figure, what is the Government's contingency plan to make up the deficit? As a number of noble Lords have pointed out, in her reply at Second Reading the Minister said that the Government had agreed to underwrite the organisation and delivery of the Games. The critical word is underwrite, but it requires clarification. Does that underwriting include any shortfall on Birmingham's 25% contribution if the income streams do not deliver the expected sums?

**The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con):** My Lords, I start by sharing the positive sentiments that many noble Lords, including the noble Baroness, Lady Grey-Thompson, the noble Lords, Lord Grocott and Lord Addington, and others made about the excitement that we all feel about the potential for the Games and the message that we can send to cities which might wish to host games in future. The Government absolutely share that view.

I turn to the amendments. Amendment 3 calls for the preparation of a report, a key aspect of which includes an assessment of the case for implementing a temporary hotel occupancy levy throughout the Games, the proceeds of which, after costs of administration, would be made available to Birmingham City Council. I understand that Amendment 1, in the name of the noble Lord, Lord Foster, is to seek clarity on Birmingham City Council's financial position. As the Committee knows, Birmingham and the West Midlands region will benefit from a £778 million public investment to stage the 2022 Commonwealth Games. The city council is responsible for funding 25% of the Games budget—£184 million—which the council has publicly committed to meet.

The Government have supported the council by agreeing that we will provide the majority of the contributions in capital and profiling its revenue for the final year 2022-23, as the council requested. A number

of noble Lords raised concerns about the ability of the council to meet this. The Cabinet approved the council's financial plan for 2020-24 at its most recent meeting on 11 February, with the funding requirement to be met from partner contributions, prudential borrowing and council-generated funding, such as capital receipts. The council recently submitted a proposal to my department requesting to pilot a statutory hotel occupancy tax, such as that outlined by the noble Lord, Lord Hunt of Kings Heath. The tax is not necessary for the council to meet its share of the costs and the council's own figures show that it would provide only a small contribution towards its revenue requirement. In any case, as I said at Second Reading, if the council wants to raise proposals for a new tax, the Bill is not the appropriate vehicle, as it is not a money Bill.

The Government will continue to work closely with Birmingham City Council to ensure that it can deliver on its financial contributions. It might be helpful if I set out some of the processes and assurances in place to ensure that the Games remain on budget. I also gather that that is the thrust of Amendment 5, tabled by my noble friend Lord Moynihan, and I hope it also addresses Amendment 11, tabled by the noble Lord, Lord Addington.

The Birmingham 2022 Organising Committee has been established to deliver the Games, with the UK Government as the primary funder. There is robust financial governance and the budget has been subject to significant scrutiny. Contingency is held by the strategic board, including the Minister, the Mayor of the West Midlands and the leader of Birmingham City Council.

I will cover a couple of additional details, given the number of questions there were on this issue. To reiterate, the budget has a significant but realistic level of contingency within it. As joint funders, it is in both the Government's and the city council's interest to keep within the cost envelope. Importantly, it should be remembered that, when Birmingham bid to host the Games, 95% of the venues were already in place, reducing some of the risk around the Games. The Government have also committed to providing Parliament with updates on expenditure during the project.

I note that the intention behind Amendment 5 is to better understand any link between the Games budget and the proposed shooting and archery championships in India. To be clear, shooting and archery are not part of the Birmingham 2022 Commonwealth Games, but rather a Commonwealth event that will be held in India in 2022, at no cost to the UK Exchequer or Birmingham taxpayers.

On the points raised by the noble Lord, Lord Addington, on local authority funding for future sporting events, the Government and UK Sport regularly engage with local and regional authorities when it comes to bidding for and staging major sports events. This is clearly successful. Most recently, the UK hosted the 2017 World Athletics Championships, the 2019 Netball and Cricket World Cups, and the UCI Road World Cycling Championships, to name but a few, with a strong pipeline of events in coming years. Local authorities have a range of revenue-raising and fundraising powers to support them meeting the financial

[BARONESS BARRAN]

contributions associated with such events; for example, through local taxes, such as precepts and business rates. Local or regional authorities may have particular views on how best they can raise funds for such events; I know that the Chancellor keeps the tax system under review and would always welcome representations for improving it. The Government will of course continue to work closely with local authorities to support them in bidding for and successfully staging major sporting events, building on our fantastic track record in hosting such events.

Amendments 19 and 20 seek to bring forward the first period on which the organising committee is required to report, and for these reports to be produced every six months rather than annually. I absolutely understand the desire of the House to be given adequate and timely opportunities, as the noble Lord, Lord Foster, explained, to scrutinise the organising committee's preparations and delivery of the Games. To allay such concerns, I want to be clear that the end of the first reporting period in the Bill, regardless of the date, will certainly not be the first opportunity this House will have to scrutinise the organising committee's delivery of the Games.

5.30 pm

Unlike the London 2012 or Glasgow 2014 organising committees, the Birmingham 2022 Organising Committee is a non-departmental public body and already subject to a number of controls and transparency requirements through a management agreement that is available on GOV.UK. As such, the organising committee must publish an annual report of its activities together with its audited resource accounts after the end of each financial year. These accounts must be laid in Parliament and made available online. The first of these reports was published and laid before Parliament on 9 September last year, and we anticipate that the report for the 2019-20 financial year will be published in July and annually thereafter, in the summer. However, I am happy to undertake to write to the organising committee to request that the report includes reference to those areas set out in the Bill and of interest to the Committee, such as accessibility and legacy. I know that a number of your Lordships have already engaged with the organising committee on these topics.

As noble Lords will be aware, the organising committee has already published its social value charter and has committed to publishing both the accessibility and sustainability strategies once they are finalised. It has also committed to publishing a modern slavery policy alongside its modern slavery statement. The organising committee is happy to write to interested Peers once those documents are available, and I know it would welcome any feedback that noble Lords may have.

My noble friend Lord Moynihan's amendment also seeks to require the organising committee to produce its statutory reports twice a year. It is only right that we give the organising committee adequate time to make and demonstrate progress in the areas set out in the reporting provision and of interest to the Committee. There is clearly a balance to be struck. Updates on Games delivery are already available through a number of channels. For example, information can be found

on the Birmingham 2022 website, and the organising committee plans to produce quarterly reports on progress, including relevant updates on key areas such as accessibility, employability, legacy, skills and sustainability. These reports will be made available online; again, the organising committee has offered to issue them directly to those noble Lords who are interested. As we discussed at Second Reading, the organising committee has also recently appointed a dedicated government relations lead, and I understand that a number of your Lordships have already taken the opportunity to discuss the organising committee's plans in further detail with him, as well as having met the senior figures in the organising committee, including the chief exec and the director of sporting accessibility lead, alongside officials within DCMS.

The All-Party Parliamentary Group for the Commonwealth Games has recently been reconvened and will meet soon to set out its work programme to ensure that Parliament has a good opportunity to engage with the Games. The organising committee is developing an engagement programme, which includes regular updates to such groups.

I hope that these details are enough to reassure your Lordships that there will be adequate opportunities for Parliament to scrutinise the work of the organising committee and about the Government's commitment to working with Birmingham City Council and the entire Games partnership; to monitoring the Games budget carefully and managing any cost pressures effectively; and, further, to supporting local authorities in bidding for and delivering future sporting events. I therefore ask the noble Lord to withdraw his amendment.

**Lord Foster of Bath:** Before the Minister sits down, the one issue that she really has not addressed is the nature of the underwriting agreement between the Government and Birmingham City Council. Could she dwell on that and in particular answer the question asked by the noble Lord, Lord Hunt: who is the funder of last resort in the event that things go wrong?

**Baroness Barran:** I fear that I may be repeating what has been said in previous debates, but as part of the hosting requirements for the Games the Government have committed to underwriting the cost of the organisation and delivery of the 11 days of sport. There is a very detailed set of scrutiny arrangements for that and arrangements for contingencies and other elements.

**Lord Foster of Bath:** My Lords, I thank all noble Lords who have contributed to the debate. I join many of them in expressing my own excitement about the forthcoming Games. I put on record my praise for the organising committee and the work it is doing, particularly, as the Minister has said, the way in which it has been reaching out to parliamentarians to ensure that we have been thoroughly briefed about a whole range of issues.

I thank the Minister for the careful way in which she has answered many of the questions that have been asked. I know that a number of them remain somewhat unanswered, including those asked by my noble friend Lord Shipley about some of the additional

costs that will be incurred by Birmingham City Council that are perhaps not directly associated with the organising and running of the Games but which will impact upon the city and the surrounding area. Nevertheless, I am grateful for her explanation of the status of the organising committee as an NDPB and therefore the management agreement that it has, and the need to have annual reports, and, indeed, her pointing out that there will be more frequent reports on a range of individual issues; she referred to access and legacy, two issues to which we will no doubt be returning.

With those remarks, and conscious that we have all said we want to give the Bill a speedy passage, I beg leave to withdraw the amendment.

*Amendment 1 withdrawn.*

#### *Amendment 2*

*Moved by Lord Foster of Bath*

2: Clause 1, page 1, line 17, leave out “or” and insert “and”

**Lord Foster of Bath:** My Lords, in the spirit of wishing to move the Bill on quickly, I point out to your Lordships’ House that my amendment would simply delete the word “or” and insert the word “and”. It is one of those typical amendments that are used to trigger debate on a particular issue. It was intended to give us an opportunity to look at the point made in Clause 1, which referred to the Games as meaning

“an event forming part of the Games (whether or not a sporting event), or”—

or “and”—

“any other event arranged by, or on behalf of, the Organising Committee”.

That would have given us the opportunity to debate the issue of archery and shooting. As we have heard, the Commonwealth Games Federation has now made an announcement about what it intends shall happen with shooting and archery. It has made it clear that it will be a completely separate event not in any way related to the Birmingham 2020 Games, with its own medals, its own organisation and certainly no financial impact on Birmingham City Council or the Government. Nevertheless, subsequent amendments in this group give noble Lords and particularly the Minister an opportunity to comment on the Commonwealth Games Federation’s decision, about which Noble Lords may have a number of concerns. For example, if we are to have, as we have been told, a combined medal table, with the Indian Games covering archery and shooting and the Birmingham Games covering any other events, what exactly is the status of that table? The question of whether the India 2020 Games will be expected to abide by regulations—social charters and so on—similar to the ones we are adopting will also doubtless be raised. I sense the Minister will say that that is outwith the debate, since it will no longer be our responsibility; however, the medal table will be.

The longer-term issue is whether this is the beginning of what could be a very exciting future for the Commonwealth Games, in which individual countries that may find it difficult to fund the full cost of all aspects of the Games in their country could partner

with other countries. There could be some very exciting developments, but questions will be raised. For instance, who will have the right to determine which events are to be part of the Games, or will that suddenly revert to the centre, with the Commonwealth Games Federation handling all the details?

We look forward to hearing from the Minister on these issues, and from others with far greater expertise than I have—not least the noble Lord, Lord Moynihan, whom I am sure we are all looking forward to hearing from. I beg to move.

**Lord Moynihan:** My Lords, I rise to speak to Amendments 12, 13, 14, 15 and 16 in this group, standing in my name. I will speak to them all since they refer to the same item, in view of the decision that was made last night and was announced by the Commonwealth Games Federation.

It is important in the first instance to recognise that all the points that are relevant in this context have been raised by the noble Lord, Lord Foster. I will focus pretty much exclusively, as one might expect, on the sporting aspect of the comments that he has made.

It is important to place on the record the work of the executive board of the Commonwealth Games Federation over the weekend to approve the hosting of the Commonwealth archery and shooting championships in Chandigarh, India, in January 2022—a proposal put to them by the Commonwealth Games of India. This is indeed ground-breaking. It is an innovative approach that the Commonwealth Games Federation is taking in partnership with the CGI, the National Rifle Association of India and the Archery Association of India, and it meets the requirements of all stakeholders, especially the Commonwealth shooting and archery athletes. The International Shooting Sport Federation should also be congratulated on its role. It has facilitated the settlement among the Commonwealth family of what has become the vexed question of the exclusion of shooting from the Commonwealth Games 2022—vexed to the point that there was real concern about India boycotting the Games.

Reference has also rightly been made to the important initial work undertaken by the ISSF on the sidelines of its general assembly—held in December last year in Munich with the Commonwealth Games Federation, the NRAI and the Commonwealth Games shooting federation—on a detailed protocol governing the future relationship with the international federation, working in close conjunction with the Commonwealth Games Federation. If the Minister does not have that protocol to hand, it would be helpful if it could be circulated to interested members of the Committee, or indeed placed in the Library. The decision confirmed, as has been made clear by the noble Lord, Lord Foster, that Chandigarh 2022 and Birmingham 2022 will be two separately organised and funded Commonwealth sports events.

However, then came the unexpected announcement last night, not least the Commonwealth Games Federation’s stating that

“as a further and final legitimate ranking of competing nations and territories from the respective competitions”,

the two will be combined. The results from both will be combined a week later. I warmly welcome the

[LORD MOYNIHAN]

decision in principle: it takes the Commonwealth Games into a new era of recognising the importance which should be attached to countries with a common purpose sharing venues when hosting expensive international sport. It comes close on a number of similar examples, not least in the Olympic and the Paralympic world, when it comes to bidding. Indeed, a bit more recently, five ASEAN countries have come together to talk about jointly bidding for the FIFA World Cup.

5.45 pm

Although I fully appreciate that the two events are to be separately organised under separate legislation and separately financed, the final medal table will include results from both: that will be the final results from the Commonwealth Games, as I understand it. It is therefore very important to the sportsmen, sportswomen and, indeed, the competing nations to know what the final medal table will include, because some Commonwealth countries will incentivise their teams according to their position in the medal table when considering future financial support for the training of athletes. Indeed, there may be wider legacy projects: the higher you are in the medal table, the better the ranking and, often, the greater the funding from government. That is a common policy used by UK Sport. As chairman of the British Olympic Association, I was acutely conscious of the medal tally as it was being racked up in London, watching with delight as we moved towards 29 gold, 17 silver and 19 bronze medals, and recognising that that ranking of third was very important to UK Sport and other funding agencies, and indeed to sponsors.

Now we hear that they will be formally combined a week later—but why a week later? The shooting takes place in January 2022 and those results can be made available immediately, at the beginning of the Games. So, when we get to the end of the Games, instead of waiting until an arbitrary seven days later, we can have the actual results and celebrate them. Given the support the Indians have shown by hosting, at their expense, the archery and shooting, we should seriously consider encouraging the organisers to bring the medallists over to participate in the closing ceremony as a great celebration of unity among the Commonwealth Games countries. I expect that as they enter the stadium for that celebration, they will get the loudest round of applause of virtually any athlete who is celebrated for their success. It is beyond me, but it is no doubt understood clearly by the Minister, why it would take a week for this to be made public, or why it is not embodied in the medal table during the Games, given that the Commonwealth Games Federation has stated clearly that the shooting and archery competitions will be among the

“final legitimate ranking of competing nations and territories from the respective competitions.”

That is my key point to the Minister. It is an issue that we really need to clear up, and about which the athletes need to know. Of course, they are separate events and I understand the point about the separate financing. I am sure, therefore, that this legislation cannot in any way, shape or form be relevant to the Indian shooting and archery competitions. However, there will be sadness among noble Lords on both sides

of the House that Bisley could not host the shooting and, indeed, that Edgbaston could not host the archery, given Lord’s Cricket Ground’s successful hosting of it during London 2012.

Nevertheless, despite that sadness, there will be widespread support and thanks to our friends in India for the way they have stepped in to give young athletes—who have for decades been part of the Commonwealth Games—the opportunity to excel and to have this great event, which is vital to world shooting and world archery—on their agendas in the future. I also hope that, while much is being made of how the two Games are to be completely separate, there will be recognition of some of the sentiments I have expressed. Our Royal Family are deeply and closely attached to the Commonwealth and it is something we all celebrate, so I hope there will be very high-level representation in India for the shooting and archery. It would only be appropriate to express our gratitude to the Indians, given that we were unable to host those two sports, and I hope that the Commonwealth Games Federation will bear that in mind.

I would be enormously grateful if my noble friend the Minister could explain why we are having this week’s delay at the end of the Games before announcing the actual results table. Everybody will know the result the minute before the last medal is awarded, and it will be in every newspaper in the country. It is a bit like having a general election and saying to everyone in a constituency, “You can all vote, except the shooters and the archers. We will count their votes in a separate election and announce the result a week later, when we give the overall result”. It seems illogical to me, but perhaps there is an excellent and clear answer that my noble friend the Minister can give to the Committee.

**Baroness Grey-Thompson:** My Lords, I am delighted for the athletes involved that there has been a late-night solution to this issue. Bizarrely, when we talk about the Commonwealth, Olympic or Paralympic Games, we rarely talk about the experience of the athletes, although they are at the heart of the Games. It can be very difficult for athletes to be in a position where they do not know whether their event is on or off the programme. Most countries do not support athletes financially or with medical services unless there is an elite pathway. This particularly affects women’s events and also involves media support and sponsorship. Once you are off the programme, you have nowhere to go and it is almost impossible to get funding to get back on it.

Having two different events has lots of implications. On the positive side, it could give us an opportunity to increase the number of events for disabled athletes, although there has been an increase over the years, which is great. In 1990, there were just two demonstration events at the Commonwealth Games; it is lovely to see where we are now. However, my big concern—actually, this is outside our control—is about the challenge that smaller countries may have sending teams to different venues. The bigger teams have a chef de mission, a large core staff and large medical teams. The home countries are fortunate that they are able to support that; some of the smaller ones might struggle to fund it.

This is not without precedent, to some extent. Olympic Games sailing events are held in different parts of the country. In Atlanta in 1996, sailing was held in Savannah. India is considerably further away, but we are looking forward to the Paris Olympics and Paralympics where surfing might be held on the other side of the world. The Commonwealth Games should be congratulated on getting to this stage, but I agree with the noble Lord, Lord Moynihan: why do we not just start the Games with a medal table? Everyone is going to be doing that anyway, regardless of the announcement; it is important for every country to know where it stands. It would make more sense for the TV coverage, for the athletes in the village, and for the spectators, if it was there.

It is also important to make sure that there is an equivalent experience of being at the Games, with countries having the same kit and the same medal ceremonies. We could share the welcome ceremony when you come into the village—not every athlete is able to go to the opening ceremony, depending on when their competition starts, so the welcome ceremony when they move in is important. I had not considered the closing ceremony until the noble Lord, Lord Moynihan, mentioned it. It is really important that the athletes, team managers, and everyone else, go to this, if there is any way that they could be brought over. It is not without logistical and cost problems. In 2012, we promised that there was a bed in the village for every athlete, so they could come to the closing ceremony if they were competing outside. It would be challenging, but it would be a lovely, positive way to celebrate the final medal table.

**Lord Addington:** My Lords, I shall say one or two words on the principle of what is going on here. This is a good thing. At every Games, there are little rows about which sports take part. When the Games were on the Gold Coast, we had basketball but not judo. Australia likes its basketball; we are good at judo, so we made sure we had it. These deals and negotiations are always going on. You are always going to exclude a group of athletes, for many of whom this is the biggest thing they will ever do. This major international sporting event may be at the end of their career, so there is a good principle behind this.

I have a question for the Minister, the answer to which might make my later amendment unnecessary: how are we going to set a precedent for how this is done in future? Every good idea comes with baggage: how do we make sure we know what this means for the organisation? In principle it is a good idea and has good intentions, but the road to hell is paved with those, I am afraid. What are we doing to get this right? There has always been sporting politics over which events are in. There are lovely books about bitchy back-room deals and people fighting to get their event in. This may be a way of reducing that and making sure that more athletes and fans get the experience. It is a good thing; can we have a bit more guidance on how it will be looked on in future? If the noble Baroness cannot give the Committee the answers, it would be helpful if she could point it at someone who could.

**Lord Snape:** My Lords, it is a pleasure to speak to this group of amendments, tabled by the noble Lord, Lord Moynihan. He has a distinguished record both

as an athlete and as a Minister. Support for his previous careers is shared by both sides of this Committee. I share his appreciation of the fact that this compromise has been arrived at. There was considerable tension between the athletes of our two countries before the participation of Chandigarh was confirmed. I am sure I speak for all from Birmingham and the surrounding area when I say how pleased I am that that tension can now be eased, and co-operation is going to take place.

Like the noble Lord, I am a bit confused by these arrangements, but my understanding is slightly different from his. I understand that there will be two separate medal tables. As the events are being held some time apart, I presume that the Chandigarh medals will be published first, although the noble Lord appears to think that might not be the case. Perhaps the Minister can clarify when the medal table for the events that take place overseas will be published. I understand that, contrary to the opinion of the noble Lord, Lord Moynihan, the medal tables for the events are to be kept separate, regardless of the fact that Chandigarh is being seen as part of the Commonwealth Games. I am not sure why that is, but I am sure that the Minister will tell the Committee when she comes to reply.

On a personal note, relating to the noble Baroness, I was looking through a list of Ministers and their remuneration in the *Times* over the weekend and found, to my astonishment, that the noble Baroness is one of the few Ministers who is working for nothing. She does not get a salary at all. The noble Lord, Lord Moynihan, has put a series of challenging questions to her, and she should be adequately recompensed if she finds the answers. Speaking for both sides of the House—I hope I can get the noble Lord, Lord Moynihan, on board—we should start a crowdfunding appeal on her behalf. I am not sure whether her exclusion from the salaried ranks constitutes some sort of sex discrimination. I am sure it would not be tolerated in most other industries. On this side of the Committee—I speak personally, but I am sure I take my noble friends with me—we would be delighted to assist and do anything to combat the apparent injustice.

**Baroness Barran:** I thank the noble Lord, Lord Snape, for his generosity and concern about my financial position. I also thank the noble Lord, Lord Foster, and my noble friend Lord Moynihan for the amendments in this group relating to the shooting and archery championships being hosted by India in 2022. The Government clearly welcome the confirmation, in December, from the Indian Olympic Association that India will be taking part in Birmingham 2022. I share the Committee's satisfaction that a championship event will give shooters and archers from around the Commonwealth the opportunity to compete at the highest level, but I note the concerns about the cost implications of two venues, raised by the noble Baroness, Lady Grey-Thompson.

6 pm

Before turning to the amendments, I will endeavour to answer the questions about the medals and the medal tables and how the system works, and I am happy to put this in writing to all noble Lords so that

[BARONESS BARRAN]

there is no confusion. The Commonwealth Games Federation has confirmed that each event will issue its own distinct medal table: one for Chandigarh 2022 and one for the Birmingham 2022 Commonwealth Games. The medals will be different. The medallists in Chandigarh will receive Commonwealth archery and shooting championship medals, not Commonwealth Games medals. Then, as my noble friend Lord Moynihan clarified, a week after the closing ceremony, there will be a medal table which will include the results from both competitions. My understanding is that the week's separation is to reflect that the two competitions are different. Both are extremely important, but there will be an aggregated Commonwealth sport medal table, not an aggregated Commonwealth Games medal table.

**Lord Hunt of Kings Heath:** My Lords, I understand how we have got to this position, and I sympathise with the organisers, but since the media will obviously combine them together immediately, is it possible for us to go back and gently say: "Do they not need to think about this again?"

**Baroness Barran:** I am happy to explore that, but my understanding is that that decision has been taken. Perhaps we need to see how it plays out in the event that the model is adopted in future.

**Lord Moynihan:** I am very grateful to my noble friend, because I know that this is not an easy wicket on which to be batting. Dame Louise Martin, president of the Commonwealth Games Federation, stated last night in a letter to a number of your Lordships that the Commonwealth Games Federation executive board agreed a resolution that,

"One week following the Closing Ceremony of the Birmingham 2022 Commonwealth Games, the CGF shall issue a medal table that includes results from the Chandigarh 2022 Commonwealth Archery and Shooting Championships, as a further and final legitimate ranking of competing nations and territories from the respective competitions."

It is very clear that both will be brought together, and therefore nobody in the world of sport will separate them. I appreciate that this will not be resolved this evening.

The suggestion made by the noble Lord, Lord Hunt, is an excellent one, as is the suggestion made by the noble Baroness, Lady Grey-Thompson, that if we are going to have this, it is wise to reflect on the best way of presenting it, and indeed co-operating in areas where co-operation would be beneficial to the future of the Commonwealth Games.

**Baroness Barran:** My noble friend makes a very fair point, and I am sure that the Commonwealth Games Federation has given enormous consideration to these matters and will continue to reflect on them.

I turn to the amendments in this group. As noble Lords will be aware, the current proposal was announced by the Commonwealth Games Federation only yesterday and was obviously very timely, given the keen interest of a number of your Lordships in this Chamber to see the championship event funded and delivered in Chandigarh by the Indian Olympic Committee and the Government of India. I reiterate what I said in the

earlier group that there is no financial operational responsibility sitting with the Birmingham 2022 Organising Committee. As this will be organised and funded as a separate event, the organising committee will not be in a position to report on the progress of delivery of the shooting and archery championships, as called for by my noble friend's amendments. As such, and to address the amendment in the name of the noble Lord, Lord Foster, the measures in this Bill apply only to events forming part of the Birmingham 2022 Games or any other event arranged by, or on behalf of, the Birmingham 2022 Organising Committee. I do, however, note the intention behind the amendments and fully support the steps taken by the Birmingham 2022 Organising Committee to ensure that social values are a key consideration from delivery through to legacy.

In particular, I welcome, together with all noble Lords, the development of the *Social Values Charter*, which embodies the values of the Commonwealth sports movement and the Transformation 2022 agenda. I agree that the central focus on social values is greatly welcomed and provides another fantastic example to the organisers of other and future events. This has already been touched on this evening. Accordingly, we hope that the *Social Values Charter* will be a legacy for future Games and ask that the Commonwealth Games Federation considers how the ground-breaking work undertaken by Birmingham 2022 can become a normal convention.

The Commonwealth Games Federation's Transformation 2022 strategy is clear about how the Commonwealth sports movement places human rights, governance and sport for social change at the heart of its new vision and, indeed, it has already confirmed that, like its host city arrangements for other events, Chandigarh 2022 will be expected and contracted to uphold the highest standards in this regard. Given the clear separation between the two events, but not taking away from the important work that Birmingham 2022 is doing to promote social values, I ask that the noble Lords withdraw their amendments.

**Lord Foster of Bath:** My Lords, I thank the disgracefully unpaid Minister for her very careful reflection on the comments made by other noble Lords, not least the noble Lord, Lord Moynihan. If the noble Lord, Lord Snape, is to introduce his crowdfunding scheme, I will certainly commit to sharing the website address with Liberal Democrat colleagues.

The most welcome thing that the Minister spoke about was her willingness to continue discussions with the Commonwealth Games Federation on this issue. I come at this from a slightly different position, which was raised by other noble Lords. I reflect very carefully on what the noble Baroness, Lady Grey-Thompson, said about the importance of putting athletes very much in our thinking as we prepare any of these things. It seems somewhat strange that people who compete in the Birmingham 2022 Games will be awarded a Commonwealth Games medal, whereas those who compete in Chandigarh in archery and shooting are to be given a Commonwealth sports medal. One wonders whether there will be some view about the status of those not being exactly the same. Indeed, if they are not, the question has to be asked: why are they being

put together in a single medal table? When the Minister continues deliberations with the Commonwealth Games Federation, I hope that sort of thinking will be uppermost in her mind. How will the athletes feel about the arrangement that is currently proposed?

However, I recognise entirely that what the Minister said is that all the amendments in this group are now otiose. They are not relevant to this Bill because what is going to happen in India is a totally separate event. On that basis, I beg leave to withdraw the amendment.

*Amendment 2 withdrawn.*

*Clause 1 agreed.*

*Amendment 3 not moved.*

#### *Amendment 4*

*Moved by Lord Griffiths of Burry Port*

**4:** After Clause 1, insert the following new Clause—  
“Payment of the Living Wage

- (1) Within 3 months of this section coming into force, the Secretary of State must direct the Organising Committee to prepare a strategy for ensuring all staff employed—
- (a) directly by the Organising Committee, and
  - (b) by organisations awarded contracts to deliver the Games

are paid, as a minimum, the Living Wage.

- (2) In preparing the strategy under subsection (1), the Organising Committee must consult representatives of businesses and trade unions in the Birmingham area.
- (3) The hourly Living Wage for the year 2020 is—
- (a) £9.30 outside of London, and
  - (b) £10.75 inside London.
- (4) For the purposes of this section, the Living Wage for each year after 2020 shall be the amounts determined by the Living Wage Foundation.”

**Lord Griffiths of Burry Port (Lab):** My Lords, I take part in these proceedings for the first time. I have held a self-abstaining ordinance in previous discussions, since every point I might have made has been made and the Minister has paid proper heed to those points. Just as we have very properly talked about the athletes and their experience, this amendment focuses on those who undertake work to make these Games possible in an organisational and in a fuller sense. I add my voice, however, to those who have already expressed approval and affirmation of the way members of the organising committee of the Birmingham Games have reached out to us. We have got to know them quite well, in fact: they have made it their business to come.

I know from discussions earlier today that there are going to be quite intricate discussions between Members in the other place and people in Birmingham, as well as those who come to reach out to us. The interactions between those organising the Games and this Parliament seem to be excellent and I am grateful for that. The other day I met, for example, someone who has been appointed to look into the whole question of accessibility. We will get a report on that, and in conversation with her I heard some very imaginative and sensible ways of dealing with the points that have been raised in previous debates on that question.

My amendment comes to the question of pay. I have had opportunities to talk with officials on this question, too. It seems only sensible that as we have given our very careful attention to many aspects of the Games that should be honoured—sustainability, accessibility, proper community development, legacy and all the rest—so there should be a high ethical stance and colour to these Games. Therefore, it seems appropriate to ask about the wages of those who undertake labour. We should remember that nearly all of them will be local people; many will be apprentices and so on. There is a very fine programme of employment being rolled out to achieve these objectives and these people should be paid properly. This amendment simply identifies the living wage as the meaning of “properly”.

Members of the organising committee have told me that they will undertake, as employers, to fulfil this obligation, but the arm’s-length bodies that will be competing for pieces of work will have their own standards. It will be a question in the minds of the organising committee as they interview these potential customers or clients—those who deliver services—and the wage they set will be part of the interviewing discussions they have. I think this is fairly uncomplicated. I do not think we need to put it on a par with a hotel levy to raise money, in terms of the complications it might raise, but it might be a very simple and direct thing for us to incorporate in our discussions a commitment to seek to achieve this. That will then allow us, with the members of the organising committee, to have appropriate conversations.

**Baroness Barran:** My Lords, Amendments 4 and 18 seek to ensure that all staff employed directly by the organising committee and those employed by organisations awarded contracts to deliver the Games are paid the Living Wage Foundation’s recommended rates. As the noble Lord, Lord Griffiths, set out, all staff employed by the organising committee already earn in excess of the voluntary living wage. Of course, all suppliers will be required to pay the Government’s national living wage, which I am pleased to say is set to receive a big cash increase, rising by 6.2% from 1 April this year. The Government also plan to expand the reach of the national living wage. It currently applies to workers over 25, but it will apply to workers aged 23 and over from April 2021 and to those aged 21 and over within five years.

I think the spirit of the noble Lord’s amendment is that we should be ambitious about the opportunities we offer those who offer their labour as part of delivering the Games. I hope I can reassure him that we are doing that, not only through their wages but through wider approaches. We continue to develop plans to maximise employment, training and volunteering opportunities to ensure really lasting benefits for those living and working in the region. In particular, the organising committee is promoting opportunities for local and regional businesses and voluntary, community and social enterprises to ensure that they can bid for contracts as part of the £300 million procurement spend. When I visited the Sandwell Aquatics Centre I saw some of that happening in practice.

6.15 pm

For example, Birmingham 2022 is working with the Greater Birmingham and Solihull local enterprise partnership on a programme focusing on building the capacity of up to 50 local SMEs from a black and minority-ethnic background to bid for publicly procured contracts across the UK and the Commonwealth. As part of the tender process, organisations bidding for Games contracts will be asked to demonstrate how they support the delivery of the organising committee's social values charter, which we have already touched on, and there is a clear weighting attributed to this; for example, by promoting local employment opportunities and skills development.

Further, the organising committee is working with the West Midlands Combined Authority to establish a Commonwealth jobs and skills academy with the aim of helping the young and the unemployed gain skills, experience and jobs through the local supply chain. The ambition is that the programme will move people into sustained employment and offer experiences that will be beneficial to their long-term career prospects. I hope that that gives the noble Lord a sense of the progress that has already been made to ensure that the region capitalises on the fantastic opportunities and economic benefits the Games will bring, including through skills development, education, training and increased employment. On that basis I ask the noble Lord to withdraw his amendment.

**Lord Addington:** Just to be clear, the noble Lord has made a point that is so reasonable that I do not think anyone could disagree with it. Is it expected that subcontractors, et cetera, will meet the living wage? Is it a normal thing that will be expected of anyone who gets a contract? I think that is the essence of it.

**Baroness Barran:** Obviously, legally everyone has to meet the national living wage. The Living Wage Foundation's voluntary living wage will be one of a number of metrics that will be taken into account in delivering on social value, such as, as I mentioned, skills opportunities including people who are further from the labour force. It is a mix, in terms of social aspiration, rather than one single metric.

**Lord Griffiths of Burry Port:** I believe that the conversations that the organising committee has as it deals with potential suppliers will put that point in the hope of achieving those results. However, the organising committee is not in a position to give a guarantee on that until it has gone through the process. From the good book that I know so well, I believe that the Minister has gone the second mile, and from the context from which I speak I can only say amen to that, and I beg leave to withdraw the amendment.

*Amendment 4 withdrawn.*

*Amendment 5 not moved.*

#### *Amendment 6*

*Moved by Lord Moynihan*

**6:** After Clause 1, insert the following new Clause—  
“Sports legacy plan

- (1) Within six months beginning on the day this section comes into force, the Organising Committee must prepare a sports legacy plan, setting out how the Games will promote sport participation in Birmingham and across the United Kingdom following the conclusion of the Games.
- (2) The Secretary of State must lay the sports legacy plan and any subsequent revisions of the plan before each House of Parliament.”

**Lord Moynihan:** My Lords, in moving Amendment 6 I shall speak also to the amendments in the name of the noble Baroness, Lady Grey-Thompson, and the noble Lord, Lord Addington. In effect, we are talking about three things in these amendments. The first is sports legacy, which we covered in detail at Second Reading and in consideration of the Bill last year. The noble Baroness, Lady Grey-Thompson, has focused on schools, which are critical to sports legacy. Her amendment talks about local schools. I think we may need to broaden that: I hope that the sports legacy from these Games touches schools throughout the United Kingdom. The noble Lord, Lord Addington, will talk about future Games' success strategies. All three seek to embed these into the legislation because it is absolutely critical, if we are going to host the Commonwealth Games, that we have government support for achieving a proper sports legacy from the Games and a clear success strategy for future Games. In my view, nothing is more important than the school sports strategy that should also flow from it.

This is not 100% the domain of the organising committee. I know that it is absolutely committed to having a good sports legacy from the Games, but this is where the Government can help. It is where they can say that the Commonwealth Games in 2022 should be a catalyst for a transformational sports legacy in this country. The challenge, therefore, is to make an outstanding Games great through exceptional performances of athletes from throughout the Commonwealth, but at the same time ensuring that it leads to a step change in sport and recreation opportunities for those inspired by the Games. Strong ministerial co-ordination is essential in this context. We need it through a wide range of departments: the Department of Health and Social Care, the Department for Digital, Culture, Media and Sport, and ultimately—and most importantly—the Department for Education. In all three, we need to have co-ordination, greater government commitment, and political leadership that can turn a great Games into a great sports legacy.

Schools are the epicentre of sport around the world. The United Kingdom should be no exception. We should learn from the strength of New Zealand sport. It is a small country that punches massively above its weight across so many sports. Its facilities are in use 24/7. It has a policy that focuses on making sure that school sports facilities are available to able-bodied and disabled athletes whenever possible and that appropriate coaching is made available through, and with the support of, the schools. They meet the challenges that are historically a problem in this country. These include insurance—schools not making their facilities available for fear of insurance consequences—and the cost of transporting youngsters to and from those schools and of lighting, particularly in the winter months. All these can be overcome if there is a clear direction from the centre,



political will, and a recognition among schools—not least independent schools—that they should fulfil their charitable status obligations by reaching out into the community and embracing young people from primary and secondary schools in the area to ensure that all sports facilities are properly used.

It is interesting that in France, before the beginning of the academic year, there is a freshers' fair equivalent, where all schools welcome sports clubs in the vicinity to encourage young people to take up sport. It is schools, with the enthusiastic support of heads, PE staff, parents and local coaches, that are the vehicles to drive participation rates. No school should be an island; they should work with a multiplicity of local clubs: in Birmingham for the Commonwealth Games, but throughout the United Kingdom. I say "throughout the United Kingdom" because I emphasise the point that the Games should be a catalyst for the Government to say that we are going to take sport to a different level. We are going to increase participation. We saw a gradual drop-off in participation figures as a percentage of the population post London 2012. That was one of the saddest reflections on what was otherwise an absolutely magnificent year and a great Games. We must ensure that we learn lessons from that and that Birmingham does not repeat that. I hope that head teachers will be given support from the Government to reflect the demand for giving sport a higher priority in the school curriculum.

The problem is not, however, just on the school side. We need to look at planning laws and how we could change them to protect the playing fields in this country; to make sure that more resources are directed towards Fields in Trust—the national playing fields association—and to encourage Ofsted to take a far more proactive role. Quite frankly, nothing short of a revolution is required to improve the content and time devoted to prepare primary school teachers to work with schoolchildren in physical education. I hope that this wider agenda, which is absolutely critical, is not dissimilar to the recognition by the Government that, if you want to be an author, you learn to read and write first. It is the same with physical activity: if you want a child to become involved in sport, you first need to teach them to run, catch and jump. That is why physical literacy is so important and why it should be part of every child's school life.

We touched upon the specific aspects of a sports legacy plan for Birmingham at Second Reading. Today we have two excellent amendments, which I fully support, to make sure that we embed these principles into legislation. We encourage the Government to do so by recognising in the Bill that we should be highlighting the importance of not just supporting the organising committee, as we are doing in this Bill, to host an amazing Commonwealth Games in 2022—of which I have no doubt we shall all be proud—but making sure that embedded into the same legislation is a commitment by the Government to make the future legacy very real. It should be a step change from what this country has enjoyed in terms of participation and opportunity for young people who are inspired by watching the Commonwealth Games in Birmingham. I beg to move.

### *Amendment 7 (to Amendment 6)*

*Moved by Baroness Grey-Thompson*

7: After Clause 1, in subsection (1), at end insert "and support local schools to maximise use of their facilities to engage children and families in sport and physical activity"

**Baroness Grey-Thompson:** My Lords, I declare that I am chair of ukactive, which is listed in the register of interests.

The absolute base thing that we need is a good Games. There is no doubt that amazing sporting performance inspires young people to be active and play sport. That is usually in the summer and then reality sets in in the cold winter nights, and you realise that, actually, becoming the next Jess Ennis or Dave Weir involves training 15 times a week, 50 weeks of the year, and it is slightly different.

We need to think about legacy: it will not happen on its own, whether it is about investment or a change in mindset. It is really important that we think about that. I would love physical literacy to have the same status as literacy and numeracy in school: for me, it is about healthy mind, body and spirit. It is outside the remit of this legislation to look at changing the school day or how we train our PE teachers. That is perhaps for another time, but my amendment is quite simple in what it is asking for. It is about maximising schools' facilities before, during and after the Games to get the best possible legacy that we can for young people and their families in the area. The good news is that my proposal would require only minimal investment from the Government. However, if they would like to invest more and open it to the whole of the UK, I would be more than delighted.

We have to think differently about how we use our school sites. The reality is that, as much as we have this incredible elite success, today's children are the least active generation ever. Sport England research in 2018 showed that just one in four boys and one in five girls in England achieved the recommended 60 minutes of physical activity every day. As children lead increasingly sedentary lives, they are at bigger risk of chronic disease, such as cardiovascular disease, cancer and type 2 diabetes. That has serious implications for the NHS. We know that children's fitness declines by as much as 80% over the summer holidays, so when they come back in September they are way behind where they were at the start of the holidays.

Announcing levels of government funding for the Games in June 2019, the then Sports Minister Mims Davies MP said:

"The Games budget is a significant investment in Birmingham and the region. It will deliver benefits to local people for years to come. It will increase participation and encourage more people to get active and stay active."

But we need to do more. The Games are a key sporting milestone, but we know that post Games there is a spike in participation, but then it drops quickly. If we look at the Glasgow Commonwealth Games, there was little increase. The figure was 67% in 2013 and 68% in 2016, so my idea is to discover how we can open schools and use them as community hubs during

[BARONESS GREY-THOMPSON]

the summer holidays. Children live on average 2.4 miles away from a school, with the average distance falling as low as 1.4 miles in inner cities, where levels of deprivation are much higher. What I did not realise until relatively recently, which I perhaps should have done, is that 39% of sports facilities in England sit behind school gates. When they shut in the summer holidays, not just young people but anyone who accesses them no longer has the opportunity to do so.

6.30 pm

I am already involved with pioneering a model which opens schools in the summer holidays, giving young people two snacks, lunch and physical activity, from 9 am to 3 pm. They run around and are active. Nutritious food is a really important part of that. In 2018, 24 schools across England and Wales hosted holiday clubs for young people aged between five and 15. Importantly, at the end of that first pilot it was reported that the number of children meeting the Chief Medical Officer's guidelines for physical activity increased by 29%. The children were not all going throughout the summer holidays; they might pick a week or two weeks, although some went through the whole summer. The programme went from 25 sites in 2018 to 70 in 2019, offering a total of 10,000 free places for children on free school meals. Over 30% of these clubs were located in deprived areas.

Through that pilot we have seen a continual increase in the number of schools the model operates in, working with partners. There is consistent increased participation and we need to do more to look at opening schools in the Easter holidays for children most at risk. This model, if used at local schools before, during and after the Games, would engender a lasting legacy for increased participation, feeding young children into sports clubs if they wanted to go into sport, and helping set them up for the rest of their lives.

This is a really important thing we could do around the Commonwealth Games. At least if we did it around the Birmingham and wider West Midlands area, it would give young children in some quite challenging communities—I lived for four years in Ward End, which is quite a challenged part of Birmingham—a real opportunity to think differently about themselves and education and set them on a positive path. I beg to move.

**Baroness Blower (Lab):** My Lords, I have been unable to speak in this debate previously but am enthusiastic to have the opportunity to say something on the amendment of the noble Baroness, Lady Grey-Thompson. It concerns me that we have talked about sports legacy for a very long time but have never willed the consistent funding and approach to genuinely embed it for generations of young people. I speak as a former convenor of the Commonwealth Teachers' Group and am therefore actively engaged with teachers across the Commonwealth. I am very excited about the Commonwealth Games.

I am slightly concerned that, when I started teaching in 1973 in the ILEA, we had many sports clubs in schools. It has been a consistent rollercoaster of up and down; sometimes sport is well funded and sometimes it is not. Sometimes Ofsted is keen on it; sometimes

Governments are keen on it. If everything that has been said by the noble Baroness, Lady Grey-Thompson, and the noble Lord, Lord Moynihan, is to come to fruition and we are to see that young people in our schools have these serious opportunities in term time and during the school holidays, we must think about the legacy of these Games not just in terms of headlines but hard and long about how we fund all the things we want and need to happen in our schools.

I absolutely believe that there is a commitment from the teaching profession that schools, as the hubs of their communities, should be open more of the time. But that requires resources. It requires that the facilities, which will be used in addition to the time when the schools are in session, be maintained. It requires that there be coaches and other available teachers. It requires that schools work together. In Birmingham, for example, we have a plethora of different types of school, some of which work well together and some of which do not necessarily work so well together. We heard earlier in this debate about the problems vis-à-vis the financial challenges potentially facing Birmingham, and I am sure noble Lords will know that there is currently a significant issue around education funding generally, whether for sport or other issues.

For all the reasons already given in some of these fine speeches, there should be a real legacy that relies on young people having an absolute right to the level of physical activity which we all seek from them. I hope that noble Lords who may have the ear of Government will ensure that this sports legacy is not just a headline but a reality, perhaps initially, as the noble Baroness, Lady Grey-Thompson, has said, in Birmingham and the surrounding area but spreading out across the whole country—ultimately, so that GB can be a model of the kind of sports legacy to which our young people can aspire and have an absolute right in their lives, in not just term time but school time. It will result in a healthier school cohort and possibly even more medals.

**Lord Hunt of Kings Heath:** My Lords, I echo my noble friend's point that we often debate the use of school facilities and bemoan the fact that they are in use for a disappointing percentage of time in the average week. However, we must face the financial reality that school governing bodies face at the moment. In Birmingham, a lot of primary schools are now closing at lunchtime on Fridays because they simply cannot find any other way to balance the books. The idea that the education system of schools in Birmingham can somehow magic up the ability to open their facilities for hours on end, particularly in the summer holidays, will not happen. I am sure that the Minister's department wishes very much for schools to do more, but we have somehow to find a way to give them the ability to do it.

I hope also, although the amendments before us do not mention health particularly, that there will be a way to find an opportunity for health bodies in Birmingham to take part in some of the discussions. The noble Baroness, Lady Grey-Thompson, has talked a little about young people's health and well-being, but I am afraid that Birmingham's obesity levels are very high. I have always hoped that the Commonwealth Games might be a catalyst for us to try to do something

about it. The health service needs to step up to the plate, because its enthusiastic involvement in legacy planning could be very important. Health interests and sport interests do not always mix easily, partly because people in health worry that things such as the Commonwealth Games stress the joy of competitive sport at the expense of everyone. I understand that, but they can sometimes be very precious about it. I still believe that the two can run together, but opening the door to health interests now would be a good way to see whether they can be round the table and proactive in promoting legacy. The noble Lord, Lord Moynihan, put it so well: this time we should ensure that we get legacy right.

**Lord Addington:** My Lords, I will make a few comments. First, on my amendment, I think we covered part of the international co-ordination and spreading the events in the previous debate, but if the Minister has more to say on that I will of course listen gladly. The main thrust coming through here is represented by the noble Lord, Lord Hunt, effectively asking whether the Government will enact their own sports policy properly, which involves the department of health co-ordinating with the Department for Education and local government to make sure we have facilities to get out there and participate in grass-roots sport. Competitive sport is there at grass-roots level; it is just not as well done. I pray in aid my own sporting career. I am afraid that I missed Second Reading because I was playing rugby against the French Parliament. Yes, we lost. I recommend parliamentary rugby to anybody who wants to see the detail of the game, because we are so slow that you do not miss anything.

A good sports policy alone does not create champions. They often come by freak and fluke, and the very lucky get through. A good system will leave a supply of them. A really good sports policy will provide second-team and third-team players for small clubs and address the health problems, et cetera. People saying, “Wow, isn’t he great, let’s look at him on TV”, but then sitting down with beers and chips and saying, “Let’s try another channel” does not help very much. We need to get people out there to take part.

Perhaps we should be set up differently, but schools are a great facility. I started my club career playing on a school pitch that was lent to a small club that had just got itself a ground. We came through after 10 or 15 years of using school pitches. We must not stop that spontaneous growth of sport. We have a tradition of organising ourselves at a far higher level than any other country in Europe. Doing it ourselves means a cheaper facility. We should help and support that, as these amendments would do, enacting a sports policy which says, “These bits of government should come together”. Surely if something as exciting as a Commonwealth Games cannot allow us to do that, we really are missing a trick.

**Lord Foster of Bath:** My Lords, the noble Baroness, Lady Grey-Thompson, is 100% right; schools must be involved in trying to ensure the sporting legacy that we desperately seek. There have been financial problems, as raised by the noble Lord, Lord Hunt. However, there have also been many initiatives over the years to do the most sensible thing: link sports clubs with schools,

so that youngsters have an opportunity to try a far wider range of sport and find one that they are interested in. When they leave school, they would then have somewhere to continue participating in that sport. Sadly, we still have dreadful figures about the drop-off rate of sports participation at the end of the school years.

I support the amendment tabled by the noble Lord, Lord Moynihan, which has my name attached to it. He rightly points out that although in all the multisport events in this country over the years, we have had a range of very good legacies—buildings, contracts, upskilling and so on—we have failed to develop a sporting legacy from any of them, and certainly not at anything like the level that we hoped for.

I notice that the organising committee’s current legacy plans were on just one page of the *Social Values Charter* it put out in October 2019, saying that everybody is working together and that it is still in the process of developing long-term legacy plans. As I am sure noble Lords have seen, a number of new appointments have been made to the legacy and benefits committee; I welcome that. It has identified nine key themes for legacy. One of them is what we are speaking about: physical activity and well-being. Against each of the other eight, various organisations are also referenced, but in relation to physical activity and well-being the DCMS is listed as the lead body. The Minister said that it is the responsibility of the organising committee, as an NDPB, to produce regular reports on issues, and we have been assured that legacy will be one of them. But can she tell us what plans the Government have—and her department has—to produce a legacy planning report? It would give those of us who are interested an opportunity to comment, and perhaps collectively achieve for the first time what the noble Lord, Lord Moynihan, is keen for, as am I: a true, lasting sporting legacy from a multisport event.

6.45 pm

**Baroness Brinton (LD):** I also want to speak to the amendment on the legacy of the Games, tabled by the noble Lord, Lord Addington. Moving away slightly from the issue of sports, I refer to its proposed new subsection (3)(a), where he talks about:

“the impact of the Games on the local community in which it was held”.

One of the key impacts is on capital development. I want to put on record my thanks to the Minister, and the team from Birmingham 2022, who came to talk to me about housing standards, which I raised at Second Reading. Although I will refer to it on the next group of amendments specifically in relation to disabled athletes, I want to make two brief and wider points on legacy.

I mentioned the lifetime homes standard for a very good reason: its category 2 makes just enough provision for an ordinary unit of accommodation to be adapted for less than £2,000, to be suitable for an elderly or disabled person but not somebody living in a wheelchair, whereas it takes in excess of £20,000 to adapt most units of accommodation, for example with slightly stronger walls where grip bars can be put up or slightly larger bathrooms with walk-in showers or baths. I am very disappointed to discover that, of the 1,472 plots on the Perry Barr residential scheme, only 20% will reach

[BARONESS BRINTON]

category 2, which is “flexible and adaptable”. The vast majority will be category 1, “visitable dwellings”. Hopefully, somebody in a wheelchair can be taken into one of them, but this category still permits steps into the building, which makes it utterly useless. Habinteg, an expert in lifetime standards, says that category 1 should not be used by the Government or anyone else and that category 2 should be the minimum. There are very few units at category 3, which is for those who live in and use wheelchairs. I will come back to why that affects sportspeople on the next group.

Having heard all that, I did some quick research. The *Birmingham Mail* reports that of the 1,472 units, only 58 affordable houses of family size will be built, despite there being 2,500 families in temporary accommodation in Birmingham. That is a massive missed opportunity. Over 1,000 of these units will be sold, so there will be very few left for affordable use by local communities or housing trusts. This is one lesson we can start to learn already. A large amount of taxpayers’ funding is helping to purchase and build the site—£185 million—yet the legacy of affordable housing in Birmingham has been missed completely.

**Lord Griffiths of Burry Port:** My Lords, I do not want to say very much—honestly, I do not—but I have grown increasingly impatient with myself as this debate has continued. We need a full-scale debate, rather than one under the rigours of debating a Bill, about why and how the legacy of the Olympic Games did not deliver the ideals that have been mentioned, and why, despite the fine words, the legacy from these Games is just as likely not to be delivered. This involves far more than somebody putting a clause in a Bill. I put a great deal of effort into the two inner-city schools that I have some responsibility for. People can use their facilities any time they like—because we have not got any.

**Baroness Barran:** My Lords, my noble friend Lord Moynihan’s Amendment 6, and Amendment 7 in the name of the noble Baroness, Lady Grey-Thompson, consider the sporting legacy of the Games. I thank them for highlighting the importance of Birmingham 2022’s legacy. I know that they have also taken a keen interest in other areas of Games delivery—my noble friend in the development of the organising committee’s *Social Values Charter* and the noble Baroness in the organising committee’s accessibility work. I thank them for that.

It is right that legacy and realising the very real benefits of hosting major events, such as the Commonwealth Games, are areas closely scrutinised by Members of your Lordships’ House. As we have discussed, the Games will bring economic growth, through new jobs and business opportunities, accelerate regeneration through infrastructure projects and create new ways for more people to get involved in culture and volunteering in their local community. In particular, I share the enthusiasm of this House for maximising the opportunity that the Games present to promote sport and encourage people to become more physically active. Our plans to promote physical activity will include maximising the impact of the new sporting facilities being delivered for the Games, as well as existing facilities.

The new facilities will include: the redevelopment of athletics facilities at Alexander Stadium, to increase permanently the number of seats from 12,000 to 18,000 post-Games; the creation of a brand new aquatics centre in Sandwell which, in legacy, will provide a 50-metre Olympic-sized swimming pool, a 25-metre diving pool and 1,000 spectator seats for community use; and the addition of new cycle lanes across the city. As my noble friend Lord Moynihan pointed out, the Government have an important role in catalysing the impact of these new facilities. We are therefore working with all the Games’ delivery partners and local stakeholders in the region to develop programmes that will harness the power of the Games to promote sport and physical activity. For example, the Department for Education recently announced £20,000 of funding in Birmingham to encourage more young people to become volunteers and coaches in sports clubs and the local community in the run-up to the Games. This will provide a boost for Birmingham and develop a pipeline youth volunteer workforce ahead of the Games. We will also draw on the evidence from Sport England’s £10 million local delivery pilot investment to promote physical activity among hard-to-reach groups in Birmingham and Solihull.

To respond to the points raised by the noble Baroness, Lady Grey-Thompson, we are working with schools across the region to ensure children and young people are able to access all the opportunities to get involved in physical activity that the Games will create. As well as making the most of the new facilities developed as a result of the Games, we will look at how we can make better use of existing facilities. Sport England is already working with the Active Partnerships network to open up school facilities outside school hours, following a £1.6 million funding boost to help schools make better use of their sporting assets. We will continue to work with the network to explore ways in which school facilities can play a part in the physical activity legacy of the Games.

I am aware that a number of the points made by the noble Baroness are broader than simply the potential of the Games, which are a hotspot for focusing on that. However, a lot of work is going on in the department on investment in grass-roots football and a wide range of youth activities. I am more than happy to meet the noble Baroness, if that would be helpful, to discuss how we can use our combined wits to try to make the best of that issue.

A commitment to publishing a legacy plan was given during passage of the Bill in the previous Parliament and I am pleased that we are making good progress on that, with the development of the evaluation framework under way, including learning lessons from previous Games such as London 2012 and Glasgow 2014. As we develop the plan, and in recognition of their experience in this area, I would welcome the insights of my noble friend and the noble Baroness regarding physical activity and sport. I will also ensure that a copy of the plan is placed in the Libraries of both Houses. The noble Lord, Lord Foster, asked how the reporting on the plan would take place. That is being done as a partnership. It is a work in progress but I shall make sure that the House is kept updated on it.

The Games partnership is keen on draw on a broad range of insight. Noble Lords touched on this at Second Reading; the Committee may be interested to know that the organising committee recently appointed five influential community leaders to the legacy and benefits committee, a cross-partner group set up to ensure that the city, region and country maximise the benefits of the Games. The new members bring expertise drawn from a range of diverse backgrounds. For example, one of them is the founder of the Beatfrees collective, which works with creative young people in Birmingham to have a positive impact in the city. She is joined by others with experience based in sport, education and skills, accessibility and the arts. The noble Baroness, Lady Blower, highlighted the considerable task ahead of us to achieve this change, but we are working hard to bring the right people in to help lead on this work.

I turn to Amendment 10 in the name of the noble Lord, Lord Addington. I am sure that other noble Lords will congratulate him on his participation, not just in interparliamentary rugby but the tug of war between your Lordships' House and the other place. His amendment would require the Government to lay a report before Parliament on lessons learned from Birmingham 2022 and how lessons have been learned from previous events. With regard to previous Games, the Commonwealth Games Federation orchestrates the formal exchange of information between previous and future hosts to understand successes, lessons learned and areas for improvement. Lessons for Birmingham 2022 have also been taken on board from London 2012 and Glasgow 2014. Not only are there practical lessons from their approach to delivery; we are also learning from the inspirational way in which those events harnessed the community spirit of their host cities.

I turn to the lasting impact of Birmingham 2022. We have been clear that we want the positive effects of the Games to be lasting for Birmingham and, more widely, for the West Midlands. Hosting the Games is already accelerating infrastructure and public transport improvements across the city and region. In addition to the new sports facilities, the Games will act as a catalyst for new housing in Perry Barr—although I hear the concerns raised by the noble Baroness, Lady Brinton—and improvements to University and Perry Barr railway stations, not to mention the infamous Kings Heath station.

The long-term ambitions for the Games are to improve health and well-being, bring people together, be a catalyst for change, put us on the map and help the region to grow and succeed. We are carefully considering how this story is told once the Games end, while working with partners to look at how best to measure and report on the impact of the Games, including the impact on the local community. We will keep this House updated. We are committed to taking forward any lessons learned from the Games into planning for future major sporting events, and confident that effective plans are in place for doing so, which is why such a provision is not required in the Bill.

I hope that noble Lords are reassured that plans are in train to deliver, learn from and report on the benefits that come from hosting the Games. In view

of that, I hope that the noble Baroness and my noble friend will be happy to withdraw their amendments.

*Amendment 7 (to Amendment 6) withdrawn.*

7 pm

**Lord Moynihan:** My Lords, I am very grateful to all noble Lords who have taken part in this interesting debate. As the noble Lord, Lord Foster, highlighted, this is an area of responsibility for government. It is even built into the documentation for the Games. Quite frankly—I say this with a heavy heart—we should not be funding events if we are not prepared to fund the sports legacies of those events. To give a final example, while pressure is applied to local authority spend the fact is that it is discretionary spend and will always be squeezed first. I hope my noble friend the Minister can take this point away: sport and recreational provision is discretionary spend in England. It is the largest source of funding for sport in this country.

However, until we recognise the importance of sporting opportunity: for the young in educational terms, as the noble Baroness, Lady Blower, said; in aiding the fight against obesity, which was highlighted in terms of health; in providing the only language understood by too many of our young people who find the classroom alien and who, without the medium of sport, would find themselves on an escalator to crime; in overall health terms; in learning teamwork, the mantra of any further education; in management skills from shopkeeping to JP Morgan; and in realising the opportunity of a multibillion dollar industry worldwide, with new media and global social networking access, then the discretionary funding of sport will see sport and recreational facilities, and their legacy, wither and die on the vine of cost savings. With it will go the inspiration awakened by a great Games for so many young people in 2022.

There needs to be a concerted sports legacy policy—not just a plan but a series of policies—to open up our schools to dual use and make the sports legacy a reality. I make no apologies for being passionate about this subject, and I will make the case until they carry me out. But with those words, I beg leave to withdraw the amendment.

*Amendment 6 withdrawn.*

#### *Amendment 8*

*Moved by Lord Moynihan*

**8:** After Clause 1, insert the following new Clause—  
“Accessibility

The Secretary of State must make such regulations in relation to the access of disabled athletes, employees, volunteers and spectators to Games sport venues and sporting events as he or she thinks fit, including in relation to technical specifications, training for accessibility and events requirements, so as to ensure that all venue design and planning as well as sporting events' operations satisfy the principles of equity, dignity and functionality as further specified in Accessibility Guide - An Inclusive Approach to the Olympic & Paralympic Games, issued by the International Paralympic Committee in June 2013.”

**Lord Moynihan:** My Lords, I shall make a brief introduction to this amendment because we have covered this in some detail, but that does not in any way take away from the importance of accessibility and of a focus in the Bill on the interests of disabled athletes and anybody with any disability who is associated with the Games, whether a spectator, a worker, an employee or any individual. They should not be in any way discriminated against. Placing accessibility in the Bill should be at the heart of our approach to hosting an international sporting event. We need an inclusive approach to these Games. In my amendment I refer to the International Paralympic Committee, which has done remarkably good work on technical specifications for access, circulation, pathways, ramps and stairways. Those are clearly defined—the IPC accessibility guide has some 250 pages. It has rightly been accepted as a live document; it should improve. It was written in 2013, post London 2012, but it is still regarded as the key document for any sensible and modern approach to accessibility when hosting Games. It covers amenities, hotels, other accommodation, publications, communications, transportation—which we will come to in a much-anticipated contribution from the noble Lord, Lord Snape—and training in accessibility. Training the volunteers about accessibility is really important, as is making sure there is awareness training and job-specific training for hosting Games. Then, there are the Games requirements which we have considered in the past.

Tokyo 2020 has just published its accessibility guide for the Paralympic Games. It is interesting to note that not only does it aim to use the Games to ensure that all the venues, facilities, infrastructure and services provided are accessible and inclusive; more importantly to me, it sees the Games as a catalyst for change throughout the whole of Japan. It has simultaneously published a universal design 2020 action plan, which the Japanese Government are looking to implement to improve accessibility across the country. That is a step forward from the 2013 document, because it states that hosting an Olympic Games or other major sporting event needs to focus on accessibility in all its forms, but it can also be used as a catalyst for change in the country as a whole. All these measures show how vital it is to place disabled athletes and anyone who faces any form of disability on exactly the same basis as any able-bodied athlete or anybody who does not require detailed consideration of their disability. We must improve social inclusion and accessibility. I am looking forward to the highlight of the Committee this evening, when we hear more about the transport plan—and, on a serious note, the importance of accessibility throughout the whole of the transport network. With those brief words, I beg to move.

**Lord Hunt of Kings Heath:** My Lords, I do not want to delay my noble friend's tour de force but I want to support the noble Lord in what he said about accessibility. My amendment concerns a small bit of accessibility, but a very important one since many visitors will arrive to see the Games via Birmingham New Street station. New Street is a paradox because it is a wonderfully bright building which is very popular and has fantastic facilities, but it is not really a railway station. It is

a retail outlet that was placed on top of a railway station, with no increase in the capacity of the station, apart from the four lounges at the top. I do not know what my noble friends think of those lounges, but they are basically deeply unattractive concrete holding pens to stop people cramming down on to the platform. There is no carpet. They are not like an airport. There is not even rubber matting. They are concrete and cold and miserable and do not do the job.

At Second Reading my noble friend Lady Crawley spelled out the confusing nature of the layout. My noble friend Lord Snape is puzzled by platforms A and B, but there is also the name. Is it Birmingham New Street station or is it Grand Central? There are different signs with different descriptions of what I think is the same building. The noble Baroness, Lady Brinton, raised the issue of people with disabilities trying to get through. We go through regularly and see people asking where the taxi rank is. There are two taxi ranks, but they are nowhere near where people leave the station. Both are in the open air because even though the station was designed to have one taxi rank with cover, it was then decided that that was not where you should catch a taxi. If you ask people what they think of the retail outlet—John Lewis and the restaurants—they say it is wonderful; but it is not New Street railway station.

All I am doing is highlighting a real concern that Network Rail needs to get a grip on this and rediscover its role of providing facilities for rail travellers rather than being a retail estate developer, which is essentially what it has become. We need some assurance that the organisers understand this and are going to make it as easy as possible for visitors to find their way to buses, taxis, trams and other facilities. I realise it could be argued that this is a small point concerning an otherwise fantastic Games, but it is actually quite important.

**Baroness Brinton:** I put my name to the amendment in the name of the noble Lord, Lord Moynihan, and I will come back to that in a minute. I just want to pick up the points made by the noble Lord, Lord Hunt. I want to refer again to the meeting I had with two people from the organising committee who were extraordinarily helpful. Emma Clueit, in particular, was knowledgeable and more than helpful—she tried to explain things. I thought she could influence what was going to happen, so it was an entirely positive conversation.

However, there is a “but” coming. The “but” on transport is that she was saying that they had just been invited to have somebody on the transport forum. However, that is only one voice on a much wider forum. I have sat on those regional or subregional forums, and my worry about Birmingham New Street is the ability of one body to change something is much more limited than if you have a longer-term base.

The other issue is that change is required very quickly. I did not even know that there were two taxi ranks at Birmingham New Street when I relayed my problems with one of them at Second Reading. I find that quite amusing. There are going to be major issues with the large numbers of people coming through for the Games that will need to be dealt with as a matter of urgency. That will be a legacy for Birmingham if it is handled right.

I want now to move back to Amendment 8 on having a statement of accessibility in the Bill. I completely agree with the noble Lord, Lord Moynihan, that it is essential. To refer again to the conversation that I had with Miss Clueit and her colleague, the Games team have slight concerns about the IPC standards being used because sometimes they want to better them. I have complete sympathy with that, but that is not what the amendment says. It says that the standards must be satisfied. In other words, it is a floor of accessibility, not a cap.

I think there is a very good reason for having it, for just the reason I have said, on transport. We need to ensure that Games committees have real power in the communities in which they are working to make changes happen. Having something in the Bill will make the other statutory bodies in the area have to face up to their responsibilities as well. I hope that the Minister will be prepared to put it in the Bill because some of the problems outlined during Committee stage today demonstrate that, while the organising committee has the best of intentions, its ability to deliver everything that the wider community wants is harder without the power of something being in the Bill.

I said I would go very briefly back to the issue of accommodation for athletes. I was rather disappointed with the letter I got from the leader of Birmingham Council. There are two forms of category 3 for living accommodation for wheelchair users. He said:

“Category 3 is generally around the provision of equipment specific to user”.

No, it is not. My worry is that the council is providing the planning permission for these units and the advice that Councillor Ward has got from his officers does not even understand the basics that Paralympic athletes will need. I remain extremely concerned about that. I hope that perhaps I can have an update letter from Birmingham City Council to reassure me. My letter made no indication at all that there was any accommodation for category 3. I know that that is not true because of the conversations I have had with Miss Clueit and I have also seen the *Birmingham Mail* report on the number of units that will require extra care in the future. It is 161 units and I suspect they are the wheelchair-user ones.

There is no joined-up thinking on this and that is exactly why accessibility needs to be in the Bill to make sure things do not drift and fall through the net.

**Lord Snape:** My Lords, I fear the sense of anticipation outlined by the noble Lord, Lord Moynihan, will be equalled only by the sense of disappointment when I sit down. Speaking in these debates on transport is very difficult. The Minister said at Second Reading, tongue in both cheeks I suspect, that I was a world expert on railways. I was reduced to the ranks earlier by the noble Lord, Lord Foster, who described me only as the world expert on railway signage. The difference is fairly substantial and neither of them is particularly true. I will take it in the way that he meant it, rather than the way he expressed it, as he meant it sincerely.

7.15 pm

I have three brief points on transport and particularly on New Street station. My noble friend Lord Hunt amply set out the difficulties for able-bodied Brummies

to get round it. I am neither of course, although I have lived in Birmingham for 40 years. People who live in the city find it difficult to find their train. You can find a hamburger or a newspaper very easily at New Street Station; finding the right train is much more difficult.

I will confine my remarks to the platforms. For various reasons, all the platforms at New Street—all 18 of them, I think—are divided into A and B ends. They are poorly signposted and it is baffling for people from out of the city. You walk down the stairs and it is not apparent whether you are at the A or the B end. You get on the train in the station and go in the opposite direction to one you wished to go in—it is that bad. Surely the powers that be—I think it is a Network Rail station; the ownership of railway stations is a difficult matter these days—should have the concerns of passengers at the forefront of their minds. As my noble friend said, it is a fine retail centre but not good as a station.

Also, as it is an underground station with tunnels at either end, it is extremely smoky if there is a diesel multiple unit standing in the station. Some of them stand in the station for a long time. Many of the people arriving for—and departing from—the Commonwealth Games will spend some considerable time in the station. It is not a pleasant atmosphere, and these days when we are much more aware of the danger of diesel fumes, for example, it is not to be commended.

Virgin Trains—much missed in my opinion—used to have a spare Voyager diesel multiple unit standing in the sidings in New Street station. I do not know whether its successor, Avanti trains, does the same. The train would stand for four or five hours at a time with its engine running. I do not see the point of that or why no one has realised the danger to those using the station.

Again—I am not trying to demonstrate a particular expertise and the fact that I take some interest in these matters—New Street station should have been resignalled under Network Rail’s plans in 2016. For various, understandable reasons that it would be inappropriate for me to go into, it has not been done. Network Rail is now talking about resignalling the station shortly. I would like to know, and I would like the Minister to find out, what “shortly” means because it is not a simple task to resignal a station such as Birmingham New Street. Its current signalling was installed in 1964. It is time expired. For some reason, that brutalist building at the end of the platform has been listed. It is a typical example of 1960s concrete architecture, but I am no expert. It is a credit to the signallers over the 56 years that a station designed for 600 trains a day in the 1960s now accommodates around 1,400 trains in the course of 24 hours. Resignalling it is going to cause considerable dislocation and delay.

I ask the Minister to talk to her counterparts in the Department for Transport to ensure that resignalling does not take place immediately before, during or immediately after the Commonwealth Games, because it would cause considerable dislocation for passengers using the station. I repeat that these matters are not, strictly speaking, anything for this Minister, but we would like an assurance from her that discussions will take place between her department and the Department

[LORD SNAPE]

for Transport so that some of these matters can be debated and, perhaps, resolved. There will be an enormous impact on the Commonwealth Games if we get the transport system wrong, but so far it does not appear that Network Rail is making much of an effort to get the transport system, particularly New Street station, right.

**Baroness Grey-Thompson:** My Lords, I should probably apologise to your Lordships because all my favourite subjects are wrapped up in these two amendments. I shall try to be brief, which is something that noble Lords never want to hear at this time of the evening. I thank the noble Lord, Lord Moynihan, for introducing his amendment in such a positive way. I also thank the organising committee, which has been very generous with its time. There are a few areas that I would like to cover.

Quite rightly, we talk about the athletes' village and transportation but I am not aware that we have talked about moving athletes' sports equipment around, from the village to the training venue or wherever. Usually there is storage at the competition venue but these pieces of equipment are really expensive—between £5,000 and £20,000. An athlete's desire to be separated from their equipment is usually very low. When I competed back in 2004, I tried to explain to somebody why I did not want my racing chair to be thrown on to a separate bus. I said that I would rather my two year-old child was sent on a separate bus, but then I realised that I sounded like a slightly harsh mother.

Most athletes will have only one piece of equipment and it is not easy to obtain. There will be a repair centre in the village, but it is far easier not to have to repair equipment in the first place. This is about training the volunteers and understanding the value not just of the sports equipment but of an athlete's day chair. If you transfer to a seat in a bus, you do not want your day chair to disappear, as it may never come back again. Of course, disabled people are not just athletes, and I hope that the volunteer programme will do as much as the 2012 Games and Glasgow Commonwealth Games in encouraging disabled people to volunteer.

I am also very keen to think about what we can do for spectators. For example, I am thinking of flexible seating. I was offered quite a lot of reassurance about the purchase of accessible tickets, and that will be done in a very sensible way. Disabled people often have to apply on a separate phone line and often, only a limited number of tickets are available.

For me, one huge success of the 2012 Games was their flexibility. Whether people had bought a disabled ticket, an end-of-row ticket or a ticket for a seat with more leg room, when they turned up at the venues, they found that the volunteers were exceptionally well trained to think about how to make the most of the situation. The experience of a spectator is not just about watching the sport; it is about being part of a group of people—part of the crowd and the environment. As a disabled person, you rarely experience that. I was trying to think how to describe it. It is a little like being a Cross-Bencher or a wheelchair user in this area of the Chamber when the House is packed. You miss

everyone around you—those little conversations that you can have with the people in front of you or behind you. It can be quite isolating, and that is the experience of the majority of disabled people when they go to concerts or sports events. It is them and their carer—a word that I do not particularly like. Often, it is just the wheelchair user plus one.

I shall tell your Lordships about my worst experience. Again, I am not a terrible mother but I took my child to a concert when she was two years old. It was explained to me that, as she was not my carer, she was not allowed to sit with me. They tried to make her sit 25 rows in front of me until I pointed out that they were responsible for her safety—and then they suddenly allowed her to sit with me. That is an example of rules and red tape, and of just not thinking.

The best situation that I have witnessed was at the 2012 Games. Plastic seats were found and a group of us who happened to be wheelchair users and had travelled together were able to sit together and enjoy the experience. I hope that Birmingham will be able to offer that sort of flexibility, understanding people's needs and not saying, "You haven't got the right ticket. You can't come in".

One of my favourite topics is toilets. I would love there to be appropriate toilets and lots of Changing Places toilets. I have been assured that that is being looked at very carefully. If the RADAR scheme is to be used, I have spare RADAR keys—the keys for disabled people. If you come from another country, you may not know that that scheme exists, but it is important.

Moving on to transport, the noble Lord, Lord Snape, lived up to expectations. I hope that in future I will be able to refer to him as "my friend in accessible train transport" or "my friend who finds solutions for train stations". I share many of his concerns about New Street station. I declare that I am part of a group called the Campaign for Level Boarding. It is not strictly part of the Bill but we are looking at how to make it better and easier for disabled people to travel. I am delighted that the Secretary of State today launched a campaign called It's Everyone's Journey, which is a step forward in looking at access. However, the reality is that what we have talked about today is only a small fraction of what is needed to make stations, including New Street, more accessible. I will be writing to the Secretary of State later.

We need to think more about how the Access for All fund can be improved. As a disabled person, the reality for me is that I am only likely to be able to have truly accessible transport in the UK in 2075 and, although I hope to be, I warrant that I will probably not be around then. For me, part of the Commonwealth Games is thinking differently about how disabled people travel. When we get to the Games, lots of people will be travelling and New Street station will be a gateway. We need to think about how to get people out of the station quickly and how it can be used as a queueing system. I agree that the signposting around New Street is really difficult. When I lived in Birmingham, it was the old New Street station. I slightly prefer the new one.



Also, I did not realise that there were two taxi ranks at the station—I thought that there was only one. I find it an incredibly station difficult to navigate. I spoke to some colleagues from the Campaign for Level Boarding to get their experience of New Street. Dr Amy Kavanagh, an activist, praised the staff. Amy is vision-impaired and said that the staff there are superb. They are really helpful and adaptable and are an exemplar of staff across the network. Doug Paulley, a renowned campaigner, also praised the staff, but said about New Street that it is,

“narrow and curved. The underground tracks make it very difficult to find. The shopping centres and exits are hideously complicated, and it’s a huge distraction from what it’s meant to be: a railway station”.

He also described it as “Mordor”, which is an interesting view, but it shows his frustration at how difficult it is to get around.

Solutions are required. We need better signage. The signage in 2012, with spots on the floor, was really useful and we should think about that. Regarding the two taxi ranks, we should think about platforms or humps to enable people to get in and out of taxis more easily. Currently, the accessible toilets are on the wrong side of the ticket barrier. They can be used only when you have gone through the ticket barrier, so they need to be repositioned to the outside.

We need to be really creative in how we train and prepare people. The whole experience of being at the Commonwealth Games comes back to what I said at the beginning. It is not just about when you get to the Games venue; the experience starts when you leave home—the excitement and the fact that you have tickets and are going to the Games. Every step along the way is a very important part of that. In 2012, that is what TfL got right. For the vast majority of the time, it got the public transport right, and that is one reason why people have such fond memories of the Games. If we can take a bit of that magic fairy dust and move it to the Birmingham Games, it will mean that people go away having had a really positive experience. If we can sort out a few of the issues at New Street, we will have a better chance of making the Games a success.

**Baroness Barran:** I thank my noble friend Lord Moynihan for raising the important issue of accessibility through Amendment 8 and for his very helpful analysis of all the different issues involved. He gave the example of Japan and explained how focusing on accessibility and getting that right can improve the broad experience of the Games.

I know that the organising committee recently engaged with a number of noble Lords on its approach to accessibility, including the noble Baronesses, Lady Brinton and Lady Grey-Thompson, the noble Lords, Lord Griffiths, Lord Hunt and Lord Snape, and my noble friend Lord Holmes. It is extraordinary to listen to the expertise that noble Lords share on these different issues, and I am sure that I speak on behalf of the organising committee in being grateful to them for sharing that expertise.

The aim for Birmingham 2022 is that all venues and the services around them are designed, operated and delivered to ensure that everyone has a great Games experience. That is why Birmingham 2022 is developing an accessibility strategy with spectators, athletes, media,

the local workforce and volunteers in mind. The strategy will be published this spring. I am sure that noble Lords will take the opportunity to provide feedback to the organising committee on all aspects.

I understand that a number of noble Lords have spoken to the organising committee since Second Reading about the approach to accessibility. I thank the noble Baroness, Lady Brinton, for her feedback on that. I hope that that helped to address some of the questions raised, including around New Street station signage and accessible seating.

7.30 pm

The noble Lord’s amendment refers to the International Paralympic Committee’s guidelines, which undoubtedly provide a foundation and benchmark for accessibility standards at major sporting events. At Second Reading, the noble Baroness, Lady Brinton, shared her experience—not such a good one—of seating. I thought that it would be helpful to look at what will happen in Birmingham. Birmingham 2022 will meet the committee’s guidelines on accessible seating provision, with 0.5% of seating for wheelchair bays, 0.5% for companion seating and companion seats located next to bay spaces. Games organisers will also look at providing seating for friends, family and others in the party as close to the wheelchair bays as possible, hopefully addressing the point about flexibility that the noble Baroness, Lady Grey-Thompson, raised.

While such standards will act as a marker and consideration for accessibility planning for Birmingham 2022, the Games will look to encompass a range of accessibility guidance, best practice and regulations, taking an approach that reflects the size and scale of the Games. This will include areas such as ticketing and the recruitment and support of volunteers to ensure that accessibility is at the forefront of thinking. It was helpful to have the examples from London 2012 about good training making such a difference.

I also understand that the International Paralympic Committee’s guidelines are currently being updated, which my noble friend referred to. That is one of the reasons that Birmingham 2022 plans to design and deliver the Birmingham inclusive Games standards. This will be an evolving and bespoke set of access and inclusion standards which we hope will be applied not only across these Games but potentially for future events.

As noble Lords will know, the Government tabled an amendment in the previous Session requiring the organising committee to report on what it has done to ensure that Games events are accessible to disabled people. It will also produce quarterly reports on Games delivery, including updates on this area. We take this extremely seriously.

Turning to Amendment 17 in the name of the noble Lord, Lord Hunt, I have taken note of the points raised by the Committee about ensuring appropriate transport links to Games venues. I understand that a particular focus of this amendment is around the provision of accessible transport and hope to reassure noble Lords that such an amendment is not required.

Games partners are committed to delivering a fully accessible transport system so that everyone is able to participate in and enjoy the experience of the Games,

[BARONESS BARRAN]

which ensures, as far as possible, seamless journeys for spectators, athletes and officials to all venues. The organising committee will write about athletes' equipment, because I do not have a specific answer.

A joint transport group was established over 12 months ago, chaired by the managing director of Transport for West Midlands, to ensure full integration in transport planning for the Games. Details of routes and transport arrangements for the main transport hubs and all venues will be included in the next version of the Games strategic transport plan, the first draft of which underwent a period of public engagement between September and December 2019.

I understand that this next version will include the arrangements for all spectator and workforce transport modes, including buses and taxis. I presume that this will include both taxi ranks at Birmingham New Street—we have all discovered the second. I have been assured that there will be engagement with disabled people's organisations and other groups to ensure that the necessary accessibility requirements are fully considered; for example, as already set out in the first draft Games strategic transport plan, the provision of accessible bus shuttle services from key transport hubs and park and ride sites. If noble Lords would like to suggest local groups or stakeholders they would like to see engaged as part of this process, I would be very happy to pass those on to the organising committee.

Concerning plans for New Street station specifically, I am happy to talk to my noble friend the Minister in the Department for Transport on behalf of the noble Lord, Lord Snape. More broadly, I am pleased to report that Birmingham 2022 is working with Games partners to make sure that Games signage in hubs such as New Street will be completed. It is already engaging with Network Rail—the landlord and station manager—on improvements that could be made in the run-up to and during Games time. I am told that plans for the station at Games time will build upon successes from other recent major events, including the Cricket World Cup, and will be drawn up later in the year once full details of competition schedules and venues for Birmingham 2022 have been released.

For the Games to be successful, we know that transport in the host city and region must work effectively and be accessible—from the point that you leave your front door, so that the stresses of getting to the Games are kept to an absolute minimum—for athletes, spectators and those working and living around Games locations alike.

The Government are confident in the Games partners' ability to deliver on Games-time transport needs. I hope that the progress and planning that I have set out have reassured the noble Lord—who I hope is also my noble friend—that work is on track to achieve this, and, further, that noble Lords can see the commitment to delivering a truly accessible Games in 2022. On that basis, I hope the noble Lord feels able to withdraw his amendment.

**Lord Moynihan:** I am very grateful to the Minister for her response. There were a lot of very firm commitments there from the Government, particularly around accessibility. I think that this is important.

Frankly, it is worth while tabling an amendment of this type simply to listen to the experience of the noble Baronesses, Lady Brinton and Lady Grey-Thompson, who have in effect put out a lexicon and agenda that must be followed. I am grateful to the Minister for her strong commitment and response. I am sure that we will pick up on the specific concerns that were raised as well. I look forward to the Government responding to those.

Finally, the noble Lord, Lord Snape, absolutely lived up to expectations—another gold medal performance from him. It was a blessing that we did not get a potted history of his experiences in Birmingham hotels this evening, as we did at Second Reading. With those brief observations, I beg leave to withdraw the amendment.

*Amendment 8 withdrawn.*

#### *Amendment 9*

*Moved by Lord Moynihan*

**9:** After Clause 1, insert the following new Clause—  
“Charter for the Games

- (1) The Secretary of State must direct the Organising Committee to prepare a Charter for the Games (“the Charter”).
- (2) The Charter must include policies for the Organising Committee on matters stated in the Birmingham 2022 Host City Contract including—
  - (a) prohibiting any form of discrimination with regard to a country or a person on grounds of race, colour, sex, sexual orientation, sexual identity, physical or mental ability, language, religion, political or other opinion, national or social origin, property, birth or other status;
  - (b) protecting and respecting human rights, conducting human rights due diligence, and ensuring any violation of human rights is remedied, in a manner consistent with the UN Guiding Principles on Business and Human Rights (“UNGPs”) and all international agreements, laws and regulations applicable in the Host Country and in line with internationally recognised human and labour rights standards and principles;
  - (c) refraining from any act involving fraud or corruption, in a manner consistent with any international agreements, laws and regulations applicable in the Host Country and all internationally recognised anticorruption standards applicable in the Host Country, including by establishing and maintaining effective reporting and compliance;
  - (d) carrying out all activities in a manner which embraces sustainable development and contributes to the UN Sustainable Development Goals and COP21; and
  - (e) having regard to planning, construction, protection of the environment, health and safety, labour and working conditions and cultural heritage, including the implementation of a compliance management system to ensure that the work of partners and contractors is performed in line with the UNGPs and is held to high standards with regard to procurement, service delivery, due diligence and compliance.”

**Lord Moynihan:** My Lords, I will be brief. The social value charter is now on the website. Details of the principles to be upheld are clear for all to read. They cover everything inserted in the new clause that the noble Lord, Lord Foster, and I have proposed to the Committee this evening. It is vital to protect and

respect human rights. It is essential that the host country refrains from any act involving fraud or corruption, above all to prohibit any form of discrimination, and to carry out all activities in a manner that embraces sustainable development and contributes to the UN sustainable development goals.

Finally, the amendment looks to

“having regard to planning, construction, protection of the environment, health and safety, labour and working conditions, and cultural heritage”.

All these have been taken on board in the social value charter, and the work being undertaken by the organising committee is gathering pace. It has had conversations with accessible ticketing providers. We covered accessibility in some detail in the previous debate. It is important to recognise that Birmingham 2022 is not seen as an isolated event. These Games are the culmination of the Transformation 2022 agenda, which the Commonwealth Games Federation has been working on for several years.

I have recently returned from Qatar, where I was looking in detail at how many of the issues covered in this charter are being implemented, in a country which has faced many criticisms and challenges in the past. I was going to share some of those reflections with the Committee this evening but instead I might write to all Members, just to demonstrate how a country can use the greatest single sporting event—in Qatar’s case, the 2022 World Cup—to transform its political and social landscape. It has established its own charter and is committed to a much-needed process of implementing change.

There is a torchlight that is shone on countries over all aspects of the social value charter, which are summarised in the amendment; it is absolutely essential that the charter is taken seriously and implemented in full. Tomorrow I shall have the pleasure and privilege of meeting the president of the International Olympic Committee in Lausanne over lunch. I shall be discussing how this document can be turned into a live document. It is remarkable work; the organising committee should be congratulated on it. It can be a template for work that is undertaken in Paris for the forthcoming Olympic Games and for all future international sporting events. I very much hope that it will be seen as that. The Commonwealth Games Federation should be congratulated on the work it has done to date. It is far easier to write words than it is to implement them, as all those of us who are interested in the subject know—not least the noble Baroness, Lady Young of Hornsey, who spoke at earlier stages of the Bill and has done so much good work on this, and who continues to lead, as she does in the House, on the subject.

With that in mind, and with these brief comments, I simply ask the Minister to recognise that all this work is being done. Let us put it in the legislation and show the world that the Government are equally committed to ensuring that the social value charter is effectively implemented.

**Baroness Grey-Thompson:** My Lords, I briefly thought about whether disability should be added to the list but, after the noble Lord, Lord Moynihan, presented Amendment 8 so eloquently, I am much happier with that.

The noble Lord’s amendment is really important. Given that homosexuality is illegal in 37 of the 53 Commonwealth countries, it is clear there is still a very long way to go in ensuring people’s human rights. This amendment brought to my attention the fact that a lot of disabled athletes who are part of the Commonwealth Games teams are treated far less favourably than their non-disabled counterparts. This goes down to the provision of kit. A number of Commonwealth countries do not provide their disabled athletes with appropriate competition kit or tracksuits. There is a charity called Kit Us Out, run by Alex Mitchell, which has provided several thousand pieces of sports equipment and kit to disabled athletes competing at both the Commonwealth Games and the Paralympic Games. At the previous Commonwealth Games, he also provided 12 wheelchairs for athletes who did not have them, making their lives significantly easier.

Due to the late hour, I shall write to all Members of the Committee and connect with the Minister’s department. This is something that is worth pursuing—making sure that we send out the right message to disabled athletes who will be competing in this country.

**Baroness Barran:** My Lords, as we have heard, Amendment 9 requires the Secretary of State to direct Birmingham 2022 to prepare a charter for the Games. I thank my noble friend for his amendment and, in so doing, welcome the great progress that has been made to ensure that such issues are at the forefront of Games delivery—not least, it must be said, because of the important role of this House and of my noble friend in exercising scrutiny of this Bill and the Games.

In October 2019, the organising committee published the Birmingham 2022 *Social Values Charter*, which focuses on five key areas: sustainability, health and well-being, inclusivity, human rights, and local benefit. The charter will be a living document. Birmingham 2022 is committed to reporting on its progress through planned quarterly updates. Of course, the organising committee is further required by the Bill to report on what it has done to ensure that its delivery of the Games promotes the values of the Commonwealth Games Federation, which is intended to capture the content of the charter. That was the key point made by my noble friend: words on the page are not enough; we need to see things implemented in reality.

7.45 pm

We should, rightly, applaud the steps that have been taken by Birmingham 2022 to promote and build upon the values of the Commonwealth Sports Movement. Accordingly, I hope that Birmingham 2022 will provide an example for others to follow and that the Commonwealth Games Federation will consider how the charter can provide the framework and standards for the policy and practice of future events. I have full confidence that this is, and will become, a model for best practice; I know that the organising committee would be happy to speak to the noble Lord about how best to raise awareness of the approach that it has adopted.

In recognising the great work that has been done, and will continue to be built on, I ask my noble friend to withdraw his amendment.

**Lord Moynihan:** My Lords, I am very grateful to the Minister for that response. I will take her up on her offer to discuss further the points that she has raised. With that commitment from her, which I appreciate, I beg leave to withdraw the amendment.

*Amendment 9 withdrawn.*

*Amendments 10 and 11 not moved.*

### **Clause 2: Annual reporting**

*Amendments 12 to 20 not moved.*

*Clause 2 agreed.*

*Clauses 3 to 9 agreed.*

### **Clause 10: Ticket touting offence**

#### *Amendment 21*

*Moved by Lord Moynihan*

**21:** Clause 10, page 7, line 14, at end insert—

“( ) A Games ticket which is suspected to be touted in contravention of this section may be treated as a prohibited article under section 1(7) of the Police and Criminal Evidence Act 1984 (power of constable to stop and search persons, vehicles etc.), and a constable may use powers conferred under that section for the enforcement of this section.”

**Lord Moynihan:** My Lords, Amendment 21 covers the subject of touting. We have discussed at earlier stages the abuse of the secondary market and the importance of this as a criminal offence. My principle concern in tabling this amendment is to encourage the Government to commit to recognising that the issue is not so much one of abuse of the secondary market but the lack of enforcement powers. It is vital that those enforcement powers are made available. In the interests of time, I will discuss the subject with my colleagues in another place who, I know, are interested in tabling amendments to that effect. I hope that my noble friend the Minister will be able to say something about the importance of enforcement. There is real concern that those powers are not available at present.

The additional amendments, Amendments 22 to 27—and a ghost amendment, potentially Amendment 28, which appeared suddenly overnight but was never tabled—all relate to questions about advertising. I tabled these amendments because the Advertising Association, with which I am in agreement, has expressed concern that the current clause on the timing of the vicinity restrictions is too open to interpretation, creating significant uncertainty for many businesses large and small, as well as for outdoor media owners with billboards near the event venues.

As currently drafted, Clause 13(3) requires the vicinity advertising restrictions to come into effect from

“the beginning of the period of 21 days ending immediately before the day on which the Games begin, and ... end no later than the end of the period of 5 days beginning with the day after the day on which the Games end.”

I recognise the need to ensure that event venues and the vicinity around them are kept clean from advertising during the event itself, but the clause currently gives scope for the advertising ban to extend for nearly a month and possibly across a wide area of England, which the sporting events will be spread over, with sporting venues in Birmingham, Staffordshire and Leamington Spa, and the velodrome in London. This is surely unnecessary and goes against the stated aim, which is to limit advertising in the immediate vicinity of the event for the period when the event takes place.

The amendment tabled would limit the advertising ban to the locality around each event and put in place reasonable time limits, starting the day before the event takes place and finishing the day after. The amendment also takes account of the possibility of multiple events at the location. I appreciate that planning for the event locations is still ongoing; the amendment does not impede that process, but provides a more proportionate and balanced approach to the vicinity restrictions. Given that the Secretary of State will not publish the implementing regulations until after the Bill has received Royal Assent, I believe this amendment is essential to give businesses up and down the country appropriate clarity.

The amendment takes the same approach as for the UEFA European Championships in Scotland, where regulations governing the trading and advertising arrangements have already been published for consultation by the Scottish Government. These state that if one venue hosted a single event that lasted only a day, the restrictions could apply for as little as a day before the event takes place and the day after. There is a strong case to align with this. Amendment 24 covers much the same issues for the trading offence, for the same reasons as I have outlined regarding Amendment 22 on the advertising offence. There is a direct read-across to that.

I tabled Amendments 25 and 26 to Clause 18 because, as noble Lords will be aware, the two must be read together. The Government accept the case for a statutory exemption for the sale and distribution of news media—newspapers and magazines. As I will argue, this requires both these amendments to Clause 18, given that Clause 18(1) is a summary of the exemptions set out in more detail by the subsequent subsections. Amendment 26 would provide a statutory trading exemption for the selling and distribution of news media, including newspapers and magazines whether online or print versions, along with the other trading exemptions. This amendment would create a further subsection, Clause 18(7).

At Second Reading, other noble Lords and I raised the need for the Government to confirm continued consultation on, and then the provision of, statutory exceptions to enable normal newspaper publication and distribution during the Games, as sought by the News Media Association. The Government, in reply, welcomed the engagement of the association on the development of the Bill, which places on the Secretary of State a duty to consult specific people before making the exceptions regulations for advertising and trading. The Government then helpfully stated that they were keen to continue working with the News Media Association

and others as work on potential exceptions develops. The NMA has welcomed the constructive response of the Government. It stresses the importance of the enactment of robust, comprehensive newspaper exceptions to both the advertising and trading offences, which will be created by the Bill, and that these protections must be no less than the newspaper protections provided by such exceptions regulations for past Games and similar events.

My amendment also includes the sale and distribution of magazines. Such statutory exceptions are necessary, simply to enable the normal, lawful, unimpeded sale, distribution and provision of newspapers and magazines, including their usual editorial and advertising content, to their readers—surely something on which we all agree.

The final amendment covers scrutiny in this House. Noble Lords will recall that this was raised as an issue at Second Reading. It is important to have public scrutiny of the implementation of these restrictions to ensure they are workable for businesses that would be affected and are proportionate in their application, because the Secretary of State is not obliged, under the Bill, to publish the implementing regulations until Royal Assent, which reduces the opportunity for public scrutiny.

I commend all these amendments, which require a similar level of scrutiny. I have put them on record because a great deal of work has been done by interested parties, behind the scenes and outside the House. I hope they will be considered carefully by the Minister and in another place. I beg to move.

**Baroness Barran:** My Lords, the amendments tabled by my noble friend Lord Moynihan on advertising and trading restrictions seek to provide that news media would be excepted from the advertising and trading offences, to limit the period in which the restrictions could be in place in the vicinity of Games locations, and to apply the affirmative procedure to the regulations setting out when and where the restrictions apply. The ticketing amendment seeks to change the powers that can be used by the police for enforcement of the ticketing offence.

On Amendment 21, we recognise the importance of effective enforcement of all the Bill's provisions, including those prohibiting the unauthorised sale of Games tickets. The enforcement provisions in the Bill have precedent, and have been informed by the experience of the Glasgow 2014 Commonwealth Games and the London 2012 Olympic and Paralympic Games. It is important to note that the Bill provides for ticket touting, advertising and trading offences to be enforced primarily by trading standards, as authorised by local weights and measures authorities. Nevertheless, the police may be asked to support trading standards carry out some enforcement activity, where this is operationally necessary, and we are working with the organising committee, local authorities and West Midlands Police to develop a co-ordinated approach to enforcing the Bill's provisions.

I reassure my noble friend that this amendment is not needed to address an enforcement gap. Tickets can already be seized by trading standards under the Bill. Enforcement officers already have a suite of investigatory

powers available to them through Schedule 5 to the Consumer Rights Act 2015, including the power to search and seize documents. We need to ensure that enforcement of this provision is proportionate. We should bear in mind that the provision is primarily intended as a deterrent. It would be disproportionate to add Games tickets to the list of prohibited articles, as this is intended to cover offensive weapons, and items intended to cause harm or to assist in acts of burglary or theft.

Finally, we believe that this amendment perhaps does not reflect the changing landscape of ticket touting. It concerns the enforcement of the ticketing provision against touts outside venues—thankfully a diminishing feature of the secondary ticketing market—rather than those operating through online ticket resale platforms, where potential breaches of the offence are perhaps more likely to take place. Importantly, as the Bill stands, the ticketing provision addresses the enforcement of the touting provision wherever it takes place. For these reasons, I ask my noble friend to withdraw Amendment 21.

On Amendments 22 to 27 on advertising and trading offences, we should remember that these offences have been brought forward to ensure that trading does not obstruct easy movement in the vicinity of Games locations and to provide a consistent approach at each venue. My noble friend Lord Moynihan also seeks to apply the draft affirmative procedure to the advertising and trading regulations, setting out when and where the restrictions will apply.

I mention here my thanks to the Delegated Powers and Regulatory Reform Committee for its report on the Bill. The committee recommended that these regulation-making powers be made affirmative. I intend to respond to this report shortly and will ensure that a copy of that response is made available in the Libraries of both Houses. However, I am not persuaded that such an amendment is necessary.

The Government are of the view, given the temporary nature of the offences and the proportionate approach to the offences set out in the Bill, that the negative procedure is appropriate. However, I reiterate and provide the reassurance that it is not the Government's intention to place a blanket advertising ban or outdoor trading ban across Birmingham or the West Midlands. All Games partners are committed to engaging with those affected; indeed, business engagement across the city and region is already under way.

My noble friend Lord Moynihan has sought to include in the Bill that the restrictions provided in the vicinity of a Games location are time-limited, so that they begin no earlier than the day before the first event at a location and end no later than the day after the final event at a location. I remind the House of the remarks made by my noble friend Lord Ashton on Report of this Bill in the previous Parliament. He confirmed that the intention is in most cases for a facility to

“extend a few hundred metres beyond a Games location.”—[*Official Report*, 24/7/19; col. 790.]

However, it is important that we maintain operational flexibility with these restrictions, to protect the vicinity of Games locations from unauthorised advertising and trading. Such areas within the vicinity of Games

[BARONESS BARRAN]

locations may be affected only for a number of days—for example, in the immediate run-up to the Games—but as a consequence of this amendment they could not be protected from ambush marketing for the duration of that period. However, I want to provide reassurance that these restrictions will be proportionate and temporary, lasting a maximum of 38 days, and potentially far fewer in many cases. It will be driven by when and how Games locations are used; some may be in use only for a very few days. Because we are seeking to underline that commitment to proportionality, the Bill includes a small number of exceptions and a power to provide further exceptions in the regulations.

8 pm

The Government are aware of the approach taken to the advertising and trading restrictions for the Glasgow Commonwealth Games and the London Olympics and Paralympics where an exception was provided in regulations for newspapers, subject to certain conditions, for instances where the trading offence would have captured selling newspapers. We are of course listening to concerns raised by the news media industry and are committed to considering whether additional exceptions should be brought forward. The Bill places an obligation on the Government to consult specific people on those potential exceptions. Indeed, I am grateful for the constructive engagement so far of the Advertising Association and the News Media Association, among others, and I look forward to that constructive engagement continuing. However, it is important that the Government have the opportunity to consider that consultation before determining which exceptions should be carved out in order to ensure that the regulations are as effective as possible. I would be pleased to write to noble Lords to inform them when the consultation goes live to ensure that they have further sight of the Government's proposals.

I hope these remarks have provided noble Lords with reassurance that a proportionate approach will be taken to restrictions and a similarly sensible approach will be taken to exceptions. With that, I ask my noble friend to withdraw his amendment.

**Lord Moynihan:** My Lords, I am grateful to the Minister for her response and particularly her commitment to continue discussions with the Advertising Association and the News Media Association, which have been very constructive to date, although there is clearly further mileage to cover before both parties reach a satisfactory agreement.

I was disappointed to learn of the Government's rejection of the proposal by the Delegated Powers and Regulatory Reform Committee because I believe that it put forward a very strong argument for the affirmative resolution in this context. However, I note that the Minister is going to write to all members of the committee, and we look forward to the response to that committee recommendation in due course.

The Minister recognised that the most important body to deal with fraud in the ticketing world was likely to be trading standards officers, but that is a very inadequately funded organisation in the context of ticketing abuse at the moment. Ticketing abuse is a

growing problem. I welcome the CMA's involvement with StubHub, viagogo and others, but we must not underestimate the importance of enabling the police to take swift action and to search individuals suspected of committing offences on the ground under Section 1 of PACE.

With those comments and my further thanks to the Minister and the House, I beg leave to withdraw the amendment.

*Amendment 21 withdrawn.*

*Clause 10 agreed.*

*Clauses 11 and 12 agreed.*

### **Clause 13: Advertising offence**

*Amendment 22 not moved.*

*Clause 13 agreed.*

*Clause 14 agreed.*

### **Clause 15: Exceptions to the advertising offence**

*Amendment 23 not moved.*

*Clause 15 agreed.*

### **Clause 16: Trading offence**

*Amendment 24 not moved.*

*Clause 16 agreed.*

*Clause 17 agreed.*

### **Clause 18: Exceptions for certain kinds of trading**

*Amendments 25 and 26 not moved.*

*Clause 18 agreed.*

*Clauses 19 to 30 agreed.*

### **Clause 31: Regulations**

*Amendment 27 not moved.*

*Clause 31 agreed.*

*Clauses 32 to 34 agreed.*

*Schedules 1 to 3 agreed.*

*House resumed.*

*Bill reported without amendment.*

**Birmingham Commonwealth Games  
Bill [HL]***Report*

8.07 pm

*Report received.***Electricity and Gas (Energy Company  
Obligation) (Amendment) Order 2019***Motion to Regret*

8.07 pm

*Tabled by Baroness Jones of Moulsecoomb*

That this House regrets that the Electricity and Gas (Energy Company Obligation) (Amendment) Order 2019 (SI 2019/1441) fails to provide public

funding for energy efficiency paid out of general taxation, continues a regressive system which disproportionately increases energy costs for fuel poor households, and does not grant sufficient funding to bring all domestic properties up to modern standards of fuel efficiency.

*Relevant document: 2nd Report from the Secondary Legislation Scrutiny Committee (special attention drawn to the instrument)*

*Motion not moved.**House adjourned at 8.08 pm.*





# Grand Committee

Tuesday 25 February 2020

## Arrangement of Business

*Announcement*

3.30 pm

**The Deputy Chairman of Committees (Baroness Pitkeathley) (Lab):** Good afternoon. I begin by reminding noble Lords that if there is a Division in the House, the Committee will adjourn for 10 minutes.

## Trade: Standards

*Question for Short Debate*

3.30 pm

*Asked by Baroness McIntosh of Pickering*

To ask Her Majesty's Government what steps they are taking to establish a trade standards commission in advance of negotiating trade deals.

**Baroness McIntosh of Pickering (Con):** My Lords, I am delighted to have secured this debate. I grew up in the Pennines, at the heart of livestock production, with spring lambs and suckler cows—both central to the rural economy.

Food habits are currently changing, with a growing trend to vegetarian options and veganism, so farmers rely increasingly on exports to bolster their market. The live trade in animals is small and highly regulated, but important for breeding, showing, racing, in the case of horses, and satisfying an appetite for our excellent produce across the channel—not for horses, of course. This trade helps to keep the price stable. There is no harm in reviewing that trade, but it would be total madness to ban it.

In the brave new post-Brexit world, there will be opportunities for local producers to expand the home market. Shepherd's Purse and other cheese producers, Heck sausages and suchlike already enjoy a strong share of the home market, and this could well be developed further. But at the behest of British consumers, UK food producers must meet high standards of production in animal welfare, health and hygiene, as well as high environmental standards.

I remember only too well the unilateral decision to ban sow stalls and tethers in the early 1990s. This had the perverse consequence of pushing consumers into buying cheaper imported pork products, which were not competing fairly nor to the same high standards and put home pig producers out of business. Some 50% of UK pig producers left production.

The genesis of this debate lies in an amendment to the Trade Bill in the last Parliament and the government amendment in name of my noble friend Lady Fairhead, ably supported by the noble Baronesses, Lady Henig, Lady Jones—whom I am delighted to see in her place—and Lady Brown of Cambridge, and me. The amendment clearly stipulated that there should be statutory protection set out in the UK, with a view to

“the protection of human, animal or plant life or health ... animal welfare ... environmental protection ... employment and labour”,

and that these

“UK levels of statutory protection”

will be set out in

“primary legislation ... subordinate legislation, or ... retained direct EU legislation”.

It is that statutory protection that I seek today.

The NFU, all other farm organisations, green interests and animal welfare groups joined forces in January this year, calling for the Government to ensure that under any future trade deal they might negotiate, the integrity and safety of our standards of production would be maintained, and that imported foodstuffs would meet the high standards of production that our producers meet at home.

Why does this matter? Not just to protect us from chlorinated chicken or hormone-produced beef but to ensure that we do not roll back the years of good husbandry that our farmers have followed across the four nations of the United Kingdom. A vital ingredient to safeguard these will be a trading standards commission that will oversee standards and ensure that any food imports meet our high standards of food safety, animal welfare and hygiene, as well as environmental standards.

There must be a level playing field between UK-based companies and their international trading counterparts. This commission would work closely with the Food Standards Agency and other such bodies. Ideally, it would have been set up by Parliament before the trade negotiations began and would be composed of experts in animal health, animal welfare, public health and safety, as well as representatives of the veterinary profession. Its role would be to certify the accepted standards of production for the purpose of international trade, to ensure that the UK meets the challenges of our climate change commitments based on current science, and to ensure that sustainable modes of production and consumption are met.

I will take this opportunity to counter the argument for cheap food. Food as a percentage of income per household is now at about the lowest level ever. If we import cheap food that does not meet our high standards, we are simply exporting the problem and potentially yet again putting our farmers and food producers out of business. Is this really the Government's agenda? I cannot imagine for a moment that it is. Their agenda should clearly be to feed the country but to ensure that any food imports do not lower standards, with cheaper production costs leading to less food safety and potentially more food poisoning. We should just look at the incidence of food poisoning in the United States as a comparison.

Can my noble friend the Minister confirm that the Government will press for mutual recognition of sanitary and phytosanitary measures, removing the need for costly and time-consuming export health certification? Will the Government raise this at the next World Trade Organization meeting and in negotiating international trade deals? Will my noble friend take the opportunity today to ensure that we will do our level best to get a deal by 31 December and that World Trade Organization rules will not apply thereafter? A deal needs to be in place with no tariffs. Such tariffs could be up to 60% on lamb production, which I think is the highest level, but their impact would be felt on our livestock production across the board.

[BARONESS MCINTOSH OF PICKERING]

Farmers must have full confidence that reciprocal standards are in place and that substandard products will not be accepted into this country. We expect our farmers to go out in all weathers, battling with the elements, to put food on our plates. The least we can do for them and for other food producers is put in place a framework that protects the highest levels of production that we have come to expect from them. Maintaining high standards in the UK is also very important for our food exporters, as UK provenance and quality are prized in markets abroad. I remind noble Lords that the value of the UK's food and drink exports now exceeds £23 billion and that our products are sold to more than 220 countries.

I turn to the motor industry and car and other vehicle exports. It is essential that a deal is agreed with the EU which guarantees tariff-free trade in automotive products, with a stand-alone rules-of-origin chapter and protocol. The deal must reflect the uniquely integrated nature of UK-EU trade—a warning is apparent now with the drop-off in trade from a third country, China, owing to the ongoing coronavirus emergency.

A new EU-UK framework for regulatory co-operation and dialogue in relation to automotive should be agreed, starting from a position of complete alignment and recognising that the UK and EU currently share the same rules. It should be supported by a robust governance framework, part of which could be provided by the UK trading standards commission that I am arguing for today. The significant cost of additional testing should be avoided by the UK choosing to align with EU technical standards and seeking mutual recognition for its type-approval framework. The UK and EU should agree the most comprehensive and deepest levels of co-operation in relation to customs to minimise delays and disruption on both sides of the border. There should be an agreement on the free movement of staff between sites in the UK and the EU without unnecessary restriction, delay or cost. The UK must ensure preferential trade with third countries, including Turkey, Japan, Mexico, Canada and other preferential automotive partners.

The UK has a long and proud history as a trading nation. Manufacturing, whether of food, cars, lorries, aeroplanes or chemicals, must not be jeopardised as we leave the European Union. These industries provide the jobs and wealth on which this country is based and lie at the heart of unleashing our future economic capability. The Government have an opportunity to provide a gold-standard model for high-standard, high-quality food and other manufacturing production. They must take it and give statutory protection to these industries by establishing a trading standards commission, as I have set out today.

3.39 pm

**Lord Whitty (Lab):** My Lords, I very much support the tone and intention of the Question from the noble Baroness. We must recall that, when the previous Secretary of State for the Environment was in place, he himself supported this suggestion. We would like an indication from the Government today that they will support it as well.

Inevitably, the noble Baroness concentrated largely on the food sector, as will I, but, as she said, this would apply to many other sectors as well. On the day when the European Union is producing its negotiating mandate and we are getting ours, with the Government telling us that in a matter of weeks we will be negotiating also with the United States, we need to be clear on two things. What is the Government's overall strategy for international trade post Brexit? Domestically, what is their system of accountability to Parliament and civic society?

The problem at the moment is that those who advocated Brexit in one form or another promised different things to different people. They promised consumers cheaper food; they promised environmentalists and animal welfare campaign groups maintained or improved standards; and they promised exporters that their markets would not be closed or subject to punitive tariffs. They have effectively told all of us things that are incompatible with the outcome of renegotiating all our different trade arrangements with the world.

Trade with the United States is not primarily about chlorinated chicken, although the Minister did say the other day that he may be prepared to accept acid-washed chicken. Both those processes relate to very poor hygiene and welfare standards in the poultry farms of the United States. It is worse in some other countries we might make deals with, such as Brazil and other countries in South America. The Government need to be clear that they mean what they say about maintaining the standards that we have reached and operated with the EU over the last few years. They must also ensure that industry, consumers and civil society are involved in any change to those arrangements and that, in principle, we will not opt for trade and cheaper imports on the basis of lower welfare and environmental standards.

If we do the opposite, we will get into some difficulties. If we sign an agreement with the United States that allows in goods produced under poor welfare and low environmental standards, our farmers and producers will say that they need to reduce their standards to compete. We might then find that the EU will close the door to our imports, because we are contaminated by imports from the rest of the world, where they work to lower standards. It is not often mentioned, but it is important to remember that the UK was the leader in establishing EU environmental and welfare standards in the past. Without our presence, some of that consensus in Europe might actually reduce, under pressure from European producers, and so European standards might become lower. It will become a vicious circle throughout the main trading blocs and will lower environmental and welfare standards in developed countries.

The Government can avoid this by being absolutely clear that in no negotiations will they reduce standards, and by talking to the industry about any divergence at all—all of which would be only in an upward direction. Unless we do that, we will cause confusion, con consumers into thinking that they will get better choice and cheaper food, and endanger high-quality production in this country.

That applies to the food sector, and the noble Baroness has already referred to the situation for vehicles. I emphasise that there could be problems in relation to

vehicle safety and emissions standards. Even in unrelated areas, such as data protection and the chemical sector, there are similar issues. I ask the Minister to say clearly and unequivocally that we will not, in any circumstances, lower environmental and welfare standards, and that in any consultation we will go back to Michael Gove's commitment, made not that long ago, to establish a commission.

3.45 pm

**Viscount Trenchard (Con):** My Lords, I am grateful to my noble friend Lady McIntosh of Pickering for introducing this debate today. I acknowledge the consistent and determined approach she has taken over some time towards the establishment of a trade standards commission. However, I wonder whether linking the establishment of a commission to the opening of negotiations on free trade agreements might not perversely work against the interests of the consumers whom my noble friend seeks to protect. One of the principal advantages of Brexit is to improve diversity in sources of supply, which will be possible once we are freed from the overly bureaucratic and cumbersome EU regulatory framework. As the Conservative Party manifesto stated:

"We want people, both at home and abroad, to be lining up to buy British. And one of the great opportunities of Brexit is the chance to lead the world in the quality of our food, agriculture and land management—driven by science-led, evidence-based policy."

I draw your Lordships' attention to the importance of ensuring that our regulations in future must be science-led and evidence-based, and I ask the Minister to give an assurance to that effect. I fear that the EU's strict adherence to the precautionary principle has to some extent made the UK a less innovation-friendly environment. For example, I do not think that the science supports the EU's ban on genetically modified food. The president of the Royal Society has argued that, given the need to increase food production by 50% by 2050, we cannot afford to give up on useful technologies, especially to help poorer countries have a reliable and nutritious source of food.

It is surely time to bust the myth about chlorinated chicken. As noble Lords are aware, vegetables and salads sold in supermarkets have all been washed in chlorine, in order to protect the health of consumers. Why does the EU ban chlorine-washed chicken, or, as is increasingly used in the US, lactic acid-washed chicken? As a result, poultry-related illnesses such as salmonella and campylobacter are much more prevalent in the EU than in the US. The effect of the chlorine ban is protectionist, and it is applied not because chlorine is harmful but because the EU believes that it helps to raise farming standards. However, there is inadequate evidence for this. McDonald's decided to move to free range chickens without legislation in 2015. Furthermore, imagine the outcry from parents if there were a ban on using chlorine to disinfect swimming pools. Surely, chemically washed chicken should be available to consumers here, clearly labelled, so that those who do not wish to buy it would have the freedom to choose to buy another product.

The IEA published a report in June last year which argued that European agricultural production is among the most distorted in the world. Brexit provides an

opportunity to adopt a more open and liberal farm policy which should be beneficial for British farmers, producers and consumers. Can the Minister confirm that the Government have already responded to my noble friend's concerns by establishing the Strategic Trade Advisory Group, chaired by the Minister for Trade Policy and including representatives of all concerned stakeholders, including consumers, industry and trade unions? Does he agree that the establishment of yet another body would be both expensive and unnecessary?

In his Greenwich speech, the Prime Minister said:

"It goes without saying that of course the NHS is not on the table and no, we will not accept any diminution in food hygiene or animal welfare standards."

My right honourable friend the Secretary of State for International Trade has acknowledged that the EU single market has benefits but also serious costs for Britain's farming industry. I worry that the establishment of a trade standards commission as proposed would tie the hands of our trade negotiators and would seek to prevent our escape from bureaucratic EU regulations that have kept food prices too high for too long.

Of course, we must and will maintain the highest standards, but regulations are not just two dimensional, high or low. To describe regulations as enforcing high or low standards is subjective. There are many different ways to secure the right balance between consumer protection and encouraging new efficient production methods that will lead to enhanced prosperity for all. It is welcome that, in future, these questions will be decided here in this Parliament.

3.50 pm

**Baroness Jones of Moulsecoomb (GP):** My Lords, with the permission of the Committee, I will speak from a seated position because I have broken my foot. It was not while skiing.

This debate is incredibly important, because it follows years of debates and votes where your Lordships' House has made it very clear that the Government must subject themselves to proper scrutiny of our future trade arrangements. It is a delight to have so much common ground with the noble Baroness, Lady McIntosh. Up to now, the Government have failed to set out any sensible proposals on this. Promises to have the best standards in the world are welcome, but they have to translate into legislation.

Over the next five years I am going to constantly remind the Government that they came to power on their manifesto. The words on those pages are now the will of the people, which include the commitment:

"In all of our trade negotiations, we will not compromise on our high environmental ... animal welfare and food standards." That is great, but they must now deliver on that commitment by putting it into law.

A body such as a trade standards commission could play an important role in this, but without strong powers and the ability to hold the Government to account, we can be sure that the Government will simply ignore it, just as they have ignored and delayed the work of so many important bodies by, for example, squashing the Russia report, delaying the Independent Reviewer of Terrorism Legislation's report, and unlawfully proroguing Parliament itself. The Government have proven time and again that they will not do the right

[BARONESS JONES OF MOULSECOOMB]  
 thing unless a court orders them to. For these reasons, any trade standards commission must be given legal powers and authority. It might then scrutinise and even veto provisions in trade agreements that are seen to be detrimental—an important safeguard against a Government desperate to secure trade deals.

Minette Batters, president of the NFU, made an interesting comment today when she warned the Government:

“To sign up to a trade deal which results in opening our ports, shelves and fridges to food which would be illegal to produce here would ... be morally bankrupt”.

The Government are risking drawing together components in society such as the NFU, the Greens and Extinction Rebellion on one common platform. They would find that quite difficult to handle. Remember, it is the will of the people that our standards should remain high.

These questions of trade and development must also be co-ordinated with our efforts on the climate and ecological emergency. The Government should use our presidency of COP 26 to build agreement around global trade and investment so that the outsourcing and exporting of environmental destruction is ended, and the world economy can rapidly transition to a world-friendly, planet-friendly and people-friendly economy. The Government will find it very hard to reconcile their stated environmental ambitions with their stated trade ambitions. Trade-offs will inevitably be made, and it is essential that we put the right legislative structures in place to ensure that the long-term environmental and social impacts are rightly valued above the short-term economic and political gains.

In our assessment of trade standards, we should focus on the impact not only at home but on our trade partners. Too much of our environmental, ecological and carbon burden gets outsourced to developing countries, which feel the pain of our addiction to consumer-led growth. Water-stressed and drought-ridden countries, for example, extract their precious water to supply our markets for the manufacture of our imported goods. It seems madness that we are potentially making things worse not only here but in other countries. Any trade standards commission must be given legal powers and authority. I would like to hear from the Minister that this will happen.

I am absolutely delighted that chickens get washed in chlorine in America. If they were not, they would be even more disease-ridden than they are before being washed in chlorine—but no way will the British consumer want to eat them, I can assure you. It is the will of the people that we maintain high standards.

3.54 pm

**Lord Jones (Lab):** My Lords, it is good to follow the noble Baroness, Lady Jones, with her committed remarks, and I thank the noble Baroness, Lady McIntosh, for obtaining the debate. In another place, over a considerable number of years, I heard her voice raised always for her own homeland and for those matters that she raised so persuasively in her remarks this afternoon in Grand Committee. I found the epithets with regard to the noble Baroness very persistent and strong. Ministers always found it necessary to hear what she said.

Our Library has told us that an estimated £261 billion of England’s total economy in terms of gross value added came from rural areas, and in 2018 the Welsh Government estimated that 78% of land in Wales was used for agriculture. In support of the experienced views of my noble friend Lord Whitty and the remarks of the noble Baroness, Lady McIntosh, I wish to emphasise the need, bearing in mind the challenges, for hill farmers. I have in mind the Borders, the Pennines, Cumbria and, in my own case, Wales.

The hill farmer and the sheepmeat industry must survive and prosper and have more, not less support. The hill farmer and the sheepmeat industry face the challenge of climate and contour. We do not sufficiently value the input of the shepherd—be it he, she or they. The shepherd fights that climate and has to cope with the contours and then has to look at the challenges of welfare, transportation, regulation and competition—and they triumph. They do very well, but the nation may be in danger of overlooking this important sector of the economy and of our population and culture.

I am thinking of the far-flung townships and villages on those hilltops and in the neighbouring valleys. I am thinking of the way of life and of these special challenges—climate, particularly, and contour. They should be given more help from Governments of the day. In the case of my own homeland, there is also the cultural value of the language. It is required of Her Majesty’s Ministers to be able to say that the hill farmer and the sheepmeat industry will get the fair deal that the principal speaker adumbrated

3.58 pm

**The Earl of Lindsay (Con):** My Lords, I am grateful to my noble friend Lady McIntosh for securing this debate. It is a timely reminder of the role that standards and the UK’s broader quality infrastructure need to play in future trade negotiations. A trade standards commission, with the full involvement of government and key stakeholders, would be one means of ensuring that the strategic and economic importance of continuing high standards, and their effective implementation and enforcement, are central to all trade negotiations and future trading arrangements. Confidence in the safety and quality of goods and services is an essential element of international trade. That matters now, but it will matter even more so after the end of the year.

The Government’s manifesto rightly promised that “in all of our trade negotiations, we will not compromise on our high environmental protection, animal welfare and food standards.” That undertaking was recently reiterated by my right honourable friend the International Trade Secretary when she set out the priorities for future trade deals.

The United Kingdom already has an enviable reputation for high-quality standards in these areas, achieved through the support of successive Governments for a national framework of standards, measurement and accreditation—collectively referred to as the United Kingdom Quality Infrastructure, or UKQI. I should declare an interest, as the chair of the United Kingdom’s national accreditation body, UKAS—the UK Accreditation Service—which is a key component of the UKQI.

To maximise the effectiveness of standards, their implementation needs to be underpinned by robust verification and certification systems. As the national accreditation body, UKAS is firmly established as part of the UK's regulatory regime in a wide range of areas. These include the sectors that a trade standards commission, and others, would see as priorities, such as animal welfare, environmental management, farm assurance and food safety.

It is also important that standards and accreditation are global activities, and UKAS, as the national accreditation body, and the British Standards Institution, or BSI, as the UK's national standards body, operate within an international framework. This mutual recognition of standards and accredited conformity assessment between trading partners underpins many international trade arrangements.

Accreditation is also recognised by the WTO's Technical Barriers to Trade Agreement, and by bilateral trade agreements. That is an important tool that can be utilised to improve competitiveness and facilitate global trade. It ought, therefore, to be an important part of a trade standards commission's work to look at how accreditation and linked mutual recognition arrangements that underpin standards can be utilised, protected and, where appropriate, enhanced as part of future trade negotiations.

4.02 pm

**Lord Purvis of Tweed (LD):** My Lords, I am grateful to the noble Earl for his great experience in this area. I commend, too, the noble Baroness for securing this debate on trade and standards—significantly, the first full debate in this House since Brexit.

In January, at the African investment summit, the Prime Minister said—no doubt to bemused African leaders—that Uganda's beef cattle,

“will have an honoured place on the tables of post-Brexit Britain ... families across Angola will shortly be tucking into delicious wholesome chicken from Northern Ireland”.

It should be noted that Portugal, Belgium, Italy, Spain and France are already more successful meat exporters to Angola than Britain, and that, despite a beef ban because of its inability to control foot and mouth, Uganda's exports to the UK are worth just \$10 million, compared to \$132 million to Italy, \$115 million to the Netherlands and \$95 million to Germany. Brexit has not, as the Prime Minister suggests, been the barrier. Whether the UK is exporting to Angola, Uganda or any other country, standards, we are told, will be a critical component, and our interaction with European standards—Europe being a much bigger market for them—when an African country is exporting to Europe and to us, will be significant.

Can the Minister, therefore, in responding to this debate, also clarify the status of the trade Bill: what will or will not be in it; whether it is still the Government's intention, as it was previously, that the mechanisms through which trade agreements will be negotiated will be under the procedures of the previous Trade Bill; and the status of the parliamentary lock that the Government earlier indicated that they were committed to? Clearly, they believed that standards were sufficiently important to require a parliamentary lock. If that is no longer the case, why? What will now be the interaction

in the trade Bill with Northern Ireland—not just for Northern Ireland chicken but for those trading between Britain and Northern Ireland, and then between Northern Ireland and the European market?

Poultry is a good example of that, and I am glad that the noble Viscount raised it. As we have heard, Michael Gove, when he was Secretary of State, gave a rather glib comparison on TV when he conflated the process of surface-washing salads with chlorine used to mask poor hygiene practices. The EU, with full UK support, has made it clear that good hygiene practice is a prerequisite for the application of hazard-based controls and that they are an essential element of any discussion on market access.

If we are now setting that aside, our discussion on market access has a whole different meaning, and the Americans know it. With the Secretary of State's equivocation on TV repeated by his successor, it is concerning. These statements should not be made in TV studios. If there is a parliamentary lock that means anything under legislation, as the noble Baroness, Lady Jones, said, they should be said in Parliament and we should be given those commitments.

That is important because the US has established a negotiating mandate for both the United Kingdom post Brexit and the European Union for trade agreements. The text is identical for both. Therefore, when the UK says, as David Frost, the Prime Minister's chief negotiator, said with great confidence in his recent speech, that the whole purpose of the project of Brexit is our ability to move away from the EU rules, how will that interact with the markets that we seek to export to and import from when they have to choose between the European set of standards and the UK's—or will we ask them to triangulate, because that will be an invidious position for all our industry?

David Frost also said:

“One obvious example I think is the ability to support our own agriculture to promote environmental goods relevant to our own countryside, and to produce crops that reflect our own climate”—

because clearly we have a climate unique in western Europe—

“rather than being forced to work with rules designed for growing conditions in central France”.

This got me scratching my head. Can the Minister outline those rules?

Finally, David Frost also said:

“There are other broader advantages to running your own affairs. One obvious one is that it is much easier to get people involved in taking decisions”.

But we have no mandate set by Parliament, no standards commission, no updated parliamentary approach, no ability to scrutinise when the ink is signed on agreements and no ability to ratify. How exactly will people, and primarily Parliament, be involved?

4.08 pm

**Lord Stevenson of Balmacara (Lab):** My Lords, it has been a very good debate, and I congratulate the noble Baroness, Lady McIntosh of Pickering, on getting her name on the Order Paper early so that we have a good chance, as the noble Lord, Lord Purvis, said, to rehearse some of the ground covered in our previous

[LORD STEVENSON OF BALMACARA]  
debate on the trade Bill and that is surely to come on the many Bills now stacking up on the post-Brexit situation.

The noble Baroness made a powerful case for a trade commission. It needs more fleshing out around where its powers would start and end, and what position it would occupy, but there is certainly a germ of a good idea there which is worthy of further consideration. I look forward to hearing the Minister's response.

I am sure that the Government will argue, as did the noble Viscount, Lord Trenchard, that the Strategic Trade Advisory Group takes over that space. That may well be the case, but its advisory nature and lack of engagement with Parliament—points made by other speakers—and our need to ensure a mandate and to have a dialogue with the Government on the progress of trade deals, means that STAG cannot of itself tackle the key questions of maintaining and improving standards in what we make and produce, and supporting UK producers.

Quotes from the NFU president attacking the Government over their current approach to upcoming trade deals on agriculture have already been mentioned. He said:

“To sign up to a trade deal which”

opens our

“fridges to food which would be illegal to produce here would ... be morally bankrupt”.

We get a sense from that that something is going on, at an important level, around how the Government relate to this question.

The key question from this debate is why the trade Bill amendment asked for by this House and passed with all-party support, as referred to by the noble Baroness, is not taking this trick. The issue is very clear: the question of how you define in law our current standards is one that we addressed in detail in discussions leading up to the amendment being laid. The wording seems to cover

“human, animal or plant life or health; animal welfare; environmental protection; and employment and labour”,

and does so in a way that ties it to the current statutory position—or the statutory position that would apply when any future changes are made. The parliamentary draftsmen have crawled over it and do not seem to have found any fault with it. It was agreed unanimously by this House. It has yet to be looked at by the Commons, but I hope that it will still be in play when the trade Bill is published shortly.

The Government will probably claim that they have said enough on the record in Parliament to avoid any concerns about their bona fides in relation to standards. Indeed, if you read the response given on 5 February by the noble Lord, Lord Goldsmith of Richmond Park, you might be convinced. He said:

“We will stand firm in trade negotiations to ensure that any future trade deals uphold the standards that farmers and consumers across the UK expect.”—[*Official Report*, 5/2/20; col. 1793.]

The trouble is that saying it is not putting it into statute, a point that has already been made. The Government seem hell-bent on avoiding the large number of legislative opportunities that they have—the Environment Bill, the Agriculture Bill, the Fisheries Bill and the trade Bill,

which is soon to be reintroduced. Why are they not getting out of the impasse by saying, “We're going to do it. Relax. It's all in hand. We have the wording, we have the opportunity and we will have the support of the House and the country to do this”?

I suspect that the answer is that modern trade deals, as I think the Government are now beginning to realise, are much more complicated than simply analysing what trade is to take place in goods and products at what tariff levels. You have to consider the wider regulatory structure, as my noble friend Lord Whitty said, as that underpins quality and safety. You also have to engage with services, which are our main trading operation, and the wider public policy and political issues that that raises.

My concern is that this rather shabby approach to a key question—the constant repetition of a mantra that does not get turned into legislation that will work—is code for the fact that the Government have realised that they have to keep open the options that they need for effectively negotiating a US trade deal and an EU trade deal. But they cannot have it both ways. Surely the danger they face is that, in pursuit of these deals, they will start to trade off our high standards and the quality of our goods and services, make difficulties for our producers, and risk our financial services and the other trades that sustain our economy. I hope that the Government have this in mind.

4.13 pm

**Viscount Younger of Leckie (Con):** My Lords, I thank my noble friend Lady McIntosh for raising this important and timely short debate. I also thank other noble Lords who have made such informed contributions this afternoon. I will make a few remarks towards the end of my speech on the trade Bill questions raised by the noble Lords, Lord Purvis and Lord Stevenson. Those remarks will be fairly short, but I want to answer some of those questions.

Having left the European Union, this Government have ambitious goals for UK trade. We aim to secure free trade agreements with countries across the globe, covering 80% of trade within the next three years. Removing barriers to trade will give the UK the opportunity to increase prosperity in all parts of our country. This will mean more opportunities for business, better jobs, higher wages, more choice and lower prices, as my noble friend Lady McIntosh mentioned in her opening remarks. That is why we will use our voice as a new independent trading nation to champion free trade and lower barriers at every opportunity.

The Government are mindful of the need to show the benefits of free trade and how these will level up prosperity, growth and opportunity across every region and nation of the UK. Ministers have consistently stated that any future trade deals must be balanced and must work for UK consumers and businesses. We remain firmly committed to upholding high environmental, food safety and animal welfare standards now that we are outside the EU. Several noble Lords sought reassurance on that, in particular the noble Lord, Lord Whitty. Upholding our country's interests will be always be central to the UK's negotiating approach and in all trade talks we will drive a hard bargain for the British people.

The noble Lord, Lord Whitty, raised the potential risk to food safety standards. At the risk of repeating myself, as I may well do during my speech, I can say that the Government remain fully committed to upholding our high food safety standards and high levels of public, animal and plant health outside the EU. The Government will stand firm in trade negotiations, to ensure that any future trade deals live up to the values of farmers and consumers across the UK.

Our high standards are an important issue in our independent trade policy. It was of course the UK which established the world's first national standards body, in 1901. The UK's reputation for quality, safety and performance is well recognised in global markets. Indeed, it is this high reputation for quality products that drives demand for UK goods and, as such, is key to our long-term prosperity, as my noble friend Lady McIntosh alluded to. In 2018, the last full year for which we have figures, the total value of UK food and drink exports was £22 billion, which helped to support over 1 million jobs in agriculture and fishing, food and drinks manufacturing, and wholesaling. British food is world-renowned for its quality and high standards of food safety. The Government recognise that UK success in the global marketplace depends on us maintaining this reputation, competing at the top of the value chain.

My noble friend Lady McIntosh asked about the transport of live animals. She will know what I am about to say, but this reassurance comes from other Ministers too: we have a manifesto commitment to end excessively long journeys for live animals going for slaughter and fattening. This is an opportunity we have gained through leaving the EU. We intend to issue a consultation shortly on how we will deliver on that commitment. At the same time, food imports are tremendously important to the UK. They reached £47 billion in value in 2018, providing variety, helping to meet seasonal demands and balance domestic demand with UK production, and enhancing our food security.

This Government welcome the opportunity to hear from stakeholders, including the private sector and civil society, and actively seek their views on the development of our new independent UK trade policy. That is why we carried out one of the largest consultation exercises, by volume of responses, ever run by the UK Government. Over 600,000 responses were received, giving views on potential future free trade agreement negotiations with the USA, Australia and New Zealand, and on the UK Government considering accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, or CPTPP.

As my noble friend Lord Trenchard said, the Department for International Trade is already drawing on expertise from across the UK private sector and civil society, having established the Strategic Trade Advisory Group—or STAG—as a forum for high-level discussions on trade policy matters between government and stakeholders. The group meets quarterly, allowing the Government to understand the key concerns about the impact of new trade deals and to harness advice, insight and evidence from a cross-section of experienced voices already actively involved in trade-related issues, including trade standards. I reassure my noble friend that I agree with him that this must be evidence and science-based.

I want to address directly the points raised by a number of Peers on the proposed idea for a commission, as suggested by my noble friend Lady McIntosh. Defra and DIT Ministers are working with government colleagues to decide whether a trade, food and farming commission should be set up, or whether existing working groups can carry out this function effectively—a point made by my noble friend Lord Trenchard in his eloquent speech. The noble Lord, Lord Stevenson, alluded correctly to the fact that this is just an idea and needs fleshing out. However, it is fair to say that this short debate has highlighted the issue, and certainly the points raised will be taken back.

In addition, the department has established a range of working-level expert trade advisory groups, or ETAGs. There are currently 17 ETAGs, covering a range of thematic policy areas, including agri-food and customs ETAGs. Some of these groups are led by other Whitehall departments, including Defra and the Treasury. They facilitate expert technical policy exchanges on specific sector and thematic policy areas. We value highly the role already played by organisations such as the NFU—mentioned by my noble friend—and the Food and Drink Federation, and notable private sector businesses such as Diageo, Brake Bros, Tesco, Morrisons and Berry Gardens, as members of our agri-food ETAG.

DIT also engages extensively with the devolved Administrations on all trade policy issues and the formulation of trade negotiation positions. In January, Trade Minister Burns hosted the inaugural meeting of the ministerial forum for trade, which will play an important role in ensuring that the voices of the nations of the UK are considered as negotiations progress. DIT also runs a substantial programme of official-level engagement, including a senior officials' group and regular policy engagement, to ensure that the devolved Administrations' views are input at all levels and all stages of the process. I am reminded of a debate that we had during the first stage of the Trade Bill, which I know that various Peers here were involved in, on whether a forum should be a forum. I had to go back to *Hansard* to check on that; no doubt it will appear again.

In the context of this strong framework for consultation with business, civil society and devolved government, the Government welcome the offer from the NFU and UK food producers more widely to further engage with the development of UK trade policy. I understand that the new Secretary of State for Environment, Food and Rural Affairs—Defra—is keen to work closely with the NFU and other key stakeholders across the food chain to more fully understand their interests in the impact of new trade deals, and is working with ministerial colleagues to decide how best this advice should be fed into government.

My noble friend Lady McIntosh raised the point of the importance of trade policy to UK manufacturing, broadening the initial theme of the debate. I agree that this is an important issue. To support future negotiations, we have held detailed conversations with automotive and other manufacturers to ensure that their requirements on customs and rules of origin are understood. The UK is seeking to be at the cutting edge of global customs policy, and we have made a public commitment to reduce customs frictions and promote the greatest possible trade with the rest of the world.

[VISCOUNT YOUNGER OF LECKIE]

Of course, the issue of standards in trade policy is not limited to the UK's programme of new free trade agreements. The UK is already a strong and clear voice advocating high global standards in international bodies. We work to influence international food safety and animal and plant health standards through participation in multilateral organisations such as the World Health Organization, the World Organisation for Animal Health—the OIE—and the International Plant Protection Convention. This enables us to ensure that the interests of UK consumers are taken into account when global standards are set.

The noble Baroness, Lady Jones, spoke about the impact of UK trade policy on developing countries, and she made an excellent point. We agree that the UK has a moral obligation to support developing countries to take advantage of the opportunities that international trade offers them. I will say a little more about that. Through our role in the WTO's Standards and Trade Development Facility, the UK contributes to building the capacity of developing countries, including our partners in the Commonwealth, to meet international agricultural standards for trade. This enables them to export more produce and supports their economic development. Trade is a key driver of economic growth that can transform a country's economy, helping to raise incomes, create jobs and lift people out of poverty. For this reason, the UK is committed to working with other countries to encourage the international co-operation that creates open and competitive markets, and will continue to encourage and empower developing countries to play a role in shaping the global trade system. This will also benefit businesses and households in the UK by generating jobs, improving standards of living and keeping prices low.

I promised to say a bit about the trade Bill before I conclude. I cannot say too much, but I owe several noble Lords an answer. As they will know only too well, following the Queen's Speech, the Government have confirmed that the trade Bill will be introduced in this parliamentary Session, and the Bill is an important element of the UK's independent trade policy now that we have left the EU. I will say a little more. In addition, the Government are committed to transparency and the appropriate scrutiny of our trade policy. We will ensure that Parliament and the public are given the opportunity to provide input as we take forward our independent trade policy.

Therefore, prior to the start of negotiations for each new free trade agreement, the Government will publish their approach to negotiations, including their objectives. Once negotiations are under way, the Government will continue to keep the public and Parliament informed via regular updates. We believe that this approach strikes the right balance, as it allows Parliament to effectively scrutinise our trade policy while preserving our constitutional arrangements and ensuring that the Government can negotiate effectively and in the best interests of the country.

I hope that I have reassured the Committee, in this short time that I have had to address it, that, as we embark on our first free trade negotiations for over 40 years, the Government are working hard to establish a bold and exciting independent trade policy that will

realise our vision of a global Britain. The foundations have been laid and the preparations made. As I said just now, shortly we will publish our negotiating objectives for the US, with our other priority partners Japan, Australia and New Zealand following soon afterwards. We will be guided throughout these negotiations not only by the UK's economic interests but by the values of the British people, to deliver a new generation of world-leading trade deals that deliver for every nation and region of our United Kingdom.

4.26 pm

*Sitting suspended.*

## Post Office: Horizon Accounting System

### *Question for Short Debate*

4.30 pm

*Asked by Lord Berkeley*

To ask Her Majesty's Government what steps they intend to take in response to the judgment in *Bates v Post Office* [2019] EWHC 3408; and whether they intend to take any action against the directors responsible for the Horizon Accounting System.

**Lord Berkeley (Lab):** My Lords, I am pleased to have secured this debate. It comes only a couple of weeks after a very useful Starred Question from the noble Lord, Lord Arbuthnot, who has been working on this campaign for years. Good luck to him. I also pay tribute to the journalist Nick Wallis and *Private Eye*, who have been keeping this issue going. It is a 10-year campaign for justice by hundreds of sub-postmasters who have been really badly treated by the Post Office.

I will concentrate on how those who have suffered will be compensated and what action, if any, will be taken against the perpetrators. Noble Lords will know that the number of personal tragedies has grown over the years. I will quote just one about Mr Gary Brown from Rawcliffe in Yorkshire, who produced a very long and sad description of what happened. After several years of the Horizon system charging him for what he did not owe, he ended up with a till £32,000 short, which, for a small trader, is appalling. The computer said that he was short, so what did he do? He called the auditors. The Post Office interviewed him and searched his house. In the end, he had to sell his house and he was desolate, all because Royal Mail refused to believe that its Horizon system was faulty.

Luckily, Mr Brown and others suddenly discovered they were not alone. He was among hundreds of sub-postmasters from the 11,000-odd branches who were suffering from these accounting discrepancies. Many complained that they were not to blame and that the Horizon system was at fault. Many were accused of stealing money. That is a really serious accusation for a small business. Some had to pay the Post Office tens of thousands of pounds and many lost their businesses, but they formed this group of 500-odd sub-postmasters to take forward a campaign, which culminated in a judgment last December, which we have talked about before but we need to talk about again.



The judgment is against the Post Office and has some pretty horrible comments about Fujitsu. Mr Justice Fraser saved some of his harshest words for Fujitsu, which runs Horizon. To quote *Private Eye*, he found that

“‘on too many occasions’ Fujitsu personnel knowingly entered incorrect codes when closing enquiries, blaming ‘user error’ when they had already concluded this wasn’t the case.”

That is a criminal thing to do to these small businesses.

It is worth quoting some of Mr Justice Fraser’s judgment. He said:

“The approach by the Post Office to the evidence of someone such as Mr Latif demonstrates a simple institutional obstinacy or refusal to consider any possible alternatives to their view of Horizon, which was maintained regardless of the weight of factual evidence to the contrary.”

This went on for a year, when the Post Office tried to get Mr Justice Fraser removed because he did not agree with it—it is wonderful to get rid of a judge if you do not like him. He concluded:

“This approach by the Post Office has amounted, in reality, to bare assertions and denials that ignore what has actually occurred ... It amounts to the 21st century equivalent of maintaining that the earth is flat.”

That is a pretty strong judgment. After many attempts, the Post Office finally had to give up and accept that this was the answer.

So who is to blame, and what next? The Post Office is managed by BEIS, and one has to ask who was on watch over these 10 years. We started off with the noble Lord, Lord Mandelson, and then it was Vince Cable, then Sajid Javid and of course there were many junior Ministers—I will not read out a long list of them. But what did they do about their company on our behalf, which was abusing its position and defrauding perhaps 10,000 postmasters of their health and livelihood?

I have not found any serious apologies for this yet. When we discussed this in a Starred Question on 4 February, the noble Lord, Lord Duncan, apologised and the noble Baroness, Lady Neville-Rolfe, also mentioned that she had been a Minister. They were genuine, but who was running the Post Office then? It was Adam Crozier from 2003 to 2010. Moya Greene took over and split the Post Office and the Royal Mail and then Paula Vennells was in charge from 2012 to 2019. She was quoted in some of the Government’s public relations papers as the chief executive who took the Post Office from a £120 million loss to breaking even. According to the *Daily Mail*, she was paid £3.7 million in six years. But, more importantly, she was presiding over a company that tried every means at its disposal to deny, obfuscate and challenge in court any attempt by the sub-postmasters to get an independent inquiry into the failures of the IT system and compensation, which is pretty rich. Of course, as ever, because she then left, she has been promoted to run something in the health service.

The judge found against the Post Office on all counts and awarded the postmasters £58 million, but it was quite clear that most of that will go on legal costs. How can you achieve £58 million in legal costs? Of course you had a Post Office that kept on challenging things. Fujitsu also behaved in a manner that might be seen to be criminal or dishonest—I do not know—but

it is a question that needs to be answered. Maybe there should be an independent public inquiry. That is the only answer.

So what will the Government do to provide some proper compensation to the victims of the failure—it may be fraud and greed—of the company that we as taxpayers are supposed to own? It is easier to spin out legal processes for years and avoid blaming anyone in the Post Office, officials, Ministers and so forth, but should there be a public inquiry? Should there be action against Fujitsu over Horizon? I do not know. But the postmasters, who reasonably believed that the Government and their company—our company—would behave in an open, honest and transparent way, have been very badly let down. They deserve urgent and generous compensation.

I welcome the helpful remarks of the noble Lord, Lord Duncan, the other day as far as they went, and I hope that our new Minister will be equally helpful and supportive of an urgent resolution. But there is also a need for the Government and Parliament to review how senior people, who clearly failed and brought their companies into disrepute, are moved and promoted, while those whom they destroyed are left to suffer with nowhere to go.

I have one last thought. Ten years ago, the Royal Mail included the Post Office, which now issues stamps with the Queen’s head on them, so one might expect the Queen and other members of the Royal Family to feel some attachment to the Post Office. As noble Lords know, I have had some questions about royal and Duchy finances, but I have never had cause to question their business ethics or employment practices—and I would not. But we can be sure that they would never stoop to such appalling treatment of their lowest paid staff as forcing them into penury or worse as their Government have done. This should have been the approach of Ministers and directors of the Post Office. They failed miserably and we must make amends. The Government must make amends and compensate all those affected.

4.40 pm

**Baroness Redfern (Con):** My Lords, I thank the noble Lord, Lord Berkeley, for tabling this important debate to highlight the long campaign that has gone on and the response to the out-of-court settlement heard on 11 December last year. Following that announcement, I will speak about the dark intervening years since the first legal action in 2015.

It is a settlement, yes, but at what cost? What kind of settlement is it for each of those claimants who previously spoke out, alleging that the Horizon system caused shortfalls in their financial accounting? They were not believed but, on the contrary, given an assurance of the system’s reliability. The inevitable consequently happened, resulting in some postmasters and postmistresses being made bankrupt, while others were prosecuted and even jailed for offences including false accounting, fraud and theft. Let us not forget those sub-postmasters and sub-postmistresses who paid back the money that the Post Office claimed they had stolen and were told they would face possible criminal prosecution if they did not.

[BARONESS REDFERN]

On a personal level, you can hardly imagine that during those intervening years the postmasters and postmistresses continued to deal over the counter with face-to-face questions from their customers, colleagues and friends. It must have been even harder when they were asked the inevitable question on meeting them in the street. They felt their reputation and integrity was called into question; they felt humiliated.

Postmasters and postmistresses work hard. They are not only valued but the eyes and ears for many in their local community. The settlement allows them to carry on where they left off and perform their excellent services, interacting once more with their customers—as they have done for many years on a trusted contractual basis—and, importantly, offering advice and guidance to customers. They are a lifeline for many, particularly the elderly, who use their valued banking services and other postal facilities. Yes they have had their reputations restored at last—they can walk tall with their heads held high—but at what lingering personal cost? The reality is that only a fraction of the money won—about a third of the £57.8 million settlement—will be awarded.

I will listen to the Minister's response with interest and I hope he can inform us what further action is being or can be taken. It may now be something of a non-story to some people, but not to those involved. It is real. There are still questions to be answered. With a new regime in place, the question is: can it bring about change?

Finally, I support the Post Office service and, together with some sub-postmasters and sub-postmistresses, would certainly like to see the services offered expand, with more transactions, so that the Post Office can go forward with a strong future.

4.44 pm

**Lord Bichard (CB):** My Lords, I have come to this case rather late in the day and defer to those who have been involved for so much longer. I was aware that sub-postmasters in my local area had been involved. I therefore gradually took an interest, researched and read the background briefing. The more I read, the more concerned and appalled I became. That is why I will make a short contribution to this debate; I am so grateful to the noble Lord, Lord Berkeley, for enabling it. This is not something that we should allow to go away.

Obviously, I share the views already expressed. I feel an acute sense of injustice on behalf of the sub-postmasters and sub-postmistresses, many of whom have seen their reputations and lives destroyed by what has happened here. Some have been made bankrupt or imprisoned and many have suffered mental health problems as a result of the anxieties they have faced. Surely none of us can feel comfortable about that. I suspect very few of us feel that the settlement finally reached is sufficient compensation for all they have suffered, particularly when so much of that money will go to lawyers.

There are at least four wider issues—some have already been mentioned—that we need to look at. The first is the way the Government and the Civil Service department managed the relationship with the Post Office during this time. The judge suggested that the

Post Office appeared at times to conduct itself as though it was answerable only to itself. It is not, it should not be, and we should better understand why the situation was allowed to happen.

I have run large government agencies and non-departmental bodies in the past. I was always very aware that my parent departments were watching me closely, and sometimes they would robustly challenge what I—what we—were doing. Was there robust challenge during this 20-year period? If not, why not? If there was, what was the consequence? That is the first of the four issues that we need to look at.

The second issue is the culture that exists in the Post Office so far as it concerns sub-postmasters. In the Appeal Court, it was said that it seemed that the Post Office felt entitled to treat sub-postmasters in

“capricious or arbitrary ways which would not be unfamiliar to a mid-Victorian factory owner.”

These are people who provide essential services in communities across the country—essential because many citizens depend on them for their existence. They are people who play an important part beyond that in their community. Whether they are fairly treated and supported is a matter of public interest; it is not an entirely internal matter for the Post Office, and it should not be.

We should be clearer about what the culture of the Post Office is. I note that in the last week or two the new chief executive has said how important it is to deal with this. Well, it starts from a pretty low base, from my observation—and, again, we need to take a close look at how it has got to where it is.

The next issue, which was raised by the noble Lord, Lord Berkeley, will I suspect be the subject of further litigation. Like the noble Lord, I have serious misgivings about the way Fujitsu managed the introduction of the Horizon accounting system. I also have serious reservations about how the Post Office and the department managed the contract and held Fujitsu to account. The judge himself commented that he had serious reservations about the conduct of Fujitsu staff during the course of the contract, and even during the court hearing. This is not the first IT problem close to government that has caused a few problems. It really is about time we learned the lessons and asked ourselves why this keeps happening. It is something else we should look at more closely.

The fourth point, which has not yet been mentioned, is that during the proceedings the Post Office said that if the sub-postmasters were right—and they have been proved right—it would represent, according to the Post Office's own material,

“an existential threat to the Post Office's ability to continue to carry on its business throughout the UK in the way it ... does.”

If that is the case, and it is not just hyperbole, we again need to know how it intends to address that existential threat and ensure that this essential service continues to be delivered effectively.

As I said, these are wide-ranging concerns that go to the heart of how the Post Office behaves and is held accountable. For that reason, unless the Minister can provide sufficient reassurance today, I agree that there is a strong case for seeking a fully independent public inquiry covering the issues of culture, accountability,

the role of government and the IT failures. After all, the only inquiry to date, I think, was the one carried out in 2013 on behalf of the Post Office by the accountancy firm Second Sight. That was restricted, I believe, to the Horizon system itself.

As I said in the House the other day when this Question was asked by the noble Lord, Lord Arbuthnot, it is sadly all too easy for large corporate organisations such as the Post Office to say that they have made a mistake but will ensure that it is never repeated. Frankly, that will bring little comfort to the sub-postmasters who have been so grievously mistreated. Nor should it be enough to reassure us that the culture will change, that the Government will properly manage the relationship with the Post Office, and that this important public service can deal effectively with the issues it faces. Words and promises are not enough. That is why, if I were a Minister—heaven forbid—I would want someone to have an objective, independent look at what happened, and to be sure that things would change.

4.51 pm

**Lord Arbuthnot of Edrom (Con):** I am grateful to noble Lords for allowing me to speak in the gap. I am particularly grateful to the noble Lord, Lord Berkeley, for initiating this debate and for his speech, which was a masterpiece of understatement.

The noble Lord, Lord Berkeley, rightly thanked Nick Wallis and *Private Eye*. I add to those thanked *Computer Weekly*, which has been campaigning on this issue for years. I warn the Committee, too, that I have a Question on this topic on Thursday next week. It would be very good if I could persuade noble Lords who have spoken to speak on that, because they will have been able to consider my noble friend's reply this afternoon.

The Post Office inflicted losses on the sub-postmasters through its defective accounting system. It then blamed the sub-postmasters for those losses and often told them that they were the only ones suffering those problems. It then made them repay money it had already taken from them. Finally, it dragged those poor people through the humiliation of court hearings, criminal convictions, bankruptcies and worse. At my request it set up a mediation scheme, which it then sabotaged. It forced the sub-postmasters to incur an awful risk and the costs of litigation—litigation that the Post Office lost comprehensively, paying the sub-postmasters a derisory proportion of what they had lost.

It is hard to find words strong enough to condemn the people in charge of this catastrophic fiasco. What have the people in charge suffered as a result? One of them, Paula Vennells, has been given a CBE and now sits on government-sponsored boards. None of the rest, as far as I can see, have suffered at all. However, it is not their suffering that we want, but justice and proper compensation for those who have been dragged through this. The litigation settlement simply does not cut it.

In the common issues trial, the court found that sub-postmasters should be compensated for the loss of their office, which was not covered by the settlement agreement. How will the Government facilitate that? The court held that the National Federation of

SubPostmasters was not an organisation independent of the Post Office and that its very existence depended on it not giving the Post Office grounds to challenge its activities. Evidence was also put before the court that the NFSP has, in the past, put its own interests and the funding of its future above the interests of its members. Why are the Government continuing to talk to the NFSP as though it were representative of the sub-postmasters when the judge has found that it is not?

As the noble Lord, Lord Bichard, said, it is clear from the judgments that Fujitsu altered the accounts of the sub-postmasters while telling people that it could not and while knowing that the sub-postmasters were being dragged through the courts, prison and bankruptcy, as we have heard. Some of the witnesses from Fujitsu have been referred to the Director of Public Prosecutions, but what more is being done to bring Fujitsu to account?

Finally, the accounting officer for the Post Office is the Permanent Secretary of the BEIS department. My noble friend the Minister is answerable for that Permanent Secretary. What responsibility do the Government take for this dreadful story?

4.55 pm

**Baroness Burt of Solihull (LD):** My Lords, we thank the noble Lord, Lord Berkeley, for bringing this debate today. On 4 February, the noble Lord, Lord Arbuthnot, asked a Question on this subject. It transpired from that that the Post Office had the power to be judge and jury for its own prosecutions. Trusted, honest people suffered at its hands because it refused to believe that the Horizon computer system had glitches that caused discrepancies. This dragged on for years, until last December the directors of the Post Office finally had to admit that they had got it wrong, but not before people had had reputations, finances and lives ruined.

The thrust of this debate is whether the Government intend to take action against the directors of the Post Office, who presided over almost 20 years of mismanagement, incompetence and downright illegal activity. We have heard many instances this afternoon of how the behaviour of the Post Office was, according to Lord Justice Coulson, who judged the Post Office's appeal, like that of a "Victorian factory owner", as the noble Lord, Lord Bichard, said.

It is shocking and, even with the benefit of hindsight, it is still hard for me—among many others, I am sure—to understand how things have come to the situation that we find ourselves in. Ten years ago we were talking about reversing the decline in numbers of sub-post offices and giving them a much wider remit. Indeed, they were to be the face of government in the community. We were going to combine sub-post offices with other community services—the local shop, the pub, the library—so that they would be doing more, offering those wider range of services for longer than traditional opening hours and fitting in with normal local shop opening hours. They were not going to be doing less, with much reduced revenue coming in over longer hours, to the extent that a recent survey by the National Federation of SubPostmasters found that three-quarters of sub-postmasters and sub-postmistresses are earning below the minimum wage.

[BARONESS BURT OF SOLIHULL]

Of course digitalisation and changes in shopping trends have taken their toll, but sub-postmasters have been prevented from extending their own parcel service by an exclusive contract with the Post Office itself. They are hamstrung from competing in today's marketplace, so they are left with servicing the needs of those unconfident with buying or seeking services online—the old and the poor. Yet Paula Vennells, the previous CEO, left the Post Office for the NHS last year with a CBE, in part for her services to the Post Office.

The noble Lord, Lord Arbuthnot, has been a strong campaigner on behalf of the sub-postmasters and I am delighted that he was able to speak in the gap today. He has raised the question of the Criminal Cases Review Commission, which is considering the impact of the out-of-court settlement on the 34 Horizon-related cases that it had under review. But, he has asked, what about the rest of the cases? What about the people such as Mrs Shaheen, who was not listened to despite identifying at least 11 errors on the Horizon system? She was sent to prison after accepting a plea bargain to drop the theft charge against her. She and so many others deserve justice. They deserve to have their names cleared and they deserve reparation. An out-of-court settlement of £57.75 million, from which legal expenses have to be paid, leaving only £12 million for sub-postmasters themselves, cannot be the end of the story. That figure of £12 million came from the noble Lord, Lord Duncan of Springbank, on 4 February.

We know that Lord Justice Coulson said that he will refer Fujitsu, the providers of the Horizon system, to the Director of Public Prosecutions for possible further action, but what about the people who must admit their own culpability? What is the point of having directors without responsibility? Will those people be referred to the DPP? They must be brought to book.

We have a new chief executive in the Post Office and, we are told, a new regime. On 4 February, the noble Lord, Lord Duncan of Springbank, mentioned a new national framework that he insisted would ensure that

“the past situation cannot be repeated.”

Can the Minister give us some detail on that and when he estimates that this framework will be in place? The noble Lord, Lord Duncan, also said:

“I cannot comment on the individuals who were in positions of power during that time because I simply do not have the answer.”

Does this Minister have the answer now? The noble Lord said that

“during a significant period in the history of the Post Office, wrongdoing took place.”—[*Official Report*, 4/2/20, cols 1710-11.]

For the sake of the sub-postmasters who have been wronged, when will they get justice?

5.02 pm

**Lord McNicol of West Kilbride (Lab):** My Lords, I welcome the noble Lord, Lord Callanan, to his new position; it makes a bit of a change from Brexit. It is not the nicest of debates to open with, especially following the previous Oral Question. I thank my noble friend Lord Berkeley for securing today's important debate. The High Court judgment in *Bates v Post Office* is viewed as the climax to more than 20 years of ordeal

riddled with injustice, as we have heard—an ordeal where technology failed the workers and bosses failed their employees.

As my noble friend Lord Berkeley, did, I start by sharing some of the stories beyond that of Alan Bates, whose name is on the case. A number of them have already been covered, so I will not touch on them, but a few are striking. They go to the heart of this case, to issues of fairness and equality, and to how the case affected and still affects the individuals. There was Seema Misra, who ran a post office with her husband in Surrey, but time and again they had to put their hands in their own pockets to pay for the shortfall. It was ultimately found that the shortfall totalled about £80,000, and she was sentenced to 15 months in jail while pregnant with her second child.

We have heard about Rubbina Shaheen. Jo Hamilton was accused of taking £36,000 from the village shop she ran in Hampshire. After pleading guilty to false accounting to avoid a more serious charge, she gave up her shop and found it difficult to get a new job because of her criminal record. My noble friend Lord Berkeley touched on the case of Gary and Maureen Brown, so there is no need to repeat that. There were other cases influenced by Horizon's problems. Its records were used as evidence against Robin Garbutt, who was accused of stealing money and murdering his wife.

During today's debate, we must not lose sight of the human impact of these failures. Many are now seeking to overturn their convictions, and rightly so. It would be interesting to hear some words from the Minister about those previous convictions and the Government's position on them.

I think that we all welcome last December's High Court judgment and the approval of a £58 million settlement between the Post Office and the 550 claimants. As we have heard from every contributor, it is just a shame that so little of that will go to the individuals themselves.

The judgment confirmed what has long been known: that a number of bugs, errors and defects in the Horizon IT system had caused “discrepancies” in sub-postmasters' branch accounts. I want to praise Alan Bates, a former sub-postmaster from north Wales, for all his work with investigative journalists and others in seeking justice. Like many noble Lords, I was struck by the vivid language that Justice Fraser used in his judgment—I do not need to repeat some of the statements; there are so many. He stated that the Post Office had shown

“the most dreadful complacency, and total lack of interest in investigating these serious issues”,

which amounted to

“the 21st century equivalent of maintaining that the earth is flat.”

The noble Lord, Lord Bichard, and the noble Baroness, Lady Burt, touched on the concluding comment by Justice Coulson, who said that sub-postmasters were treated in

“in capricious or arbitrary ways which would not be unfamiliar to a mid-Victorian factory-owner.”

I have some questions for the Minister. Why did the Post Office make multiple appeals to try to see off the court case rather than deal with the issues and settle? Why did it ask for Judge Peter Fraser to recuse himself from the trial?

While the trial might be over, this shameful period is not. Many questions remain unanswered by the Post Office, by Fujitsu and by the Government. The Post Office's new CEO is welcome, but the organisation cannot hide behind cosmetic changes. A cultural shift is needed from top to bottom to rebuild trust between sub-postmasters and sub-postmistresses and the Post Office. Will the Post Office introduce an independent component when conducting any future prosecutions? How many branches still use the Horizon IT system? Can the Post Office guarantee that all bugs in the system have been fixed?

As we have heard, Fujitsu continually dismissed any claims of problems with its Horizon accounting system, which was being used in 11,500 branches by 2013. Do the Government support any action against Fujitsu and its directors?

We must also consider the Government's role in this ordeal and their responsibility to help. The CWU's branch secretary for sub-postmasters has pointed out that a government representative sits on the board of the Post Office and that they presumably took part in those board meetings that made decisions on the litigation, including the attempt to recuse the judge. Would the Minister care to comment on that?

Speaking in this House a couple of weeks ago, the Minister, the noble Lord, Lord Duncan, stated the Post Office had got it badly wrong and confirmed that only £12 million of the £58 million compensation would go to the individuals. He said that this was "not enough". With that, I could not agree more. Why, then, have the Government said that they will not pay or help towards the sub-postmasters' legal costs? Do they still hold to this policy? The crux of this is: do the Government support a full public inquiry into Horizon, Fujitsu and all the subsequent issues that arose?

I have about a minute left, so I will touch on a few wider thoughts. There is no escaping how technology will displace workers, reconfigure the labour market and change decisions made by companies and Governments in the future—in fact, it is happening now. The power of tech companies will only grow as technology increasingly dominates our personal and private lives. The fear of bugs similar to the Horizon system's might well diminish, but human error could increase as machine learning becomes more and more common. No matter how many jobs are replaced by automation, human oversight will always be needed. A big change is coming and we must learn and be ready, but the people affected by Horizon deserve to get the justice and compensation owed to them.

5.12 pm

**The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan) (Con):** I thank the noble Lord, Lord McNicol, for his welcome. Dealing with some domestic issues makes a great change from talking endlessly about EU renegotiation and the various withdrawal Bills. I am delighted to be doing this job, tricky though many of the issues are.

I thank the noble Lord, Lord Berkeley. We are reunited in policy content after our time together dealing with transport issues. He has raised an important debate. I have been in post for only 10 days. I was not

aware of this issue in detail, but I have of course seen the various press comments and summaries about it. The debate has given me an excellent opportunity to familiarise myself with the issue. I say at the outset that I share much of the horror and concern raised by many noble Lords.

I assure the Committee that the Government fully recognise the vital role postmasters and their post offices play at the very heart of our communities. It is therefore only right that their treatment is of the utmost importance to us so that they can continue to deliver a service so highly valued by many up and down the country. The Government also value the economic and social importance of post offices to people, communities and businesses across the UK. That is why, since 2010, successive Governments have made a commitment to safeguard the Post Office network and ensure its sustainability.

Let us consider the current facts regarding the Post Office. Between 2010 and 2018 the Government provided nearly £2 billion to maintain and invest in a national network of at least 11,500 post offices. We set requirements so that 90% of the UK population are within one mile and 99% are within three miles of their nearest branch. Government investment has enabled the modernisation of more than 7,000 branches, added more than 200,000 opening hours per week and established the Post Office as the largest network trading on Sundays.

Post Office banking services enable 99% of personal and 95% of business banking to be done in any of the 11,500 branches, supporting consumers, businesses and local economies in the face of accelerated bank closures. The financial performance of Post Office Ltd has also improved, with the Post Office making a profit for the third year in a row, thereby reducing government funding from £415 million in 2013-14 to £50 million in 2020-21. All this has been achieved because of the able and hard-working women and men who are proud diligently to serve their respective communities each working day. I say that as background to the appalling circumstances that we address today.

On the Horizon accounting system litigation, postmasters are a significant part of the sustainability and future of the Post Office. In relation to the Horizon accounting system case, Post Office Ltd has accepted that, in the past, it got things badly wrong in its dealings with a number of postmasters, and it is right that it has apologised. As noble Lords are aware, on 11 December, the Post Office and claimants reached a comprehensive resolution to the litigation following several days of respectful, challenging and ultimately successful mediation. The Post Office chair, Tim Parker, said:

"We are grateful to the claimants for taking part in this mediation and agreeing a settlement, bringing the Group Litigation to a close. I am grateful to Nick Read for his important engagement in the mediation process. We accept that, in the past, we got things wrong in our dealings with a number of postmasters and we look forward to moving ahead now, with our new CEO currently leading a major overhaul of our engagement and relationship with postmasters."

I reassure the noble Lord, Lord Berkeley, that this Government do not take for granted the financial and emotional suffering that the impacted postmasters endured in relation to issues with the Horizon system,

[LORD CALLANAN]

which is why this Government are pleased that a resolution has been arrived at to settle this long-running litigation.

A number of noble Lords, particularly the noble Lord, Lord McNicol, talked about the Horizon system. That question was central to the subject of the litigation and the second Horizon issues trial when judgment was handed down on 16 December. The judgment made clear that it is a historical analysis of the Horizon system at a specific point in time in the group litigation and not a judgment on the system today. When handing down that judgment, the judge found that the Horizon system as it is today is “relatively robust”.

We are committed to working alongside the new CEO of Post Office Ltd, Nick Read, to implement the necessary cultural and organisational changes highlighted by the litigation. Nick has shown that he is personally committed to learning the lessons and is currently leading a major overhaul of the Post Office’s engagement and relationship with its postmasters. The Government have proactively challenged the Post Office CEO and chairman personally to strengthen its relationship with postmasters and take on board the lessons learned through the litigation. Preparation for this debate offered me the opportunity to speak to Nick Read this morning and we had a productive conversation about all the issues, where he reassured me of the steps that the Post Office is taking on this.

The noble Lords, Lord Bichard and Lord Berkeley, made a number of points about the responsibility of BEIS and the Government for many of these issues. Let me explain that BEIS relied on the Post Office management to investigate the issues with the Horizon system and the Government were assured that the system was robust and the issues raised by the postmasters were being handled appropriately. BEIS pressed management on these issues and was given consistent advice from the company’s experts that appeared to verify those claims at that time. There have been numerous attempts over the years to try to resolve these issues, including an independent investigation in 2013 and a mediation scheme in 2015. Those failed to resolve the issues, leaving the court as the only means of providing the independent review that all sides needed. In hindsight, of course, facts came to light through the litigation that revealed that the advice received over that period was flawed. As such, the Government will monitor closely the progress that the Post Office is delivering on its programme of commitments following the settlement. That relationship will be constantly reviewed.

As I said, I spoke to the CEO, Nick Read, this morning and I was glad to hear that improvements at all levels of the Post Office are well under way, reflecting many of the lessons learned from this difficult experience, which will enable him to take forward a modern Post Office. That means a company fostering a genuine commercial partnership with postmasters, where the necessary support for them to operate branches successfully is available.

Following the agreed settlement, the Post Office is also continuing to directly address past events for affected postmasters. A scheme will be announced in

the near future with the aim of addressing historical shortfalls for postmasters who were not part of the group litigation settlement.

The noble Lord, Lord Berkeley, asked about compensation for those affected. The settlement agreed with the Post Office included all legal and other costs. In those circumstances, the Government cannot accept any further request for payment. While the process was undoubtedly challenging, the Government thank all the claimants for participating in order to finally resolve this matter and enable both parties to move forward.

My noble friend Lord Arbuthnot raised the issue of the remuneration of postmasters for their losses. As I said, following that agreed settlement, the Post Office is continuing to directly address past events for affected postmasters. A scheme will be announced in the near future with the aim of addressing those historical shortfalls for postmasters who were not part of that group litigation.

I was pleased to hear from the CEO of the new personalised support that postmasters are now receiving. This includes newly established area managers able to deliver support on the ground, an improved branch support centre to support teams throughout the UK, an overhaul of postmaster training and, above all, a further increase to postmaster remuneration.

My noble friend Lord Arbuthnot asked about the National Federation of SubPostmasters and its independence from the Post Office. It is fair to say that the Post Office has acknowledged criticisms from the litigation about its dealings with postmasters, and is accelerating its programme of improving how it works with both postmasters and the NFSP. We in government are also engaging with other stakeholders in the postmaster community, including the Communication Workers Union, to understand properly the views of postmasters.

Going forward, government Ministers and officials in both UKGI and BEIS will hold the Post Office to account for these reforms, along with wider cultural and organisational changes, and will seek clear evidence that real positive change is taking place.

The noble Lord, Lord Berkeley, asked about the actions of Fujitsu and the cases arising from the litigation.

**Baroness Burt of Solihull:** Before the Minister leaves the subject of the accounts that are outstanding, can he confirm—yes or no—whether any director of the Post Office will be held to account for their actions?

**Lord Callanan:** I will come on to that shortly.

I was answering the noble Lord, Lord Berkeley, about Fujitsu. When handing down the Horizon judgment, the judge raised concerns in relation to the evidence provided by Fujitsu employees. Those cases have been referred to the Director of Public Prosecutions. It is, of course, a matter for the DPP to consider what action, if any, he would like to take following that referral.

My noble friend Lady Redfern asked about the kind of settlement and referred to it being inadequate, following the comments by my noble friend Lord Duncan. We recognise that it has been, to put it mildly, a difficult period for postmasters who have experienced

the issues covered by this litigation. Mediation took place between the parties in confidence and, while I can confirm that the total amount of the settlement was £57.75 million, I am sure the Committee can appreciate the legal sensitivities of the matter. While the financial settlement is a major step towards resolving some of these grievances, there is more for the Post Office to do. It has committed to a major programme of work to overhaul its relationship with postmasters, which we in government are determined to see delivered.

My department has taken steps to strengthen the mechanisms for doing so. This has included expanding the BEIS Post Office policy team that works closely with UKGI in holding the Post Office to account at an official level. It also means strengthening the relationships and responsibilities of the Post Office, BEIS and UKGI through a new framework document that formalises that relationship and the responsibilities of those parties involved. I can announce that this will be published shortly. In addition, BEIS has established, and chairs, a quarterly working group involving the NFSP and the Post Office. The working group is a forum for discussing Post Office and postmaster relations and provides the opportunity for highlighting concerns the postmasters may have. As I said earlier, the Government are also engaging with other stakeholders in the postmaster community, including the Communication Workers Union, to understand the views of postmasters. Progress will also be monitored at the highest levels of the Post Office in quarterly ministerial meetings with its CEO, Nick Read.

I can confirm, too, to the noble Baroness, Lady Burt, that we are in the process of establishing the framework document to govern that relationship, and that will be published soon. I will now address her point about holding directors to—

**Lord Bichard:** Before the Minister sits down, will he agree, since he is clearly not inclined to accept the need for an independent inquiry, that the independent non-executive director, who I think sits on the BEIS board, might have a role in ensuring that these promises are kept?

**Lord Callanan:** Indeed, I would of course be happy to accept that. We believe, however, that additional accountability should be in place, which is why I outlined the further accountability mechanisms that we are putting in place: it will not be just the director on the board—there will also be a series of quarterly meetings between the CEO and Ministers, to make sure that we put in place all the appropriate accountability that is required.

On the issue of the directors responsible, we are pleased that the Post Office's chairman and its new CEO, as well as the previous CEO, have fully apologised for getting things wrong in the past. The appointment of the new CEO in September last year is an important step for the Post Office in improving how the organisation is run, along with its relationship with its postmasters. However, the Government do not propose to take any further action against current or former directors.

Following the conclusion of the mediation, the Government's focus is now on ensuring that the Post Office lives up to its commitment and moves forward

under the leadership of its new CEO. The judgments in this litigation have provided the independent view of the facts that both parties sought for many years, resulting in firm pledges from the Post Office to reform postmaster relations and ensure the stability and sustainability of the network.

Your Lordships can be sure that the Government will hold the Post Office to account in delivering reform and ensuring that these crucial changes have a tangible and positive impact on postmasters. We will make sure that those hard-working individuals are respected and valued for the fundamental role they play in upholding the post office network and with it, delivering essential services to communities up and down the country.

Finally, I apologise for not having time to respond in detail to a number of points that were raised. I will do so in writing.

5.28 pm

*Sitting suspended.*

## **India: Citizenship (Amendment) Act 2019**

*Question for Short Debate*

5.30 pm

*Asked by The Earl of Sandwich*

To ask Her Majesty's Government what assessment they have made of the impact of India's Citizenship (Amendment) Act 2019, passed on 11 December 2019, on United Kingdom citizens, and what representations they have made, if any, to the government of India as a result.

**The Earl of Sandwich (CB):** My Lords, I am most grateful for this opportunity and look forward to hearing from colleagues who have a close knowledge of the subject, and of course to the Minister.

Britain's relationship with India started with the embassy of Sir Thomas Roe to the Mughal Emperor Jahangir in 1615. Much has happened in 400 years, and the UK has had to live down some of the atrocities of colonial rule since then. But today, nearly 73 years into independence, this country and India share many core values and traditions. This continuing—I think I can say “special”—relationship has drawn on our common language and our many human contacts through trade, business, diplomatic, cultural and aid activities. It also reflects the contribution to this country of a large number of Indian immigrant families. Many of our senior scientists, surgeons, judges and politicians have an Indian background. Over 100 candidates in the last election to the House of Commons came originally from the countries that constituted India before 1947. In short, as one who has lived and worked in India at various times, I believe that we in the UK are privileged to be so closely tied to a country with such a long history and character, enriched by so many traditions and religions. But we must not take this relationship for granted; indeed, we should cherish it.

Today I want to discuss specifically the state of India's minorities. It is well known that Prime Minister Narendra Modi belongs to the majority Hindutva tradition. In 2001, he was Chief Minister of Gujarat when hundreds, mainly Muslims, died in a series of

[THE EARL OF SANDWICH]  
 incidents. All this was overshadowed at the time by 9/11; nevertheless, in India it was a transformative event, resulting in Mr Modi's exclusion from visiting the United States. Yet there is no doubt that Hindu nationalism, coinciding with these events and other atrocities since, has brought confidence to the business community and given Mr Modi's BJP two election victories.

More recently, new legislation has discriminated against Muslims. First came the division of Jammu and Kashmir into two states, and their occupation by the Indian army. Then the Government decided to register everyone in Assam state. Local politicians there had complained of infiltration by millions of Muslims from Bangladesh, but a census of its 33 million people showed that fewer than 2 million had insufficient documentation. Mr Modi now seems determined, via a National Register of Citizens, to register the entire population of India in order to root out illegal immigrants, but he is meeting considerable opposition. The Citizenship (Amendment) Act 2019, which passed through the Lok Sabha in December, granted an amnesty to illegal immigrants from three neighbouring countries—Pakistan, Afghanistan and Bangladesh—but not to Muslims from those countries. Unsurprisingly, there have been riots and protests in New Delhi, Aligarh and all over the country, and not only from the Muslim community. Five states refuse to implement the law. The UN has criticised it at a high level. Euro MPs have called it the world's "largest statelessness crisis", and it is bound to come up during the Prime Minister's forthcoming visit to Brussels.

This is why I am asking Her Majesty's Government about the impact of the CAA both in India and in this country, especially regarding human rights and security. Human rights, since the days of William Hague and Jack Straw, have become a hallmark of our diplomacy, and in many countries we have established a regular dialogue. However, our relationship with India is so close that to my knowledge there has been no need for such a dialogue; India is not even on the FCO human rights list. But I will argue that there may be a need for one now.

Many years ago, the Indian writer Khushwant Singh wrote about the ancient rivalry between Hindu and Muslim as though it was endemic in Indian society, but he pointed to changing attitudes. The British, for example, favoured Hindus after the 1857 rebellion as assisting law and order under the Raj. But after independence and partition, when two new secular countries were created, the Foreign Office took a more neutral line, as in much of the Middle East, tending to uphold the stability of independent Arab states. However, the new India and Pakistan of Gandhi, Nehru, Jinnah and Patel, like the South Africa of Nelson Mandela later on, were to be democratic, multiracial and respectful of human rights and the rule of law. In India these rights were strongly protected at that time by the Congress Party. It is doubtful that any of those leaders would be satisfied with the situation today.

As we all know, security is of paramount concern throughout the world. In Europe we are witnessing fears of refugees and migrants, and Governments have had to adjust to popular feeling. We have had some

violent attacks by terrorists in the UK. In India there is a lot of sensitivity to terrorism, especially coming from Pakistan, and there have been incidents that exacerbate that. Mr Modi may think that his new Act meets fears from all sides of India and that violence justifies stronger measures.

What does the FCO advise today? More than 1 million UK citizens visit India every year. Visitors are warned against travel to Kashmir, the Pakistan border, Assam and anywhere where there are demonstrations against the CAA. Our shared language and culture also mean that we share these fears of terrorism. The regular migration of families between our two countries suggests that there is more sensitivity to discrimination than ever within our Asian minorities. This hits the Muslim community hardest.

In foreign policy India has always had a distinct profile, namely neutrality. Ever since the Bandung conference of 1955, it has earned an international reputation as a leader of the Non-Aligned Movement, which began as an alternative to the power blocs of the Cold War. Surprisingly, the NAM still exists and acts as a home for countries of the south, although India has moved on and is now not only a nuclear power but a member of the BRIC group and, of course, a major player in the Commonwealth. Many developing countries respect India's democratic model and its example of integrity and good governance.

Inequality and discrimination have characterised Hindu society all the way back to the Vedas, but a stronger impression remains with me from my own time in India: an honesty and openness, a true sense of liberty, a fundamental belief in justice, and good humour. I am an admirer of the late cartoonist RK Laxman, who managed to show up the many wrongs, absurdities and anomalies in Indian life.

It would be wrong to see the UK and India as equals, but the two countries have reached a high point of mutual respect and understanding. There are obvious differences in the size of the economies, their balance of trade and world status, but the two countries need each other. Brexit has given the UK a new opportunity to expand its trade with the subcontinent, although in my view too little attention is given to this, especially in the education sector. India has long complained of our immigration policy.

In the context of human rights, the UK can argue that India has a long way to go in reaching the UN's sustainable development goals. These goals are built around the phrase "leaving no one behind", and it seems obvious that a stable economy and well-integrated, well-governed society has a greater chance of reaching these goals. Mr Modi's Government have a range of concerns about security, but must balance those against their responsibility to their own citizens. Even President Trump's team have made a similar point this week.

Finally, it is not widely known that India is no longer eligible for our international development programmes, but extreme poverty persists in many states. Through NGOs and the churches, the UK has continued to support the very poorest communities, including Dalits, Adivasis and others. Can the Minister confirm that our aid programme will continue to prioritise these and other minorities? This has become a legitimate



FCO question as well. Having heard me out, will the Government now urge Mr Modi to carry out a review of the CAA and its effect on Indian society?

**The Deputy Chairman of Committees (Lord Brougham and Vaux) (Con):** I remind noble Lords that the time for this debate is very short. Speeches are limited to six minutes, and noble Lords should keep an eye on the time on the screen.

5.39 pm

**Lord Alton of Liverpool (CB):** My Lords, as India celebrated its Republic Day on 26 January, marking the 70th year since the ratification of the Indian constitution in 1950, my noble friend's compelling speech and welcome debate are extremely well timed. However, a disturbing counterpoint to those celebrations has been in evidence on the streets of that great country—the world's largest democracy. India's founding fathers—Gandhi, Nehru, Ambedkar, Subhas Chandra Bose and Vallabhbhai Patel—who steered their new nation in the direction of democracy to ensure that it was not destroyed by sectarianism, casteism and authoritarianism, would surely be aghast to see people all over India protesting against a draconian law that is communal and unconstitutional in its nature: the Citizenship (Amendment) Act 2019 and the proposed nationwide National Register of Citizens.

Dr Ambedkar, the father of India's constitution, warned Indians against

“any competitive loyalty whether that loyalty arises out of our religion, out of our culture or out of our language. I want all people to be Indians first, Indian last, and nothing else but Indians.”

He wisely said that:

“Constitution is not a mere lawyers document, it is a vehicle of Life, and its spirit is always the spirit of Age.”

Tragically, today's Government are living by different principles and a different spirit, stoking fear among all quarters of society across the country. There have been reports of numerous arrests, excessive use of force by the police, and deaths as a result of these protests.

The Citizenship (Amendment) Act is in itself discriminatory, isolating Muslims, including Rohingya, Ahmadiyya and Shias, and other minorities from participating in nation building. On Sunday 17 February, I was concerned to see a headline in the *Sunday Telegraph*: “Christians in the Firing Line”. This is an ancient community that dates back to 52 AD. Taken together with the National Register of Citizens, it is abundantly clear that both measures will have far-reaching implications for all sections of the community, right across the nation, in the only place that they can call home.

With the launch of these unreasonable and extreme benchmarks for citizenship, many who do not possess the necessary documents to prove their citizenship risk facing statelessness and immeasurable suffering in detention centres, and an imminent unsettled future. Right across India, this will not only burden millions who are already suffering extreme hardship but will set them aside from the rest of society—as if there are not already too many existing barriers preventing citizens from being

“Indians first, Indian last, and nothing else but Indians.”

The minority population of India comprises approximately 20% of the total, a large percentage of whom are economically poor and socially excluded. With the CAA/NRC policy in place, large swathes of Indian society will become outsiders and more vulnerable than ever.

The preamble to the *Constitution of India* opens with the words:

“We, the people of India”.

It does not say, in words which could have been crafted by today's Government, “We, the documented people of India”. Ambedkar's constitution was never intended to discriminate between Indian citizens on the basis of their religion. This law not only discriminates against Muslims but diminishes a Muslim person's value in society, inevitably exposing the community to further injustice.

The promotion of majoritarian communalism, based on anti-minority rhetoric, has been evident since 2014, when the Bharatiya Janata Party came to power. Since 2019, after taking office for a second term, the party's leadership has thrown caution and wisdom to the wind. This has emboldened others. Attacks have been perpetrated by non-state actors, such as cadres of the Rashtriya Swayamsevak Sangh. The RSS is closely connected to the ruling party, as well as commanding influence over the police in many parts of the country. That endangers public trust in the impartiality, independence and objectivity of the police, which is dangerous for any society. There have been widespread reports of attacks on the freedom of worship, religion or belief; hate speech; mob lynchings; targeted violence against the Dalit and tribal communities; assassinations and attempted assassinations of journalists and human rights defenders; and infringements of freedom of expression against those who raise their voices in dissent against such rank injustice. Anyone who questions the policies of the Government risks being labelled an “anti-national” and being subjected to harassment and brutal attack by nationalistic groups. The unprecedented attack on students at the Nehru University on 5 January by a large mob of unidentified assailants armed with stones and sticks was just one shocking example of the shrinking space for public dissent against such injustice. It gave force to Nehru's own remark:

“The only alternative to coexistence is codestruction”.

Great Britain's long-standing relationship with India is hugely significant and does not always reflect well on us, but it is precisely because we must all learn from the past that we should not hold back in our own times when we see human dignity and diversity at risk. Relationships between states must be woven into an explicit understanding that democratic values of justice, liberty, equality and fraternity, foundational ideals to nation-building, must be preserved, protected and promoted at all costs.

At a time when hate and intolerance are so much in evidence in many parts of the world, often fanned by xenophobic agendas, we must as India's good friend urge its Government not to abandon the high ideals of its constitution.

5.46 pm

**Lord Desai (Lab):** My Lords, I am grateful to the noble Earl, Lord Sandwich, for introducing this Question. I must declare an interest: I have a column in the *Indian Express* every Sunday, and I have written extensively about the matters being discussed, but I shall refer people to find that out for themselves.

The noble Earl and the noble Lord, Lord Alton, have raised many issues about India. I shall follow the title of the Question before us and confine myself strictly to the Citizenship (Amendment) Act 2019. It is said that the Act is unconstitutional, but we do not know that yet because the Supreme Court of India has not yet heard on that issue. As of now, all one can say is that both Houses of the Indian Parliament have passed the legislation; the President has signed it, and it has been notified in the *Gazette* and is the law of the land.

It does not concern Indian citizens that the title of the legislation is somewhat misleading. After the partition of India, which led to the movement of some 18 million people one way or another—I do not remember who called the partition; I am not going to go into that—the first Citizenship Act was passed in 1955. That related to the status of refugees who had to be given citizenship in India. Although the Act that we are discussing is called the “Citizenship ... Act”, it is about refugees who are not citizens and the question is which set of refugees should be given citizenship.

The first Act was in 1955; there was another in the mid-1970s, and now there is this third Act. This Act relates only to refugees who have come from Afghanistan, Pakistan and Bangladesh, the three Muslim-majority countries in the neighbourhood of India. The Act states that anybody who came into India as a refugee at any time up to 2014 and was likely to have faced prosecution will be recognised as a citizen. The position taken by the Government is that, because it was Muslim-majority countries from which they came, they will be predominantly non-Muslim—they will be Hindus, Parsis or Sikhs, but not Muslims. It is possible to say that this is not factually true, because there is a lot of persecution of Muslim minorities especially in Pakistan, where the Shias and the Ahmadis have been discriminated against, but the Government of India have chosen not to look at that and to consider only non-Muslim refugees for citizenship.

The fear about this Act, which is quite genuine and has been expressed in a number of demonstrations, arises from what has happened in Assam. It is somewhat complicated to go through it, but the Assamese position is that only people genuinely born in Assam and speaking the Assamese language can be considered Assamese, and that nobody else, Hindu or Muslim, coming from Bengal, Bihar or anywhere else, should be considered a citizen. There were major riots in the 1970s and 1980s, and in 1985 the Assam Accord was signed. As part of that the Government were supposed to consider a national citizenship register, and the Supreme Court commanded the then Government to do that. But they did not do it, and 30 years later it has come up. There was a citizenship register count earlier on, and 30 million Assamese were recognised as citizens while 2 million were thought to have dubious papers

and their cases will be reconsidered. It turns out that out of the 2 million, around 1 million are Hindus and the rest are Muslims and other minorities.

This episode, and the question of what will happen to those who do not have the papers, is raising anxiety. People are saying that the CAA has been passed for no other reason than to let the Hindus with dubious papers to go through but not anyone else. This has not yet happened—it is a conjectural fear. I am not saying that it is not true: the conjectural fear exists, but so far neither the citizenship Act nor the national citizenship register have been implemented. It is important for us to have that in mind. Whatever representations Her Majesty’s Government make, they should be based on what has happened so far.

5.51 pm

**Lord Loomba (CB):** My Lords, I thank the noble Earl, Lord Sandwich, for securing this debate. It gives me an opportunity to clarify some facts about the Citizenship (Amendment) Act.

India amended its Citizenship Act to allow persons belonging to Hindu, Sikh, Jain, Buddhist, Farsi and Christian faiths who have illegally migrated to India over the years from three neighbouring Islamic countries—Pakistan, Bangladesh and Afghanistan—to acquire Indian citizenship. The new Act became necessary because Hindu, Sikh, Buddhist, Jain, Farsi and Christian minorities who had entered India over decades, fleeing persecution, discrimination, physical insecurity or threat of forcible conversion, were living precarious lives, deprived of the many benefits of Indian citizenship. Unfortunately, they did not acquire Indian citizenship.

India is the historical home of Hindus and Sikhs, and it is these minorities who have naturally migrated there. No Muslim country would either accept them or give them citizenship. Back in 1947, minorities in Pakistan—mostly Hindus and Sikhs—constituted about 23% of the population, and are now just over 6%. In 1971, Hindus in Bangladesh constituted 19% of the population, but only 8% in 2016. These figures demonstrate the large-scale exodus of minorities from Muslim-majority countries that neighbour India.

Many migrants to India who have entered illegally, such as Muslims from Bangladesh, have done so for economic reasons and better life opportunities than in their own country. Their case is different, as they can return to their country of origin without fear.

The new Act was passed after an intensive debate in both Houses of the Indian Parliament, when all the issues raised by the opposition, including the perceived anti-secular nature of the amendment, were answered by the Government. The legislation was passed through an open, transparent and fully democratic process.

The Government of India have repeatedly clarified that the CAA is to grant citizenship on a one-time basis to a group of persons with no alternative options and not to take away the citizenship of anyone, much less an Indian Muslim. The CAA has a cut-off date of 31 December 2014, after which no illegal immigrant—whether Hindu, Sikh, Buddhist, Jain, Parsi, Christian or Muslim—would be eligible for citizenship under the amendment. In this larger sense, the CAA is by no means anti-Muslim or discriminatory.

India demonstrates by its actions that it does not discriminate against Muslims. Muslims have occupied the highest positions in the country, not least the esteemed head of India, President Dr APJ Abdul Kalam. Indeed, the Indian constitution protects the rights of all minorities, including Muslims, giving special rights in the management of their respective religious and educational institutions.

5.57 pm

**Lord Singh of Wimbledon (CB):** My Lords, the Indian Citizenship (Amendment) Act, or CAA, denies citizenship to Muslim refugees from Burma, Pakistan, Bangladesh and Sri Lanka, brushing aside the Indian constitutional commitment to secularism and the equal treatment of all religions. But this discrimination against Muslims should not be looked at in isolation.

The VHP, the ideological base of the ruling BJP, was founded in the 1930s by admirers of Hitler and the Nuremberg laws that made it mandatory for German citizens to prove Aryan ancestry. The CAA, instead of segregating people by genetics, makes religion the basis for citizenship.

The VHP was initially an understandable reaction to centuries of oppression of Hindus, by Muslim invaders and then by the British. The aim was to introduce a sense of pride and self-worth, but it soon became rooted in notions of superiority over others. At first, with its members dressed in shorts and armed with sticks, drilling in parks, the VHP was seen as a bit of a joke by most Indians. Today, it is a powerful paramilitary organisation preaching hatred and promoting violence against non-Hindus.

The underlying religious bigotry also affected some in the wider community. Pandit Nehru, India's first Prime Minister, famously declared that the care of minorities is more than a responsibility, it is a sacred trust—but he himself carried out a policy of discrimination against Sikhs. His daughter Indira Gandhi went even further in her 1984 attack on the Golden Temple, killing more than 1,000 innocent pilgrims, followed by a planned massacre of thousands more Sikh men, women and children. The appeal to majority bigotry succeeded and led to a landslide victory in the general election.

Narendra Modi, a lifelong member of the VHP, understands the power of majority bigotry. He was Chief Minister in 2001 and 2002, when the Government and police allowed the massacre of thousands of Muslims, and he was for a time barred from entry to the UK and the USA. Modi has wasted no time in implementing an extremist agenda. As well as the CAA, it includes: a national register of citizens in Assam, stripping nearly 2 million Muslims of citizenship; scrapping Article 370 in Jammu and Kashmir and putting the Muslim-majority state under virtual military rule; and giving the green light to build a Hindu temple on the site of a demolished centuries old mosque in Ayodhya to the very people responsible for its demolition.

The Government are also set to compile a National Register of Citizens, with people having to prove their citizenship in a country where such documentation is almost impossible to obtain. Another planned measure is to require government permission to change one's religion, criminalising freedom of belief.

These policies provide a legal route for discrimination against Muslims—and, ultimately, against all non-Hindus. Prominent politicians openly boast of making India a Hindu state. Amit Shah, the Union Home Minister, second only to Modi, has publicly referred to Muslims as termites who should be thrown into the Bay of Bengal. A government office has been set up to rewrite Indian history for teaching in schools.

But it is not all darkness. The very forces of totalitarianism are producing a widespread reaction against the Government's discriminatory agenda, with nationwide demonstrations, often led by women. Some states have refused to implement the new legislation. I appeal to our own Government to work directly, and through the Commonwealth, to add to this positive momentum for tolerance and respect for all people, in a wonderful country.

6.02 pm

**Baroness Northover (LD):** My Lords, I too thank the noble Earl for securing this important debate, and for his wide-ranging and empathetic introduction, balancing India's astonishing and democratic recent history with its challenges now. It is appalling to hear that further violence has erupted today in India, with at least 11 further deaths. There seems to be no end in sight to the emerging social conflict described by the noble Lord, Lord Alton.

Hindus make up 80% of India's population and Muslims make up almost 15%—around 200 million people. As we have heard, in December last year the Citizenship (Amendment) Act was passed, amending India's 64 year-old citizenship law. It expedites citizenship by naturalisation for Hindu, Sikh, Buddhist, Jain, Parsi and Christian religious minorities from Afghanistan, Bangladesh and Pakistan who entered India before 2015. Their eligibility criteria have been reduced from 11 years of residency to five, or work for the federal Government. Muslims are excluded from the CAA.

It has been suggested that the CAA is associated with India's National Register of Citizens, the NRC, updated by Prime Minister Modi following his re-election in 2019. The NRC classified as foreigners those residents of Assam, on the Indian border with Bangladesh, who could not prove their residency there before Bangladesh declared independence in 1971. The August 2019 update to the NRC excluded 1.9 million inhabitants of Assam and placed them at risk of statelessness—not citizens of India and not accepted by Bangladesh. The Government are building detention camps in which those not listed on the NRC will be held before deportation. Prime Minister Modi has announced plans to extend the NRC across all of India. Those who are illiterate, or lack documentation, are likely to be disproportionately affected.

A 2016 government survey showed that 40% of Muslim children in India do not have a birth certificate. Only 66% of Indian women are literate, and many women have little documentation. They are also, of course, particularly vulnerable to abuse in detention camps.

Although there is no explicit link between the CAA and the NRC, it has been suggested that the CAA may assist members of the listed religions, who could, for example, claim to have come from Afghanistan, Pakistan or Bangladesh, and therefore gain Indian citizenship.

[BARONESS NORTHOVER]

The reaction in India has been both alarming and, in some sense, encouraging, as the noble Lord, Lord Singh, said. But 30 people died in the first month that the CAA came into operation, more than 1,500 people have been arrested, and a further 4,000 have been detained. There have been reports of forced arrests and torture in custody.

Protesters argue that the amendment violates India's secular constitution, by in effect turning faith into a condition of citizenship. The Government have apparently justified the exclusion of Muslims from the CAA by identifying Afghanistan, Bangladesh and Pakistan as Islamist countries that aim to convert or harass religious minorities. This would be irrelevant if the purpose was simply to admit refugees, given that certain sects are also persecuted, as the noble Lords, Lord Singh and Lord Alton, indicated. The Government have talked of millions of "infiltrators" entering India across the border, even though there was in fact a decline in India's foreign-born population between 2001 and 2019. There was shock at an election rally in September 2018 when the Home Minister called Muslim immigrants from Bangladesh "termites" and promised to "find each and every one and send them away."

International observers have raised concerns. The executive director of Amnesty International India stated that the CAA and the NRC

"stand to create the biggest statelessness crisis of the world, causing immense human suffering."

The UN Office of the High Commissioner for Human Rights described the CAA as "fundamentally discriminatory in nature". Human Rights Watch argues that the CAA

"violates India's international legal obligations".

Some respond by saying that India's actions in regard to citizenship are simply an internal matter. However, we take seriously the UN's responsibility to protect. That responsibility is a recognition that what happens within borders is not just the affair of the country in question.

I note that the noble Lord, Lord Ahmad, raised the CAA with his Indian counterpart in December, and that in January the issue was raised with the Indian High Commission. Could the noble Baroness tell us what the response was? What further action will the Government be taking? Have the Government raised this issue within the Commonwealth, given that the UK is the current chair? We should never accept that religious minorities should have fewer rights than others in a country, any more than this should be the case in the United Kingdom. Moreover, it should be clear that discrimination can never be a recipe for community cohesion. The Government have said that "Global Britain" will fight harder than ever before for human rights around the world. I therefore look forward to hearing what the noble Baroness says in this regard and what further actions the Government plan to take.

6.08 pm

**Lord Tunncliffe (Lab):** My Lords, I too thank the noble Earl, Lord Sandwich, for securing this debate. The citizenship Act passed by the Indian Parliament in 2019 is a blatant attempt to further undermine

persecuted Muslim minority groups, including the Ahmadiyya from Pakistan, the Rohingya from Myanmar, and the Tamils from Sri Lanka. Ultimately, it is for the Indian judiciary to determine whether the Act is constitutional, but it is important to reflect on the domestic reaction in India, as well as international criticism.

Violent demonstrations have led to deaths in Uttar Pradesh, Assam and Mangalore, with protests also in the cities of Mumbai, Delhi and Kolkata. The protests escalated to such an extent that the FCO has issued travel warnings for people visiting India's north-east region. Is the Minister able to offer any further information as to whether this travel warning is likely to be maintained, rescinded or extended in the near future?

At an international level, the UN High Commissioner for Human Rights suggested that the Act may contravene the International Covenant on Civil and Political Rights, as well as the International Convention on the Elimination of All Forms of Racial Discrimination, both of which prohibit discrimination based on racial, ethnic or religious grounds, and both of which India is a party to. Can the Minister confirm whether the Government have made any assessment of whether the Act in question is compliant with international law?

While this Act alone gives reason to question the safeguarding of human rights under the present Administration, regrettably it comes as only a further step in Prime Minister Modi's questionable attitude to the human rights of the Muslim population, as seen with the implementation of the National Register of Citizens and the brutal crackdown on freedom of assembly and protest. Can the Minister confirm whether the Government have made any representations to the Government of India on the latter issue?

Of course, there is also the response to the situation in Kashmir to consider. The Indian Government's decision to withdraw Kashmir's special status served only to increase tensions in the region, while the deployment of tens of thousands of extra troops and paramilitary police has made a peaceful solution an even more distant ambition. In the light of recent calls, does the Minister believe that there is a role for the United Nations or other independent parties to monitor and report on alleged human rights abuses, to ensure that the Kashmiri people are protected?

While the question of the Indian constitution is one for the Indian judiciary, and Kashmir is one for the people of India and Pakistan, the UK must stand firm and insist that the human rights of religious minorities cannot be infringed. It is encouraging that the Government have previously stated that these issues have been raised with the Minister of State for External Affairs, in December 2019, and with India's High Commission in London in January 2020. But it is not enough for the Government just to whisper a quiet word in private. They must make it clear that the primacy of human rights triumphs above all else, and should the Indian Government continue with their neglect of these principles, the UK must explore further avenues to press Prime Minister Modi's Government to protect some of the region's most vulnerable minorities.

6.12 pm

**The Parliamentary Under-Secretary of State, Foreign and Commonwealth Office and Department for International Development (Baroness Sugg) (Con):** My Lords, I thank the noble Earl, Lord Sandwich, for tabling this debate and for his long-standing commitment to humanitarian causes and international development. I am grateful to all the noble Lords who contributed today. As ever, this House is one of the best places to hear about lessons from history.

As the noble Earl said in his opening remarks, in December last year, the Government of India signed into law the Citizenship (Amendment) Act, which expedites the path to citizenship for Hindus, Sikhs, Buddhists, Jains, Parsis and Christians who fled persecution in Afghanistan, Bangladesh and Pakistan and resided in India since before 2014. It does not extend the same protection to Muslims or minority sects. Ongoing protests against the Act across India leave no doubt that this legislation is divisive. I know that people in this country—including in this House, as has been made clear today—feel strongly about it. For our part, the UK Government have concerns about the impact of the legislation.

The noble Lord, Lord Loomba, highlighted the diversity of India's population. Noble Lords will know that India boasts more than 20 official languages, over 1,500 registered dialects and a rich tapestry of religious minorities alongside its sizeable Hindu majority. Most notably, in the context of this debate, it is home to the world's third-largest Muslim population, of more than 195 million people, and to more mosques than any other country in the world—over 300,000.

India also has a proud history of inclusive government. Many noble Lords have quoted India's first Prime Minister, Nehru. I will do the same with a quote that has not been used already. He said that

“whatever our religion or creed, we are all one people.”

That is the foundation stone of India, so that all citizens can consider themselves Indians regardless of their religion.

India's secular constitution, which guarantees equality before the law, has been an exemplar of inclusive democracy. Indians are rightly proud of their constitution, just as we in the UK are proud of our own constitution, diversity and religious pluralism. These shared strengths and values are central to the governance of both our countries and lie at the heart of our partnership. That partnership is further strengthened—as noble Lords have pointed out—by the UK's 1.5 million-strong Indian diaspora and the 1 million visits from the UK to India every year. It is the living bridge between us, as it has been called. I agree with the noble Earl, Lord Sandwich, that we are privileged to have this relationship with India.

In common with India's inclusive tradition, our Government believe that societies are stronger and safer when we embrace our diversity rather than fear it. That is why the UK works closely with international partners and leaders of all faiths and none to promote interfaith respect and understanding. We welcome Prime Minister Modi's promise following his re-election to maintain India's tradition of inclusive government

under the guiding principle of “Together with all, development for all and trust of all”. I note that earlier this month Prime Minister Modi told India's Lok Sabha that the Citizenship (Amendment) Act would not affect any Indian citizens. We trust that the Government of India will provide further reassurances to any citizens concerned about the impact of the Act.

Noble Lords will be aware that India continues to face challenges in enforcing its constitutional protections for freedom of religion and belief, despite its strong democratic framework. The situation for religious minorities across India—as was highlighted by many noble Lords—varies according to where they live, their socioeconomic background and how their numbers compare to other communities.

I assure noble Lords that the UK is in no way turning a blind eye to these challenges because we do not want to criticise an important partner. On the contrary, thanks to our close relationship, we are able to discuss difficult issues with the Government of India and make clear our concerns, including about the rights of minorities.

Indeed, as the Minister responsible for both human rights and our relationship with India, my noble friend Lord Ahmad of Wimbledon raised our concerns about the impact of the CAA, and the public response to the legislation, with India's Minister of State for External Affairs and Parliamentary Affairs on the very day it was passed. Our former high commissioner in New Delhi, Sir Dominic Asquith, also raised the issue with the Government of India last month, as did Foreign and Commonwealth officials with the Indian High Commission in London. Most recently, on 6 February, the British High Commission in New Delhi raised our concerns about the Act with the state government of Uttar Pradesh.

More broadly, the UK engages with India at all levels, including union and state governments and NGOs, to build capacity and share expertise to tackle those implementation challenges that I mentioned earlier, and to promote human rights for all. For example, our network of deputy high commissioners runs projects promoting minority rights. We work with local NGOs to bring together young people of diverse faiths in social action projects in their local communities and promote a culture of interfaith dialogue.

The noble Earl, Lord Sandwich, asked about the impact the legislation has had on UK citizens. Although this legislation will not apply to them, as I mentioned earlier there is no doubt that this Act has been divisive in this country, too, including among our 1.5 million-strong Indian diaspora. We listen to their concerns and value their contributions. Ministers and officials from different departments, including the FCO, regularly meet Indian diaspora groups to discuss a range of issues, including human rights, and will continue to engage with them to understand their concerns.

The noble Earl also requested an update on our international development work with India. While we no longer have a traditional aid relationship, we partner with India to promote prosperity, reduce poverty and create trade, investment and other partnership opportunities for the UK. We share our world-leading expertise and provide investment which directly benefits

[BARONESS SUGG]

the still-high number of poor people in India and generates a return for the UK. We also work with India to promote trade and innovation and co-operate internationally with it on big global issues such as climate change. We also work with it on other developing countries which are important to both Britain and India.

The noble Lord, Lord Alton, and many others highlighted the protests and demonstrations that have been seen, and the reaction to them. The UK has long regarded protest as a key part of a democratic society. Democratic Governments must have the power to enforce law and order when a protest crosses the line into illegality but must in turn act with restraint and proportionality. We encourage all states to ensure that their domestic laws are enforced in line with international standards. Any allegations of human rights abuses are deeply concerning and must be investigated thoroughly, promptly and transparently.

The noble Lords, Lord Alton and Lord Desai, and many others spoke about the National Register of Citizens. We have not received any confirmation from the Government of India of whether there will be an India-wide NRC, and we await details of how the Government of India will implement the NRC in Assam while protecting the rights of individuals.

The noble Baroness, Lady Northover, spoke about detention centres. The state government of Assam have announced that there will be no immediate detention of those left off the NRC, and those excluded have an appeals system through the foreigners tribunal run by the state government. We have not yet received any reports of anyone being detained or arrested or sent to a detention centre, and nor has anybody yet been deprived of their citizenship.

I admit that I have not read the column in the *Indian Express* written by the noble Lord, Lord Desai, but I will make sure that I do so.

The noble Lords, Lord Alton and Lord Singh, and the noble Baroness, Lady Northover, spoke in some detail about the situation of some religious minorities in India. I mentioned our work in general, but we continue to run projects promoting minority rights. Over the past three years we have worked with local NGOs, bringing together young people on social action projects. Recent project work included Empowering Muslim Youth, which has reached many youths, teachers and educational institutions. We have also enabled training for 900 minority students on faith issues in six universities across north India.

The noble Lord, Lord Singh, spoke about the 1984 massacre, and I am grateful to him for raising this tragedy. It was undoubtedly a tragic series of events the like of which we never wish to see again.

The noble Lord, Lord Singh, also talked about the Ayodhya temple. We note the ruling of the Supreme Court on that. While we appreciate how strongly many Hindus and Muslims feel on this issue, it is a matter for the Indian judicial process.

The noble Baroness, Lady Northover, highlighted the protests that we have seen today. Any individual killed in a protest is one too many. We urge restraint

on all parties involved and trust that the Indian Government will address the concerns of all religions.

The noble Lord, Lord Tunnicliffe, spoke about our position on Kashmir. It is of course for India and Pakistan to find a lasting political resolution to Kashmir, taking into account the wishes of the Kashmiri people. It is not for the UK to prescribe a solution or act as a mediator, but we consistently encourage channels of dialogue to remain open as a means of resolving differences, and encourage the pace and scope of dialogue between India and Pakistan.

If I have failed to answer any questions, I will follow up in writing. Again, I am grateful to the noble Earl for raising this debate today and to all noble Lords for their contributions.

To conclude, the Citizenship (Amendment) Act has clearly been divisive in India. Its full impact remains unclear. We hope and trust that the Government of India will address the concerns and protect the rights of people of all religions, in keeping with India's constitution, its democratic values and its inclusive traditions. This Government, our high commission in New Delhi and our network of deputy high commissioners across India will continue to follow and monitor events closely and, where we have concerns, we will of course continue to raise them, as India would expect from a close friend and partner. I will end by quoting my noble friend Lord Ahmad, who is today in Geneva at the Human Rights Council. He said today that in 2020 and beyond, the UK will place the promotion and the protection of human rights at the top of our list of international priorities.

6.23 pm

*Sitting suspended.*

## **Gypsy, Roma and Traveller Communities: Inequalities**

*Question for Short Debate*

6.30 pm

*Asked by Baroness Whitaker*

To ask Her Majesty's Government what steps they are taking to implement the recommendations of the report by the House of Commons Women and Equalities Committee, *Tackling inequalities faced by Gypsy, Roma and Traveller communities*, published on 5 April 2019.

**Baroness Whitaker (Lab):** My Lords, I am gratified by the unusually large number of distinguished speakers and look forward very much to their contributions. I declare several unremunerated interests as set out in the register, including that I am co-chair of the All-Party Parliamentary Group for Gypsies, Travellers and Roma.

This excellent report sets out devastatingly poor outcomes for Gypsy, Traveller and Roma communities, as well as the widespread discrimination, hate crime and prejudice they face. It shows that, contrary to stereotype, 74% live in bricks and mortar. I will single out only a few markers: educational attainment is the lowest of any group; life expectancy is 10 to 12 years less than for the rest of the population; one in five mothers

can expect a child to die, as opposed to one in 100 for the rest of us; and 14% report bad health. One survey shows that 91% of those surveyed had experienced discrimination and 77% actual hate crime or hate speech. A whole chapter is devoted to problems experienced by more recent Roma immigrants.

Perhaps surprisingly, I do not castigate the Government—I know I am supposed to—for these disturbing outcomes. They are the fault and responsibility of society in general, and previous individual Ministers—such as the noble Lord, Lord Bourne, whose absence from the Front Bench is much missed—have made it clear that they do not connive at what many have admitted is a national scandal. The previous Government, in their response, fully accepted the significantly poorer outcomes for Gypsy, Traveller and Roma people than for other minorities, let alone the rest of the population.

This scandal is the fault of those teachers who do not try to understand diversity, much less welcome it, or to foster the well-being of all the children in their care; the schools that exclude children for responding to bullying with their fists or by dropping out; the doctors who do not allow Gypsies, Travellers and Roma on their lists, especially if they have a caravan site address; and many parts of the criminal justice system, which do not keep statistical records of the number and identity of Gypsy, Traveller and Roma people. It is particularly the fault of local authorities, elected members and officials, who put obstacles in the way of planning applications and instigate eviction from unauthorised sites when there is no alternative accommodation; the voters who press for this discrimination; parliamentarians whose discriminatory language has been the subject of formal complaints; and all of us who walk by on the other side of the road and do not repudiate prejudice and bigotry when we hear it.

The safeguarding of minorities is surely an essential component of democracy, and the capacity to exercise the right to keep to an ethnic culture that does no harm should be one of the jewels of our diverse society. Of course, the Government have a crucial leadership role. The previous Government's undertaking to set up a cross-government strategy to, in their words, address disparities and "improve outcomes", is a good beginning. I add that some time ago the Government set up the Department for Education stakeholders' group, which I have the privilege of chairing, with devoted officials but without much resource to deal with the diversity of educational need and commission research—for instance, into the reasons for so much drop-out at secondary school and bullying. Ofsted's contribution to the group is particularly welcome. I commend the participation of its Gypsy, Traveller and Roma specialist, Mr Mark Sims, on the stakeholder group. Perhaps it is time for a new Ofsted report.

It is most welcome that the Government accept the problems inherent in the present state of home education and the need for schools to engage with Gypsy, Traveller and Roma parents and understand their culture. Have they decided on a Bill compelling registration yet? The recent Timpson report did not include race discrimination,

but I hope the Minister will accept its recommendation that schools should retain their responsibility for off-rolled children.

Why has so little been done? This is really the crux of the matter. One obstacle is the ignorant idea that policies to foster equality must treat everyone the same. William Blake said:

"One law for the lion and the ox is oppression."

Another problem is that these shocking facts are hidden because of lack of data. I have engaged with many social researchers to ask them why they do not include Gypsies, Travellers and Roma in their BAME or other datasets, and the answer is always that the absolute numbers are too small. But of course within those numbers, the proportion of, say, secondary-age pupils being educated at home or Traveller boys excluded from school, is extraordinarily high. Different research tools need to be employed.

A more intractable problem is that communities seem to need someone to hate. Scapegoating is an age-old problem—I could quote the Bible here—but some societies manage to make sure that the outstanding members of their community who happen to be from despised minorities get their fair share of recognition. How often do we hear in this country of those Gypsies who were decorated in the two World Wars, or who, more recently, led the tributes to the Muslim victims of the New Zealand atrocity, or who set up food banks and aid for homeless people in their communities? It is a continuing reproach to our media that they ignore such examples.

But there are now more community leaders, who are articulate and effective, and more go to university, though they still face barriers. The Government should seize this opportunity and engage with the communities to make a proper start on putting right these ancient and disgraceful wrongs. They should build on the slender beginnings of the constructive action I have mentioned and implement the most welcome undertaking, included in their response to the report, to get accurate and wide-ranging data on the scale of disadvantage. I ask the Minister: when will these initiatives begin and when will they report?

The Government should also initiate specific targeted action to increase the presence of Gypsies, Travellers and Roma people in the public services, such as midwives, health visitors, dentists and teachers.

The issue of sites is perhaps the largest single injustice, although it affects only a small minority of the small minority of Gypsies and Travellers in our midst. Political leadership on behalf of fair treatment is vital. I am reminded of an Answer to a Question I asked some time ago of the noble Lord, Lord Faulks—another missed Minister—about the Welsh Government's obligation on local authorities to provide sites. He said:

"The application of the law in relation to human rights should of course be common across England and Wales." —[*Official Report*, 18/11/15; col. 132.]

Indeed, it should. I look forward to the Minister's reply.

6.39 pm

**The Lord Bishop of St Albans:** My Lords, Gypsy, Roma and Travelling communities face a great deal of marginalisation, which is why I am so grateful to the noble Baroness, Lady Whitaker—a redoubtable and feisty campaigner in this area—who keeps bringing this before us. I thank her for that. I am glad that we are raising this issue yet again in your Lordships' House. She has quoted some of the many stats; I can add a few more and I guess that we will all add a few as we go along.

We know that 90% of Traveller children face racial abuse. The Government's race audit showed that GRT pupils

“had the lowest attainment of all ethnic groups”.

The 2011 census showed that bad health among Gypsy and Traveller communities is twice as high as in other communities in our country. GRT people also have the lowest rate of economic activity of any ethnic group.

It would be simplistic to suggest that there are just one or two causes of this. It is complex—there will be a number of reasons for some of those facts—but what is absolutely clear is that it cannot be right if any of it is based on any sort of discrimination based on ethnicity. As a Christian country rooted in the Judeo-Christian doctrine of humanity—that we are all made in the image and likeness of God—this must surely be at the forefront of our thinking.

The reality is that many parts of our society are tainted with varying degrees of prejudice. Last year, we had a debate in the General Synod of the Church of England. It was sad to hear examples of where, even within the Church, there had been discrimination. It certainly raised with clarity an issue that, for many of us, needs to be faced. That debate urged the Church to fight against racism and hate crime directed at GRT communities, and to urge the media to stop denigrating and victimising these communities.

There is another, good side to this as well, so let us celebrate that. My own diocese has been supporting Roma Christians over recent years by providing a chaplain to the Roma community in Luton, and a variety of Christian denominations have offered hospitality and a place for worship. The Luton Roma Trust, set up in 2015 and supported by various charities, including the Church of England, is making a significant difference. It runs the Roma Community Centre, and the project is managed by Crina Morteau, a Romanian Roma woman who has a law degree in human rights, with a number of other staff. There are now 1,350 people on its database, and it offers advice on employment, welfare, accommodation, health, schooling for children and finance. It runs a children's music project and English classes. There are many good things happening, and we need to celebrate the moves that are going on.

This does, however, need to be matched by some action from the Government. I share the confusion of Maria Miller MP, former chair of the Women and Equalities Committee, as to why some recommendations from her committee were dropped by the Government. The Church is one of the largest providers of education

in this country, behind the state. Will the Minister explain why the education-specific recommendations were dropped?

I am also concerned by the problems around where people can live, and particularly the actions of eight local authorities to appeal a High Court ruling which overturned their decision to prevent GRT people staying on public land; that is a potential breach of both the European Convention on Human Rights and the Equality Act. The Minister cannot comment on the specific case, but can I tempt her to comment on the general principles in such situations?

6.43 pm

**Baroness Chisholm of Owlpen (Con):** My Lords, I thank the noble Baroness, Lady Whitaker, for bringing forward this debate. I am so glad we have the chance to discuss this once again. I want to speak briefly about the problems facing the Gypsy, Roma and Traveller communities in respect of accommodation. In many parts of the country, as we know, they are still having to resort to unauthorised encampments or developments, with no security of tenancy. Caravans are not recognised as a legitimate home, which leads to difficulty for Travellers in getting the required planning permission.

There is a requirement for local authorities to identify suitable and permanent sites, both public and private. In reality, this is taking place in only a small number of areas and, as there is no penalty given to those local authorities that do not comply, there is no incentive for them to find sites. When permission is granted for a site, it is often only for one year, so at the end of a year the whole application has to start again. This leads to insecurity and uncertainty about what the future holds. It makes it difficult to become part of the wider community, along with the difficulty of accessing suitable healthcare, educational requirements and employment opportunities, leading to many of the problems faced by this group of often vulnerable women and children. This in turn leads to poor health, poor maternity care, poor education and poor job opportunities, as well as discrimination and bullying. Why are local authorities not making more of an effort during that first year to find permanent sites? Perhaps if a penalty was imposed, more effort would be made.

We must recognise that it is important for Gypsies, Roma people and Travellers to live in caravan and site dwellings; it is at the heart of their history and what they believe to be their way of life. In 2019, a new national strategy was set up to tackle inequalities for Roma and Travellers. Will my noble friend the Minister tell me how this is progressing? I believe that 22 projects were going to be set up across the country. Has this happened and is the strategy going ahead as planned?

What can be done? There needs to be a joined-up approach across government departments such as the Race Disparity Unit, the Home Office, the Ministry of Housing, Communities and Local Government, the Department of Health and Social Care, and the Department for Education. Importantly, there needs to be comprehensive statistical data collection so that all the departments mentioned know what they are dealing with.



As the noble Baroness, Lady Whitaker, mentioned, we know that girls are often removed from school well before the legal age, with the excuse that they are being home-schooled. Little or no checking is carried out by the authorities to see if they are getting a proper education equal to that being given to the boys, who are usually allowed by their parents to stay in school. As the noble Baroness, Lady Whitaker, mentioned, there are problems with boys being excluded due to bad behaviour, et cetera.

We know that there is a lack of awareness about healthy relationships, which can lead to abuse in the young Gypsy community. Girls and boys should have access to education that can teach them about relationships. Girls need the knowledge to be able to challenge outdated behaviours towards women, as well as having a recognised body to turn to for help if necessary.

In conclusion, if we can deal with the accommodation problems faced by this group, we can go some way towards beginning to make sure that the appropriate services are there to give assistance with the issues that the Gypsy, Roma and Traveller communities face.

6.47 pm

**Lord Judd (Lab):** My Lords, I thank my noble friend Lady Whitaker most warmly for giving us the opportunity to look at this issue again. She consistently does a great deal of work in this area. I must also say how good it is to see the noble Lord, Lord Bourne, in our midst. There was great respect for him across the Floor in his ministerial days, as well as a feeling that he really was engaging with the issues that so often came before us. To see him continuing that interest in this debate is significantly encouraging.

I declare an interest: I am president of the Labour Campaign for Human Rights, and I see this as fundamentally a human rights issue. I will repeat part of what my noble friend Lady Whitaker said, because none of us can escape these basic statistics. As the Commons committee pointed out, contrary to general opinion, 74% of the GRT communities live in bricks and mortar. Educational attainment is the lowest of any group. Life expectancy is 10 to 12 years lower than for the rest of the population. One in five mothers can expect a child to die, as opposed to one in 100 for the rest of us. Some 14% report bad health. One survey showed that 91% of those surveyed had experienced discrimination, and 77% had experienced actual hate crime or hate speech.

We cannot sweep this under the carpet. As my noble friend said, we cannot drive by on the other side; we all have responsibilities. She pointed out some of the areas where there are specific responsibilities, such as in schools. I am sure that she would agree that we have to be careful in not seeming to indicate that it is the teachers' fault. It is not: very often, teachers in the most deprived parts of the country are hard pressed beyond imagination and desperately trying to cope with educating with limited means and resources. It is a matter of making sure that the resources are there to give teachers space to take their responsibilities seriously and do adventurous things in response.

The same point could be made with doctors: so often—I would not say always—the doctors who seem to be unresponsive are again working under incredible pressure in deprived areas. It is very difficult to find the space. Again, there is an issue of resources. If we will the ends, we must argue for the resources to be allocated as they should be.

What has happened about a work stream within the Race Disparity Unit to eliminate inequalities faced by Gypsies and Travellers? What has happened about an analysis of the scale of issues faced by Gypsy, Roma and Traveller communities, including those of school age who may be missing from local authority registers or facing challenges in accessing the right educational provision? What has happened about providing and ensuring proper support for children educated at home? The challenges are great. We must respond.

6.51 pm

**Lord Boswell of Aynho (Non-Affl):** My Lords, I too congratulate the noble Baroness on bringing this important report to the attention of our House. It is perhaps not insignificant that my family name is as it is, and I should declare my own membership of the all-party group. Given my family background in horticulture in the Vale of Evesham—although we moved from there—I have some experience in those activities of employing Gypsies and Travellers, though they no longer form part of my farming activities or my declared interests.

In a debate such as this, one has to be extremely selective. I do not intend to talk today about hate crime. Although it is an important topic, it sometimes functions as a kind of displacement activity for what should be our concern about continuing systemic exclusion and low standards. A second area on which we should not perhaps spend time is sites, except to say that the committee makes a telling point about the health implications of low-standard sites.

One issue that particularly concerns me is the need to maintain a proper balance between the needs of Gypsy and Traveller families, individuals and children and their adjustment to an official world that is increasingly dependent on postcodes—places you live—and digital access. Although the committee rightly points out that some three-quarters of such families are no longer nomadic, and there are legacy issues about standards of education and suspicion of officialdom, in no sense should we allow these to trick us into trying to commit social engineering by default or by administrative incompetence.

As a former Education Minister, I sometimes raised a few eyebrows—alongside my late wife, who shared these passions—by emphasising the importance of further education, continuing education and, above all, adult literacy. Alongside the business of securing reliable attendance at school, these must be the building blocks in countering disadvantage—though I would now add a digital element to that, too. They are the magic keys for future empowerment of Gypsy and Traveller families.

However, the Commons report is right in calling for a single focus across government to drive this agenda forward in all areas of access to services. We need known officials in overall charge and with sufficient influence across the delivery departments. If they have

[LORD BOSWELL OF AYNHO]  
that, they can act as a focus for representations from the Gypsy and Traveller community relating to shared problems.

Perhaps there is no villain in this argument other than inertia. Successive inquiries and successive government responses have shown good will towards moving in the right direction, but, this time, we have to grasp the nettle. We need to resolve collectively to effect radical and sustained improvement.

6.55 pm

**Lord Bourne of Aberystwyth (Con):** My Lords, it is a great pleasure to follow my noble friend Lord Boswell's compelling and personal speech. I declare my interest as president of the All-Party Parliamentary Group for Gypsies, Travellers and Roma—an interest that I am very proud of. I also congratulate the noble Baroness, Lady Whitaker, on tabling the debate and thank her for being a continuing inspiration who has respect across the whole House for the way that she has kept at this issue over many years. We are at a pivotal moment.

The Women and Equalities Committee, chaired very ably by Maria Miller, castigated this and indeed successive Governments quite correctly for inertia—my noble friend Lord Boswell used exactly the right word, because that is what it is. There is no lack of intention: there is in fact a unity of purpose. The committee rightly honed in on some of the problems that we had and made strong recommendations. The Government accepted them. In the dying days of when I was still a Minister, I remember a cross-departmental meeting to take forward this strategy. I came out of that meeting and what amazed me was the unity of purpose. People across different wings of the party, with different backgrounds, all said that something had to be done. There was a unity of purpose in different departments. Justice was represented there, as were health, education, the Home Office and HCLG, and I came out of that meeting thinking that we had a real opportunity to do something, and we must.

We have all referred to some of the incredibly worrying statistics on health, education and abuse and the need to involve more people from the Gypsy, Roma and Traveller communities in public life. To have examples with whom people can identify is of crucial importance in moving this forward. I was particularly pleased to see a young member of the Gypsy, Roma and Traveller communities, Samson Rattigan, receive an honour in the last honours list. That was great news. These are our communities. One of my proudest moments as a Minister was laying a wreath on the grave of a Gypsy VC in Scunthorpe, Jack Cunningham. Nothing could illustrate better that this is all of us, and for too long we have acted against and not helped the other.

One person has been pivotal to progress. I had a couple of meetings with him, one at the Appleby Horse Fair, which noble Lords will know is central to Gypsy, Roma and Traveller life—and a great festival it is—and one when I met him individually. Billy Welch is the head Gypsy, and someone who really needs to be involved in any strategy to help drive it forward. He is a man of great energy and ability and we would be extremely unwise not to harness his skills and ability to bring people together.

There are some positive signs. We fund things such as GATE Herts, which works with victims of hatred against the GRT community. Sherrie Smith does great work there. Friends, Families and Travellers, with Sarah Mann and Abbie Kirkby does great work and I would like to mention it on the record. I was also very proud that the Government were represented at the 75th commemoration of the Gypsy, Roma and Traveller Holocaust at Auschwitz-Birkenau. I was no longer a Minister when that came round, but so committed was I to the event that I went out as an individual under my own steam, because it was an extremely important moment. Civil servants were there and the Government recognised the importance of it.

Central to all of this is the Race Disparity Unit, which is one of the great things that the last Government introduced, driven by the then Prime Minister, Theresa May. But it is no good having that data if we do nothing with it. I put down a Question last week to ask what was happening to it and the response was, “We are still collecting the data”—I paraphrase slightly. We need to do something with the data, for goodness sake, and move the dial. We have a real opportunity in this Parliament to do just that and make a real difference. I am pleased that this debate was tabled. I thank the noble Baroness, Lady Whitaker, again.

6.59 pm

**Baroness Bennett of Manor Castle (GP):** I join all noble Lords in thanking the noble Baroness, Lady Whitaker, for securing this debate and for her excellent introduction to it. I am also pleased to follow the noble Lord, Lord Bourne, in focusing on some positives, because it is important. Sometimes in these kinds of debates we focus on all the problems and difficulties. One of the things I want to do in my brief contribution is to focus on some positives.

However, to begin: the noble Baroness, Lady Whitaker, was right to focus on scapegoating. That is a real issue, and we as British society need to acknowledge collectively that we have a problem with racism. Some of the most extreme racism is directed at the Roma, Gypsy and Traveller communities. That is a fact, and it is here in this report. We are, however, grouping together three large and very diverse groups here, and as a resident of Sheffield I will focus on one particular community: the largely very recently-arrived Slovak Roma community in Sheffield.

I direct the Minister's attention to a couple of reports that she may not be aware of, because they are important, positive and constructive contributions to this debate. One is titled *Roma in Sheffield: Mapping services and local priorities*. We are debating in this House of Lords at the centre of privilege, but we have to start by saying—as this report does: “listen to Roma priorities” to engage and hear what this community in Sheffield, and other communities that we are discussing, have to say. The report finds that there are significant gaps in the knowledge of many staff working with the Roma in Sheffield. The Government can and should be doing more on that, as indeed this report highlights.

We need to stress, and it is worth saying, that we are debating a report that was ordered to be printed on 29 March 2019. The third thing that the report says is that services need to react quickly to changes. In the

world we are in now with Brexit, and with many people having come to Britain very recently, there are some real issues here; we have to be more nimble.

The other study carried out in Sheffield is called *Nurturing Slovak Roma Children at Secondary School*. The title refers to the fact that the first language of many of the schoolchildren is Romany, which is not necessarily a formalised, single language but a group of languages. Their second language is Slovak and their third is English. I point in particular to an article in a Slovak weekly called *týžden* that profiles one young man, Andre, who came here as an 11 year-old, speaking no English. He is now a first-year psychology student. He does regular translation work and goes into schools, interpreting between Slovak, English and Romany, but he can also translate from Hungarian and French when required.

I have just come from the APPG on small and microbusinesses. There was a lot of discussion about the problems of Britain—of productivity and skills shortages. Perhaps we should be thinking about this in another kind of way: these communities have an enormous range of skills and can make huge contributions. Perhaps we do not focus on that enough. We know from everything this report tells us that we are not opening up and allowing those skills to flourish.

My final point is that like many of these communities the Roma have moved into some of the most disadvantaged areas of Sheffield, where they are living side by side with people suffering great disadvantage, racism and discrimination. We need to think about how we help communities to live together.

7.03 pm

**Lord Woolley of Woodford (CB):** I thank noble Lords for finding time for me to contribute to this debate. I, too, thank my friend, the noble Baroness, Lady Whitaker, for bringing us together to have this important debate. I declare an interest as chair of the advisory group for the Race Disparity Unit and as a board member of the Open Society's Roma Initiatives Office.

I begin by congratulating the newest heavyweight boxing champion of the world: Tyson Fury. Let us not forget that he is to global Gypsies, Roma and Travellers what Muhammad Ali has been to the African diaspora: a role model. He is a role model who wears his culture—his identity—on his sleeve: a supreme role model.

As one of the individuals who have helped inspire the Race Disparity Audit, I am proud of what the Government have achieved with it. As the chair of the Race Disparity Audit, I can say that we have been driving this agenda. We clearly recognise that there are monstrous gaps in the data, and it should be the Government's priority to fill those gaps. Along with that, as the advisory group we need to be empowered to challenge all the government departments with the mantra, "Explain these disparities, or change". If we do so—when we do so—we will close these persistent inequality gaps.

7.06 pm

**Baroness Bakewell of Hardington Mandeville (LD):** My Lords, I congratulate the noble Baroness, Lady Whitaker, on securing this important debate and on setting out the issues so clearly. I agree with everything

that she and other speakers have said. The inequalities faced by Gypsy, Roma and Traveller communities are dear to my heart. Not long after I was first elected to Somerset County Council in 1993, I chaired a working group looking into exactly this issue in Somerset. The report of the Women and Equalities Committee of March 2019 struck many chords with me, and it is deeply depressing to find that there has been little progress in the intervening years.

GRT communities still face discrimination, abuse and poor access to services. During my time investigating the issues, we visited communities with a Gypsy liaison officer who supported the group. Some of these visits were encouraging, but others were overwhelmingly hostile and aggressive. I personally cannot understand why some communities appear to be frightened of groups that are different from them. Nevertheless, Somerset did set up both permanent and transit sites for Gypsies and Travellers.

It was the case that access to services, both educational and health, were down to individual committed people. I was disappointed to note in the House of Commons report that this is still the case. Services in some areas are reliant on the dedication of individuals, and when these people move on, the services falter and in some cases become non-existent. It is the right of every child, whatever their ethnicity or background, to have access to education; schools and teachers must ensure that this happens. It is also their right to have access to healthcare and to be safe from abuse.

For the 25% of GRT communities who still travel and are based in caravans, the lack of a permanent address is a significant barrier to gaining access to healthcare, banking facilities and education. For those of us in the settled community, getting a GP appointment can be a major undertaking. For those on the move, it is an impossibility—hence their reliance on A&E departments. This may well suffice for accidents, but it is certainly not a satisfactory route for pregnant mothers or young children.

I was disappointed in the government response to the very impressive report by the committee, but I was not surprised. The Government appear not to want to own this subject—although I know some noble Lords do not agree with me. There have been lots of fine words but no real action. As for thinking that £200,000 provided by the Ministry of Housing, Communities and Local Government for six projects will help solve the problem, that is laughable. Where is the commitment to evaluate these projects and roll them out nationwide, with plans and timescales, so that learning can be shared and embedded? Why has this not happened?

In paragraph 23 of the report, the government response says that homes and communities should work with grass-roots organisations to formulate a wide-ranging campaign. This should be a legal requirement, otherwise nothing will happen.

As the right reverend Prelate the Bishop of St Albans said, there is no commitment to piloting pupil passport schemes, with rapid evaluation. There is nothing to enable schools to apply for the pupil premium for children who arrive once term has started. The life chances of boys and girls coming from Gypsy, Roma and Traveller communities is not equal: it never has

[BARONESS BAKEWELL OF HARDINGTON MANDEVILLE] been and, from what we read in the government response, is not likely to be in the near future. This is totally unacceptable, and I ask the noble Baroness to do something about it.

7.09 pm

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, I congratulate my noble friend Lady Whitaker on securing this debate today and pay tribute to her and the work she does in supporting the Gypsy, Roma and Traveller communities. I also welcome the report by the Women and Equalities Committee of the House of Commons. It has produced an excellent report and I was pleased to see that this time the Government made a response relatively promptly. The report sets out the very real challenges that the Gypsy, Roma and Traveller communities face and that they have the worst outcomes of any ethnic group in various areas, including education, health, employment, criminal justice and many others.

It is also true that local authorities and other providers of public services have failed these communities, in many cases by not understanding their specific needs as a distinct ethnic group, and that policymakers, both at a local and national level, have not helped in the way they should have to help address the needs of this community and produce better outcomes for them. I was struck that the report drew out the failure to deal with matters on a strategic basis as probably the biggest failure, and everything else flows from that.

My noble friend Lady Whitaker set out some of the prejudice and bigotry that this community suffers, such as not being able to register with a GP and problems in schools. These are really shocking failures and it is wrong that this community has suffered prejudice for many years and through many generations. It would be good if the noble Baroness, Lady Bloomfield, could set out what specific actions she thinks the Government have to take to try to combat this very deep-seated discrimination, prejudice and racism.

There is a lack of trust and there is a stop-start approach to projects and initiatives. The report talked about how good work is funded, but it is very stop-start in nature; people move on and the good work falls back. I think people in these communities have the right to expect better support and better protection from the law—laws which apply to everyone in the UK—and their children deserve support as well to ensure that they get a proper education. That is their legal right. As the right reverend Prelate the Bishop of St Albans highlighted, there is good practice and we should celebrate where there is good practice and acknowledge good work takes place. The noble Baroness, Lady Chisholm of Owlpen, challenged local authorities to do more—and I endorse her call. But let us be clear: the racism and bigotry that this community suffers clearly impinge on the behavioural response of some local authorities. There is no question about that whatever, and that is not good.

I agree with the comments made by my noble friend Lord Judd, and I am also delighted to see the noble Lord, Lord Bourne, taking part in this debate. His contributions today were, as always, very thoughtful and useful. I miss our debates across the Dispatch

Box, but we are now in the same corridor, so we see each other on most days anyway. I also join with the noble Lord, Lord Woolley, in congratulating Tyson Fury. The noble Lord was absolutely right in his analogy with Muhammad Ali after Fury won the World Boxing Council belt and became world champion at the weekend.

The report raises many challenges for Government at a national but also a local government level. It will be good to hear from the noble Baroness, when she responds to the debate, what plans the Government have to address the very serious issues that have been outlined here. It was good to hear from the noble Lord, Lord Bourne, about where government is beginning to work on cutting across these, because the only way to get these things right is to get other departments to address these very serious issues. I look forward to the response from the noble Baroness.

7.14 pm

**Baroness Bloomfield of Hinton Waldrist (Con):** My Lords, I am very grateful to the noble Baroness, Lady Whitaker, for bringing this Question to the Committee. I commend her on her long and active involvement with these communities and her thoughtful and thought-provoking speech. She is right to be gratified by the number of speakers.

The noble Lord, Lord Judd, rightly drew attention to the excellent work the noble Lord, Lord Bourne, undertook in this area and I am very conscious that I have very large boots to fill here. Last year, the Government welcomed the Women and Equalities Select Committee's report. We commend the committee's findings and agree that health and education inequalities for these communities must be tackled. The poor-quality accommodation that the report highlighted must be a concern to us all, and all violence against women and girls is unacceptable.

The Government's recent race disparity audit highlights further evidence that demonstrates the serious disparities faced by Gypsy, Roma and Traveller communities. On almost every measure, as many have pointed out, they are significantly worse off than the general population, but the Government have been working hard across a broad policy front to improve outcomes for these communities. However, there is still more to do.

The Ministry of Housing, Communities and Local Government is therefore leading efforts to develop a co-ordinated cross-government strategy to improve outcomes for these communities. Government departments including the Department for Education, the Department of Health and Social Care, the Home Office and the Race Disparity Unit in the Cabinet Office will work together. The work must be rooted in people's experiences and challenges; therefore, the Government, through the work of the Ministry of Housing, Communities and Local Government, are committed to seeking the involvement and input of the communities as they consider how to tackle these issues.

Some steps have already been taken to engage a diverse range of voices within Gypsy, Roma and Traveller communities. The Ministry of Housing, Communities and Local Government sustains ongoing engagement through its core Gypsy, Roma and Traveller liaison

group. It has regular contact and discussions with other community representatives and public sector delivery agencies, both front-line services and charities. In parallel, the Government have funded pilot projects to support these communities. These projects are currently being evaluated to identify key outcomes and transferrable lessons.

As the Women and Equalities Select Committee report notes, the Government do not yet collect comprehensive, reliable and consistent data across policy and service areas. The full extent of the challenges faced by Gypsy, Roma and Traveller communities in England cannot be known until that is rectified. Without robust data, the Government cannot measure improvements for these communities with changes in policy and the development of a strategy. That is why the Government are taking several steps.

The census White Paper recommended the inclusion of a tick box to improve the identification of people from the Roma community specifically, in addition to the existing Gypsy or Irish Traveller tick box. The Race Disparity Unit and the Office for National Statistics are now engaging with departments and agencies. This is to ensure that, once the census order is approved, those responsible for administrative systems that record ethnicity set out their commitment to use the 2021 census classification. The Office for National Statistics will work with the Roma population, assisting Roma organisations to provide reassurance and support for local communities and raising awareness of the Roma response option.

The Race Disparity Unit is also developing a quality improvement plan, which will be published this year. This plan will outline actions that the Race Disparity Unit will take, in collaboration with other departments, to address issues related to the quality of ethnicity data. The plan will also set out actions to improve data for all ethnic groups, including the harmonisation and quality of Gypsy, Roma and Traveller data.

In addition to this welcome and positive change to the national census, other work is planned to improve health data collection. NHS England and NHS Improvement, along with the Department of Health and Social Care and other stakeholders, are conducting a scoping exercise. This will identify the equality monitoring data gathered from across major National Health Service datasets and propose the equality data that should be gathered and how. Roma are the largest ethnic minority group in Europe, yet information on the Roma population size and location in the United Kingdom is sparse.

I will move on to the safety of accommodation. Having a safe place to live is a right for everyone, whether you are in bricks and mortar, a mobile home or a caravan. As the Ministry of Housing, Communities and Local Government develops the Gypsy, Roma and Traveller strategy, it recognises the need to consider these issues. In parallel, the Government have made clear their commitment to tackling unauthorised encampments. The Government will consider the outcome of the current consultation to progress this.

On site provision, it is the responsibility of local authorities to assess the need for Gypsy and Traveller sites in their area. It is then their responsibility to plan

to meet that need, as they are required to do for all forms of housing. The Government have committed to consider making information on permanent and transit sites in planning plans freely available in open data format. This will improve data held on site provision and provide a clear source of data on the availability of such sites. This will also help determine which authorities have in place an up-to-date plan for Travellers.

Local authorities can bid for funding for permanent Traveller sites through the 2016-21 shared ownership and affordable homes programme, along with other forms of affordable housing. The new homes bonus will match-fund the additional council tax raised for new homes. This will include Traveller pitches.

Education was another important area that concerned most speakers this evening. Clearly, education is the key for the future health, prosperity and traditions of Gypsy, Roma and Traveller communities. When children miss school time, it can have only a negative effect on their life chances. The Government have already taken significant steps to support local authorities in meeting their duties in relation to children missing education.

In September 2016, the education regulations 2006 were amended to improve the education and welfare of pupils. This is done through better information sharing between schools and local authorities where pupils are removed from and added to the school admission register. It will enable local authorities to comply better with their duty to make arrangements to identify children of compulsory school age who are not registered at school and are not receiving suitable education elsewhere.

In some cases, home education can be the best choice for that child. Unfortunately, in some cases, it can lead to a poorer quality of education. That is why the Government published revised guidance in April 2019 to help local authorities ensure that home-educated children receive a suitable education. The guidance sets out how effective use of existing powers can ensure that home education is suitable and, if it is not, what action can be taken to secure school attendance.

One reason for elective home education can be that a child is being bullied at school. As the noble Baroness, Lady Whitaker, brought attention to this and to Ofsted, perhaps I should clarify that schools have the freedom to develop their own anti-bullying strategies appropriate to their environment and are then held to account by Ofsted. All schools are required by law to have a behaviour policy that outlines measures to encourage good behaviour and prevent all forms of bullying among pupils. I again reassure the noble Baroness that we do not shy away from the findings of the Timpson report.

The Department for Education is continuing to support schools to create disciplined and safe environments. In November 2018, the department published *Respectful School Communities*. This was a self-review and signposting tool to support schools to develop a whole-school approach promoting respect and discipline to all their communities. This can combat bullying, harassment and prejudice of any kind. As well as this guidance and these regulations, the Department for Education is demonstrating its commitment to reducing bullying by providing over £2.8 million of funding to

[BARONESS BLOOMFIELD OF HINTON WALDRIST]  
four anti-bullying organisations between September 2016 and March 2020. The funding will support schools across the country to tackle this important issue.

A school education is not just about academic issues. From September 2020, relationships education will be compulsory for all primary-age pupils. Relationships and sex education will be compulsory for all secondary-age pupils, and health education will be compulsory for pupils of all ages in all state-funded schools. These subjects are designed to equip children with knowledge to make informed decisions about wellbeing, health and relationships. The subjects will also prepare them for a successful adult life in modern Britain. Young people from Gypsy, Roma and Traveller communities who attend these wellbeing-related lessons will learn how to empower themselves and ultimately reach their potential without difficult relationships or gender roles standing in their way.

I move on to health. The 2011 census for England and Wales revealed that 14% of Gypsies or Travellers described their health as bad or very bad. This was more than twice as high as the white British group. However, I am pleased to report that the Government are already making headway in this area. The new three-year contract for the Care Quality Commission's Experts by Experience programme includes representation for Gypsy, Roma and Traveller communities through the national charity, Friends, Families and Travellers.

Alongside this programme, the existing health inequalities funding adjustment is being reviewed by the independent expert group that advises National Health Service England on resource allocations. The group will consider a range of issues, including how the adjustment is used to meet a range of objectives, including the issues raised by noble Lords this evening in relation to Gypsy, Roma and Traveller communities. This work will report in 2021.

During 2019-20, National Health Service England already focused on a range of work programmes with the aim of addressing and reducing health inequalities. It worked with Gypsy, Roma and Traveller partners through the Health and Wellbeing Alliance and commissioned areas of work on improving their health needs. It also worked with Gypsy, Roma and Traveller partners to develop health inequalities learning resources which support the primary care networks to address health inequalities for all inclusion health groups.

However, it is recognised that these communities have a complex relationship with accessing services from a long history of discrimination by authorities. A lack of trust and low health expectations mean that some members of these communities do not engage with preventive health services and find it difficult to access other services. This particularly impacts women and mothers. That is why National Health Service England will implement an enhanced and targeted continuity of care model to help improve outcomes for the most vulnerable mothers and babies. Women will receive continuity of care from their midwife throughout pregnancy, labour and the postnatal period. National Health Service England has also developed a new primary care access card. This will replace the current leaflet supporting and empowering inclusion

health groups to register with general practice services without facing discrimination of access to timely healthcare services.

Discrimination is experienced by Gypsy, Roma and Traveller people not just in relation to housing, education and healthcare access. These communities also experience hate crime, which permeates all aspects of their lives. Tackling racially motivated hate crime remains a priority for the Government. We know that 76% of reported hate crime is racially motivated. Knowing this, the Ministry of Housing, Communities and Local Government is supporting a range of projects to tackle racism. As my noble friend Lord Bourne mentioned, this includes working with GATE in Hertfordshire. GATE is a community-led organisation that works with victims of hate crime within Gypsy and Traveller communities. The organisation helps to increase awareness, build confidence to report, and improve accessibility to reporting mechanisms and support. This is in line with the objectives of the Ministry of Housing, Communities and Local Government hate crime action plan, which seeks to increase reporting and improve support for victims. It also seeks to build understanding of hate crime to ensure that government, public bodies and partners can respond to it and prevent it in future.

On Roma groups specifically, which the noble Baroness, Lady Bennett, mentioned so powerfully, it is important to flag that the Government want European Union citizens to stay in this country. Therefore, the Government have made it free and easy for European citizens to get UK immigration status. Ultimately, those who fail to make an application will not have lawful status in the UK. Yet the Government have always been clear that where European Union citizens have reasonable grounds for missing the deadline, an applicant will be given a further opportunity to apply. The Government's compassionate and flexible approach will ensure that individuals who miss the deadline through no fault of their own can still get lawful status in the United Kingdom. The Home Office has funded a number of Roma organisations to cater for this hard-to-reach group and offer support in the application process, and as part of a children's strategy, the Home Office has worked specifically with support organisations who work with Roma children and families to ensure that the barriers facing this community are prioritised.

As I emphasised at the start of this debate, the Government have committed to developing policy and a cross-government strategy to tackle inequalities. We recognise the need for this to take account of the important issues that noble Lords have highlighted. I am grateful to many noble Lords, particularly the noble Baroness, Lady Bennett, for focusing on the positive moves in Sheffield and the work with Roma children in schools to address language issues, and the noble Lord, Lord Woolley, for reminding us of the immense achievement of Tyson Fury. I am grateful to noble Lords for bringing these important issues to Grand Committee, shining a spotlight on aspects to ensure that they get the attention that is merited. Let us hope that we can lift the inertia and take these issues forward, as my noble friend Lord Bourne suggested, with a unity of purpose.

The right reverend Prelate the Bishop of St Albans asked what was the Government's view on civil injunctions on Travellers parking on land. That is a matter for the courts to rule in the individual circumstances relating to local authorities. My noble friend Lady Chisholm asked about the national GRT strategy in the 22 projects that were announced in the summer. The 22 projects are those mentioned in the government and Ofsted response to the Women and Equalities Committee report.

The noble Lord, Lord Judd, asked what had happened about the analysis of the scale of students who may be missing from school. The Government have already

taken significant steps to support local authorities in meeting their needs in relation to children missing education, which I covered in the main body of my speech. The noble Baroness, Lady Bakewell, asked about access to healthcare, particularly to GPs, without a permanent address. NHS England and NHS Improvement have continued to deliver improvements in prevention and access to primary care medical services, which I covered most of in my speech. If I have been unable to answer anyone tonight, I will gladly respond to their questions in writing.

*Committee adjourned at 7.29 pm.*

