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PARLIAMENTARY DEBATES  
(HANSARD)

HOUSE OF LORDS  
OFFICIAL REPORT

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The following abbreviations are used to show a Member's 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 SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
Lab Co-op	Labour and Co-operative Party
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

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# House of Lords

Thursday 20 May 2021

The House met in a hybrid proceeding.

Noon

Prayers—read by the Lord Bishop of Birmingham.

## Arrangement of Business

Announcement

12.06 pm

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the Hybrid Sitting of the House will now begin. Some Members are here in the Chamber, and others are participating remotely, but all Members will be treated equally. I ask all Members to respect social distancing. In doing so, I also remind Members that today the capacity for Members to participate in proceedings in the Chamber, while maintaining social distancing in compliance with Public Health England advice, has increased from 30 to 53, plus the two seats on the Judges' Woolsack and myself or a Deputy Speaker. Members are reminded that with the new reduced social distancing in the Chamber, face coverings should be worn unless speaking. If the capacity of the Chamber is exceeded, I will immediately adjourn the House.

Oral Questions will now commence. Please will those asking supplementary questions keep them no longer than 30 seconds and confined to two points? I ask that Ministers' answers are also brief.

## Biomass Electricity Subsidies: Deforestation

Question

12.07 pm

Asked by **Lord Randall of Uxbridge**

To ask Her Majesty's Government what assessment they have made of the impact of their biomass electricity subsidies on deforestation (1) in the United States of America, and (2) elsewhere.

**The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan) (Con):** My Lords, the UK supports only biomass which complies with strict sustainability criteria, and electricity generators receive subsidies only for compliant biomass. The criteria ensure that the carbon stock and area of the forest is not decreased, irrespective of its location. The sustainability criteria require that biomass fuels are sourced from forest waste wood and residues from commercial forestry operations, and that the forest owner adheres to the relevant legal requirements to protect biodiversity and the environment.

**Lord Randall of Uxbridge (Con) [V]:** My Lords, I thank my noble friend for his reply and congratulate the Government on their commitment to renewable energy. However, as he is probably aware, the UK is now the top subsidiser of bioenergy in Europe. It spent more than £1.9 billion in 2019 on bioenergy subsidies, primarily to burn wood imported from overseas forests at Drax power station. Despite what he said, I

have serious concerns that the wood pellets supplied for burning come from primary forest in both the US and Europe. This has a potentially devastating effect on important bird species and biodiversity in general. Does he agree that we should be cutting carbon, not chopping down carbon-reducing forests?

**Lord Callanan (Con):** I understand my noble friend's concern about this and know he takes a close interest in birds and wildlife, but I emphasise once again that the UK supports only biomass that complies with strict sustainability criteria, which take into account impact on the biodiversity of the forests. I refer him back to the Answer I gave earlier: biodiversity is top of our list of priorities.

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, Drax in the United States is subsidised by the Government until 2027 to supply biomass energy to the UK. In view of this, will the Minister confirm what discussions have taken place with Drax about its dependence on biomass, which puts some of the world's ecologically valuable forests at risk and impacts on our environment through higher levels of greenhouse gas emissions?

**Lord Callanan (Con):** I really do not think the noble Baroness is correct about this. Let me make the point once again that our sustainability criteria, which are some of the most stringent in the world, also take into account the greenhouse gas emissions from collecting, transporting and turning the biomass, which predominantly comes from waste products from the forest, into a viable energy source to deliver a carbon saving compared to fossil fuels.

**The Earl of Caithness (Con) [V]:** My Lords, my noble friend Lord Randall is absolutely right: virgin forests are being cut down. How is this being policed? Other countries are cutting down woodland, and what penalties are there on firms, such as Drax, which breach these conditions, if they are discovered to be in the wrong?

**Lord Callanan (Con):** The sustainability criteria are policed by Ofgem and, if firms do not meet them, the subsidies are withdrawn.

**Lord Krebs (CB) [V]:** My Lords, I declare my interests as recorded in the register. This is a contested topic with opposing views. The devil is in the detail, and rigorous scientific analysis is crucial. In this context, is the Minister aware of the independent analysis published in March 2021 by Resources for the Future showing that, in the south-eastern United States, demand for forest products such as biomass is associated with an increase in the area of forest in the region, as well as with a 30% increase in carbon storage in those forests over the past few decades?

**Lord Callanan (Con):** Indeed. The noble Lord is an expert on this topic and is of course correct. He is also correct to say that this is an area of ongoing debate among the scientific community, and it is one that my department is following very closely by gathering the evidence. The latest scientific data will form part of our forthcoming biomass strategy.

**Lord Browne of Ladyton (Lab) [V]:** My Lords, the Minister has confirmed that the Government accept the principle that a scheme designed to reduce emissions needs to account fully for all emissions generated by it and must not cause environmental destruction, and therefore a loss of biodiversity. As there appears to be credible evidence to the contrary, and as he has assured your Lordships' House that UK production of biomass meets that standard, will he publish the evidence, including the data that supports the assessment that he just made?

**Lord Callanan (Con):** Many of these studies are published and the noble Lord, Lord Krebs, referred to a previous study that supports the assertion that forest is actually increasing in the area. But yes, the noble Lord, Lord Browne, is quite right—we need to act on the basis of proper, validated scientific evidence and our forthcoming biomass strategy will explore that further.

**Lord Oates (LD):** Will the Minister publish information about the inspection, monitoring and enforcement of compliance with the criteria he set out in his initial Answer? Will he put that in the public domain and explain exactly how that enforcement takes place?

**Lord Callanan (Con):** Provided that it is not commercially confidential, I will certainly share that with the noble Lord.

**Lord Lucas (Con) [V]:** Instead of razing American forests would it not be a better use of our subsidies to stimulate the development of a coppice harvesting service in the southern UK? Coppiced woodlands are rich ecologies that need regular felling but they are not getting it because there is currently no economic outlet for the timber.

**Lord Callanan (Con):** My noble friend makes a good suggestion. We did try that, of course. Subsidies have been available for more than a decade but we have seen a lack of uptake because they cannot compete with the use of waste products in huge commercial forestries in the US.

**Lord Grantchester (Lab) [V]:** My Lords, we await a biomass strategy due in 2022 and the Minister can confirm that this will assess the link between biomass electricity subsidies and deforestation. The Drax plant is investing in carbon capture in order to be a “carbon-negative company” by 2030. Does he think that that is achievable? When will the Government decide on a development consent order for Drax?

**Lord Callanan (Con):** In the biomass strategy, we will explore all the factors to which the noble Lord referred. I do not have a date for when a development consent order will be agreed but all this and the relevant factors will be explored in the strategy.

**Lord Bhatia (Non-Afl) [V]:** Does the Minister agree that the only source of electricity for third-world villages is biomass?

**Lord Callanan (Con):** No, I do not agree, because there is also the potential for PV—solar photovoltaic—generation.

**Baroness Sheehan (LD):** My Lords, given the need to rapidly decarbonise and the impact of pellet production on forests, will the Government review the decision to class biomass as carbon-neutral under the UK ETS and stop subsidising new biomass projects? I should say here that I own a biomass boiler.

**Lord Callanan (Con):** As I said, the biomass strategy will review all those factors. We want to continue subsidising biomass only if there are genuine carbon savings, if it does not contribute to deforestation and if it is produced in a sustainable way.

**Baroness Young of Old Scone (Lab) [V]:** I hate to disagree with the noble Lord, Lord Krebs, but my reading of the science is that it is uncertain. There is little science looking at the impact of biomass extraction in Europe, particularly in Estonia. In America and Estonia, we have clear evidence of declining numbers in protected species and biodiversity. Is the Minister aware that 500 scientists have written to protest to President Biden and the European Commission about those continued activities? Does he agree that the comparison between biomass electricity generation and other technologies should be made not with fossil fuels, which we know are poor in their performance, but with other green technologies?

**Lord Callanan (Con):** The different contributions from noble Lords in this debate have illustrated that this is a contentious subject. There is much debate in the scientific community. The noble Baroness referred to the 500 scientists who have written to the US Administration. Other scientists take different points of view. That is part of the nature of the debate but it is our view that biomass, when compared to fossil fuels, is considered to be a renewable, low-carbon energy source. The carbon released from the organic material was sequestered recently from the atmosphere, compared to fossil fuels where the carbon was sequestered hundreds of millions of years ago. We will continue to follow this debate and explore the issues further in the biomass strategy. If we continue with policies supporting biomass—it is an if—we will take all these factors into account. We want to make sure that there are genuine carbon savings, that biomass is sustainable and that there is no long-term damage to the areas referred to.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, all supplementary questions have been asked.

## Digital Identification Protocol

### Question

12.18 pm

Asked by *Lord Holmes of Richmond*

To ask Her Majesty's Government what plans they have to introduce a distributed digital identification protocol for the United Kingdom.

**Lord Holmes of Richmond (Con):** My Lords, I beg leave to ask the Question standing in my name on the Order Paper and declare my technology interests as set out in the register.

**The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con):** My Lords, in 2020, the Government committed to creating a framework of standards, governance and legislation to enable a UK digital identity market. The DCMS published a draft trust framework in February this year setting out the Government's vision for the rules governing the future use of digital identities. A next iteration is expected to be published this summer and we are expecting to consult on digital identity legislation during this year.

**Lord Holmes of Richmond (Con):** My Lords, which specific sectors do the Government believe are best to run proofs of concepts in when it comes to digital ID? Further, does my noble friend agree with the analysis from McKinsey that suggests an additional 13% in UK GDP if we get digital identity effectively deployed? That is a prize certainly worth prioritising.

**Baroness Barran (Con):** I absolutely agree with my noble friend that this is a prize worth prioritising—although I cannot comment on the specific McKinsey data. On his question about areas for pilots, we are working with a number of sectors and are eager to look into pilots in healthcare, tourism, housing, conveyancing and insurance—but all of this is of course subject to spending review outcomes.

**Lord Harris of Haringey (Lab) [V]:** It is increasingly important for all of us as citizens to be able to simply and securely verify our identity to others and, likewise, that we can always have confidence that the person with whom we are engaged in a transaction is who they say they are. Yet there have been 11 wasted years since the Government scrapped the previous proposals for a secure identity system. Why has there been that waste of time? Can the Minister assure us, the public, that our personal identity data will be secure and not exploited for profit by these new private sector solutions?

**Baroness Barran (Con):** I cannot comment on the delay to which the noble Lord refers. What I can say is that we are working at pace and have made considerable progress since our response to the call for evidence in September. As he is aware—the clue is in the name—a fundamental of the “trust framework” is that citizens can trust how their digital ID will be used.

**Lord Mackenzie of Framwellgate (Non-Aff) [V]:** My Lords, identity theft is a major, growing crime in this country and many people, particularly the elderly, are commonly relieved of their life savings. In the digital, financial and communications world, we all use fingerprint, facial and iris recognition applications to access our personal and financial information. They also safeguard travellers at airports. Unique DNA data has revolutionised crime investigation, resulting in serious historical crimes being detected. Does the

noble Baroness agree that proof of identity brings welcome security to most people living in the modern world? However, for it to be trusted, we need to capture this biometric data, verify its authenticity and digitise it securely.

**Baroness Barran (Con):** I absolutely agree that a secure and trusted digital ID framework can help reduce data breaches, identity fraud and some of the problems to which the noble Lord referred.

**Baroness McIntosh of Pickering (Con):** My Lords, I remind the House of my interest as chair of the Proof of Age Standards Scheme board. I congratulate my noble friend and welcome the moves that the Government are making in this direction. However, mindful of the fact that digital identity verification is fiendishly complicated, I urge the Government to consult as widely as they can, to embrace the consequences for rural as well as urban areas and to ensure that any such framework is fit for purpose and will, as my noble friend says, be used safely and appropriately.

**Baroness Barran (Con):** My noble friend makes an important point on which I absolutely agree. That is why we have taken this very transparent approach with the publication of the trust framework alpha. A second iteration will be published this summer and then, as I mentioned, further work towards legislation later this year.

**Lord Clement-Jones (LD):** My Lords, the Government Digital Service is hiring a new head of design with the statement:

“Our vision is that citizens will be able to use one login for all government services.”

But we have already spent £200 million on Verify without notable success. Despite what seemed to be the intention in the call for evidence response of creating an open marketplace for verifiable credentials, are the Government really planning to reinvent Verify?

**Baroness Barran (Con):** We are not planning to reinvent anything. We will continue to run the Verify system, plan for its retirement and the offboarding of services, while working closely with departments, including my own, to develop a viable long-term digital identity solution for all government, which will be called “One Login for Government”.

**Lord Moynihan (Con):** My Lords, I congratulate my noble friend Lord Holmes on his persistence on this important subject. Does the Minister agree that we have to introduce a unified digital ID protocol for many reasons, not least the IT benefits for people's well-being, which will require building equal digital opportunities, widespread digital literacy and strong digital security? For this to succeed, the Government need to introduce their own digital ID protocol as soon as possible and use that opportunity to consider launching further widespread digital literacy education campaigns.

**Baroness Barran (Con):** I thank my noble friend for highlighting another opportunity for digital ID. The Government are committed to realising the benefits of these technologies, albeit without creating ID cards.

[BARONESS BARRAN]

My honourable friend the Minister for Digital Infrastructure and the Parliamentary Secretary at the Cabinet Office are working closely together, as both the trust framework and the single sign-on system for government are needed, so that users can control their data in line with the principles that we published in our response to the 2019 call for evidence.

**Baroness Wheatcroft (CB):** My Lords, anonymity online has encouraged people to say things that are rude, hurtful, untrue and, sometimes, murderous. This does huge damage to society and individuals, so could the Minister undertake that any move towards a distributed digital identity protocol would include an examination of how it might be used to prevent people hiding behind pseudonyms on social media?

**Baroness Barran (Con):** The noble Baroness will know that issues around anonymity on social media are extremely complex. She rightly raises instances where anonymity is abused, but we also know that some people use anonymity and pseudonyms for their own protection. I will take her remarks back to the department.

**Lord Bassam of Brighton (Lab) [V]:** My Lords, I congratulate the noble Lord, Lord Holmes of Richmond, on pursuing this issue so doggedly, and I challenge the Minister's assertion that the Government are moving at pace on this. But it is crucial that our economy and public services move with the times. Bodies such as the Financial Action Task Force acknowledge the existence of risks if digital ID is not properly implemented. So how do the Government intend to strike the right balance between risk and reward in this important area?

**Baroness Barran (Con):** The noble Lord raises an important question. It will be through the transparency that I mentioned earlier, with the publication of the trust framework alpha and a second iteration, a beta version, which will be tested before going live.

**Lord Wallace of Saltaire (LD):** The Minister rightly stresses the importance of building public trust in all this. Given increasing concerns about the partisan fashion of so many recent public appointments, what are the Government doing to build broad support for forthcoming key appointments in this field, such as the new Information Commissioner, the new chair of the board at the Centre for Data Ethics and Innovation, and others?

**Baroness Barran (Con):** I absolutely do not accept the noble Lord's assertion about the political complexion of recent appointments. All go through the public appointments process and are entirely transparent.

**Lord Etherton (CB):** My Lords, live automated recognition technology is currently on trial by the police, under the supervision and care of the Surveillance Commissioner. Is it envisaged that digitised identity will similarly be subject to the remit of the commissioner, or will they be run as completely separate issues of digitisation?

**Baroness Barran (Con):** I welcome the noble and learned Lord to his place and thank him for his question. My understanding is that there will be a need for co-operation between different regulatory authorities. As he will be aware, we have not yet established the governance structure for digital identity—but if there is further information to share, I will write to the noble and learned Lord.

**The Lord Speaker (Lord McFall of Alcluth):** My Lords, the time allowed for this Question has elapsed and we now come to the third Oral Question.

## Rent Arrears: Covid-19 Question

12.29 pm

Asked by **Lord Carrington**

To ask Her Majesty's Government what further financial support they are considering to help private sector residential tenants clear rent arrears accrued since the introduction of restrictions to address the COVID-19 pandemic.

**Lord Carrington (CB) [V]:** My Lords, in begging leave to ask the Question standing in my name on the Order Paper, I declare my interests as set out in the register.

**The Minister of State, Home Office and Ministry of Housing, Communities and Local Government (Lord Greenhalgh) (Con):** I declare my residential and commercial property interests as set out in the register. The Government have provided an unprecedented £352 billion support package, keeping millions in work and temporarily bolstering the welfare safety net by more than £1,000 a year for families most in need. Financial support from private rented sector tenants remains in place. The job retention scheme and universal credit uplift are available until the end of September. For renters who require additional support, £140 million of discretionary housing payments are available.

**Lord Carrington (CB) [V]:** I thank the Minister for his response, but the recent housing resilience survey suggested that the proportion of private renters in arrears increased from 3% in 2019 to 9% in 2020. Will the Minister accept that allowing arrears to grow in this way is not sustainable for tenants or landlords? The Budget announced a pilot no-interest loan scheme to help vulnerable consumers who would benefit from affordable short-term credit to meet unexpected costs. Will the Minister consider a similar loan scheme to support tenants who are now in arrears but do not claim benefit support?

**Lord Greenhalgh (Con):** My Lords, I point out that two-thirds of the tenants identified in the survey have two months or less of rent arrears. We have preferred to avoid encouraging further debt, instead providing non-repayable financial support through furlough and the welfare system.

**Lord Young of Cookham (Con):** My Lords, in the debate in Grand Committee on 22 April on poverty and mass evictions I asked my noble friend whether his department would do a quick review of the schemes

in Wales and Scotland of grants and loans that prevent evictions to see whether any lessons might be learned for England. He replied:

“I will encourage my officials to look at what we can learn from the devolved Administrations”.—[*Official Report*, 22/4/21; col. GC 402.]

What was the outcome of that review?

**Lord Greenhalgh (Con):** My noble friend is quite right. I have asked my department to do that. My officials carefully studied the Scottish and Welsh schemes to support tenants with rent arrears. I understand that a relatively small number of loans have been made by these schemes. Indeed, the Government continue to believe that it is right to provide non-repayable financial support rather than encouraging further debt.

**Lord Best (CB) [V]:** My Lords, I declare my housing interests as on the register. Has the noble Lord's ministry been able to study the outcomes of the tenant loan scheme operating in Spain? Has this enabled tenants to pay off Covid-related arrears successfully and avoid the traumas and cost of widespread evictions? If the scheme is working well in Spain, why not here?

**Lord Greenhalgh (Con):** My Lords, we continue to review other examples of support, including that in Spain, as well as those in the devolved Administrations in the United Kingdom. We will consider what impact they might have, but we will continue with the policy we have about not encouraging further debt.

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, I refer the House to my interests as set out in the register. Right now, an estimated 353,000 private renters are in arrears. Rent arrears have doubled since the beginning of the Covid-19 pandemic. The Government promised that no renter would lose their home due to the pandemic. Is it not time for the Government to accept the need for a Covid rent debt fund to clear Covid arrears for the most financially destitute renters, who are at severe risk of homelessness? If not, with the ban on evictions that has been in place during lockdown being lifted next month, how will the Government stop evictions because of Covid rent debt?

**Lord Greenhalgh (Con):** My Lords, we are aware of the exhortations from many organisations, but we consider that the increase in rent arrears is not statistically significant between the two surveys. It went from 7% to 9%. We also recognise that we have provided a substantial package of support for renters during the pandemic, including legislative protections and unprecedented financial support.

**Baroness Grender (LD):** Does the Minister accept that loosening restrictions when 353,000 private renters are in arrears risks making families homeless, particularly while no-fault evictions are still in use? Even at this late stage, will he agree to meet Generation Rent to discuss a Covid rent debt fund, enabling renters to clear their debts and landlords to claim up to 80% of income lost, all at a fraction of the current subsidies for home owners?

**Lord Greenhalgh (Con):** My Lords, I am always very happy to meet Generation Rent and hear its proposals. I point out that we continue to provide support even at this stage. We lifted the local housing allowance rates to the 30th percentile of local rents in April 2020. That has provided 1.5 million claimants with around £500 more housing support per year. We have announced that local housing rates will be maintained at the increased level in cash terms in 2021-22.

**Lord Moylan (Con):** My Lords, financial assistance to renters finds its way straight into the pockets of landlords, but rents have fallen during the pandemic, not least in London. Does my noble friend agree that any scheme designed for this purpose should ensure that landlords do not receive returns greater than they would have received in market circumstances?

**Lord Greenhalgh (Con):** My noble friend is right that we have seen rents reduce as a result of the pandemic. All the schemes that we have designed cover rent at the level presented by the landlord. Obviously, schemes that we have provided to support renters will reduce as a consequence of reducing rents.

**Lord Singh of Wimbledon (CB) [V]:** My Lords, although the excellent furlough scheme has helped to reduce some financial suffering during the pandemic, the reduced incomes of individuals and households have led to increased arrears for many tenants. If we are to avoid the hardships of a rise in homelessness with the ban on evictions due to end this summer, will the Minister consider loans to be used exclusively to clear rent arrears, as has been mentioned by many speakers?

**Lord Greenhalgh (Con):** My Lords, I restate the Government's position that we are not looking to encourage further debt. I also point to the statistics regarding homelessness. We have seen a 40% decrease in homelessness duty owed in the period between October 2020 and the same period in 2019. We are not seeing that massive spike in homelessness that has been alluded to.

**Baroness Bennett of Manor Castle (GP) [V]:** My Lords, before the pandemic it was taking a median of 42 weeks for court cases to reach repossession. The mean length was nearer a year. Analysis suggests that the small number that are being processed now are taking nearly twice as long. The courts cannot cope with the likely flood, and the delays will greatly increase the stress, suffering and uncertainty for private tenants, and difficulty for landlords. Does the Minister agree that the pile-up of repossession cases in the courts is another argument for a grant scheme, ideally, or at least a loan scheme to rescue people from unpayable arrears, provide certainty and prevent delays?

**Lord Greenhalgh (Con):** My Lords, I am not aware of a pile-up in the courts. Indeed, we have actually seen a massive drop in the number of repossession cases. It decreased to 262 repossessions in January to March 2021—a reduction of some 96%—and 214 local authorities had no landlord repossessions at all.

**Lord Taylor of Goss Moor (LD) [V]:** Given that the number of tenants in arrears on low incomes who have been impacted by Covid has more than doubled, have the Government conducted an impact assessment of the change to allow evictions once more? If so, will they make that available to Members of the House?

**Lord Greenhalgh (Con):** My Lords, we continue to survey this very carefully indeed. As I pointed out, although we have seen an increase, according to the survey, in the number of renters in arrears, the vast majority of them—some two-thirds—have arrears of no greater than two months.

**Baroness Gardner of Parkes (Con) [V]:** My Lords, I declare my interests as in the register. Can the Minister comment on what plans the Government have to assist small and medium landlords who are unable to recover Covid-related rent arrears and face potential enforcement action by their mortgage providers? Might the Government persuade mortgage providers to extend their overall repayment period in these cases, instead of seeking to enforce the mortgage?

**Lord Greenhalgh (Con):** My noble friend will be pleased to know that, to support landlords, mortgage lenders have agreed to offer payment holidays of up to six months, including for buy-to-let mortgages. Although that is available only until July 2021, from 1 April 2021 there have been moves to enable forbearance options tailored to the individual landlord.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the time allowed for this Question has elapsed. We now come to the fourth Oral Question.

### Nepal: Covid-19 Vaccine Request *Question*

12.40 pm

*Asked by Lord Lancaster of Kimbolton*

To ask Her Majesty's Government what assessment they have made of the request by the government of Nepal for two million doses of COVID-19 vaccine to tackle the spread of the disease in that country.

**Lord Lancaster of Kimbolton (Con):** My Lords, I beg leave to ask the Question standing in my name on the Order Paper, and I declare my interest as deputy colonel commandant of the Brigade of Gurkhas.

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, my right honourable friend the Prime Minister has made clear that equitable access is an integral part of the UK's approach to vaccine distribution. The United Kingdom has provided £548 million to COVAX, which has already delivered over 59 million doses across three continents. This includes 348,000 doses to Nepal. In total, COVAX has allocated almost 2 million doses to Nepal, which will be delivered free of charge. We will share the majority of any future domestic vaccine surplus with COVAX.

**Lord Lancaster of Kimbolton (Con):** My Lords, there can be no greater champion in the Government for Nepal than my noble friend the Minister, in part because he understands, as your Lordships' House understands, the great bond that exists between our two countries. For over 200 years, through every conflict and crisis that our nation has faced, the brave men of Nepal have fought and died for the Crown. Now, as Covid spreads across the north Indian plain, Nepal faces a crisis of its own. Can my noble friend reassure us, as the air corridor opens this evening, that the enduring comradeship that has stretched across the centuries will result in us doing everything that we possibly can to support our ally?

**Lord Ahmad of Wimbledon (Con):** My Lords, I return the compliment by paying tribute to my noble friend for his work and his advocacy for Nepal. I can also further assure him that this morning I met with the Minister for the Armed Forces, and the MoD is standing up a military, medical and advisory team on the ground to assess. They will be leaving early next week to assess the requirements on the ground. I am directly engaging with the Government of Nepal. Indeed, I had a very constructive meeting with the Foreign Minister yesterday, establishing exactly what the key requirements are, and later this afternoon I will be meeting the Nepalese ambassador to the Court of St James to further discuss issues of logistics. We have already extended support, including funding an oxygen generation plant at the Nepal Police Hospital, and we are working on the ground through our embassy, and with officials within the FCDO and the MoD, to see what further support can be extended at the earliest opportunity.

**Lord Campbell-Savours (Lab) [V]:** My Lords, despite the work of COVAX, is not the absence of an effective international vaccine manufacturing and distribution system that meets world demand perfectly illustrated by Nepal's reported difficulties, particularly when the Serum Institute of India, the world's largest manufacturer, is situated in Pune, in the state of Maharashtra in India, next door to Nepal? With an 8 billion world population at risk and potentially only a 4 billion worldwide double-dosage manufacturing capacity, as yet unrealised, how can world demand be met?

**Lord Ahmad of Wimbledon (Con):** The challenges—the noble Lord mentioned the Serum Institute of India, which I know well as the Minister for India, and the challenges in India in terms of the current wave sweeping across the country—are well known. We have seen a stepping up in terms of manufacturing and collaboration, and the United Kingdom's structured approach to the COVAX facility demonstrates the importance, as the noble Lord himself acknowledges, of a global supply chain which guarantees the distribution of Covid-19 vaccines across the world.

**Baroness Northover (LD):** This disastrous surge in cases has now, unsurprisingly, spread to Nepal. We are likely to see this pattern replicated worldwide, yet it is reported that the UK stopped adding to the global vaccination efforts when we cut aid. How can we claim, as we have, that we will be leading the world at the G7 in recovery from the pandemic if we cannot even do that?

**Lord Ahmad of Wimbledon (Con):** My Lords, that is just not the case. We are leading the efforts, along with other key partners, on vaccines, and again, as I said in my original Answer, any surplus vaccines in the United Kingdom will be distributed through the COVAX scheme.

**Lord Popat (Con) [V]:** My Lords, Nepal and the United Kingdom have one of the oldest diplomatic relationships within south Asia, a friendship represented by generations of Gurkha soldiers and mountaineers. Can my noble friend the Minister outline what other steps are being taken to engage with the Nepalese Government to better understand their needs and to ensure that human care and support are provided in the most effective way possible?

**Lord Ahmad of Wimbledon (Con):** My Lords, I have already alluded to the cross-government approach and the structured approach. We are engaging with the Nepalese Government directly, both in Kathmandu and in the UK. We are sending experts in technical support and assisting Nepal's Ministry of Health in its responses. We will continue with a very active dialogue both in Kathmandu and in London.

**The Earl of Sandwich (CB) [V]:** My Lords, this is an emergency on the scale of Nepal's civil war or the 2015 earthquake. Is the UK responding adequately, especially to the local demand for vaccines and oxygen? The Minister will be aware of the current fragility of government and of rural health services, but there are also many experienced NGOs supporting clinics there—both Nepalese and international—with safe supply lines. Are we making full use of those?

**Lord Ahmad of Wimbledon (Con):** My Lords, I assure the noble Earl that we are looking at all key players to ensure that the response and the requirements of Nepal can be met in the best possible manner by the United Kingdom working with other international partners.

**Lord Collins of Highbury (Lab):** My Lords, yesterday in the Queen's Speech debate, I argued for the utilisation and expansion of local manufacturing capacity in low and middle-income countries. Today, Labour has put forward a 10-point plan to transform the volume of vaccine production worldwide, including a global register of potential production facilities. Will the Government support this vital initiative?

**Lord Ahmad of Wimbledon (Con):** My Lords, I have not yet seen the 10-point plan, but I look forward to it. On this occasion, I must disappoint the noble Lord—I have not seen his tweet—but I will certainly reflect on the important points. In all seriousness, we need to co-operate globally to ensure the best and most effective response to meeting the challenges not only of the current pandemic but of future pandemics as well.

**Baroness Stuart of Edgbaston (Non-Afl) [V]:** My Lords, while we have to await the outcome of the current census, the current estimate of the population of the United Kingdom with Nepalese roots is between 80,000 and 100,000. May I therefore urge the Minister

to treat this request for support as not just a foreign policy issue but a domestic issue, and to ensure that we keep in close touch with the local communities to reassure them that we are supporting their families?

**Lord Ahmad of Wimbledon (Con):** My Lords, I can give the noble Baroness that assurance. Our experience of the support we have extended to India lends to the strength of our diaspora communities. I have asked my office to set up a meeting with private sector representatives to see what we can do in strengthening the diaspora's response to the needs of Nepal.

**Lord Sheikh (Con) [V]:** My Lords, I declare that I am the founder and chairman of the UK-Nepal Trade and Investment Forum and vice-chair of the APPG on Nepal. The situation in Nepal is dire: it needs our immediate help. I have received representations from the Nepalese diaspora and have had several discussions with His Excellency the Nepalese ambassador. The country needs ICU ventilators, oxygen cylinders and concentrators, oxygen plants, ICU beds, test kits and, of course, vaccines. I have written to the Minister on this matter and am waiting for an answer. Also, I am galvanising Muslim charities to provide aid in Nepal immediately.

**Lord Ahmad of Wimbledon (Con):** My Lords, I have received my noble friend's letter and I will be responding to him. The list is well known to me, and I have already talked about engaging with the diaspora. I will be in touch with my noble friend to convene a meeting so we can address the direct needs.

**Baroness Meacher (CB) [V]:** My Lords, I fully support the UK Government and indeed applaud them for providing vaccines to Nepal and other developing countries. Can the Minister tell the House whether the Government yet know whether we will need booster jabs for our UK frail and elderly in the autumn and, if so, whether vaccines for developing countries will take priority over booster jabs for the frail and elderly in this country?

**Lord Ahmad of Wimbledon (Con):** I defer to my excellent colleague and noble friend Lord Bethel, who can respond more effectively to the noble Baroness's question. However, we are working with the developing world to ensure we meet its requirements as well.

**Lord Foulkes of Cumnock (Lab Co-op):** Did the Minister note that when the Prime Minister of Nepal realised he had made a mistake, he resigned? Is it not indicative that he has more honour than the Prime Minister here?

**Lord Ahmad of Wimbledon (Con):** My Lords, I know our Prime Minister. I worked with our Prime Minister when he was Foreign Secretary. I have seen a side to our Prime Minister that perhaps other noble Lords have not seen. This is a Prime Minister who went through the challenge of Covid-19 himself and when he returned to the office—the noble Lord shakes his head, but it is important—we saw it, we heard it and we delivered on it. The first priority, the first thing he spearheaded, was the response to the Covid-19 challenge,

[LORD AHMAD OF WIMBLEDON]  
not just in the UK but across the world. He was instrumental in setting up the COVAX facility, which is benefiting more than 92 developing countries around the world. That is the fact. I know our Prime Minister personally and well, and he has led from the front on this agenda.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the time allowed for this Question has elapsed.

12.51 pm

*Sitting suspended.*

## Covid-19 Internal Review

### *Private Notice Question*

1 pm

*Asked by Baroness Merron*

To ask Her Majesty's Government whether they will publish their internal review of the handling of the COVID-19 pandemic.

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con):** My Lords, I start by welcoming the noble Baroness, Lady Merron, to the Bench; I am very much looking forward to working with her in the months ahead. The Prime Minister confirmed on 12 May that a public inquiry will be established on a statutory basis to consider the Covid-19 pandemic, including the Government's handling of it. I can confirm that while DHSC officials carried out a routine internal ways-of-working review, this was absolutely for the purpose of providing advice to Ministers only.

**Baroness Merron (Lab):** My Lords, the National Audit Office report published yesterday both highlighted the need for the Government to learn lessons at speed and advocated greater transparency. Publishing an already completed internal review of the Government's handling of the Covid-19 crisis would support a plan to contain the threat of new variants, and I urge the Government to do so. I am interested to know whether the Minister can come to agree with me on this. With experts, including SAGE, warning that it is very much in the balance as to whether further restrictions will be lifted in June, given the dramatic rise in Indian Covid-19 variant cases, will the Government learn the lessons and urgently review travel and quarantine arrangements?

**Lord Bethell (Con):** My Lords, I absolutely agree with the noble Baroness that we are at a pivotal moment in the pandemic; matters are on a knife-edge. There is so much good news about the effect of the vaccine that we should celebrate, but there is enormous jeopardy in the threat posed by variants. That is why we are very much focused on dealing with the pandemic before us. The inquiry promised by the Prime Minister is for spring next year, and until then we will continue to be focused on today's pandemic.

**Lord Scriven (LD):** My Lords, Professor Andrew Hayward, a member of SAGE, this morning said that he thinks we are now at the start of the third wave and that more generalised measures will be needed. As an adviser to government is saying that we need to act and plan now, what generalised measures are the

Government planning and when will they be announced, so that people and businesses do not have just 24 hours to plan?

**Lord Bethell (Con):** My Lords, we are enormously grateful for the advice of SAGE, which, as the noble Lord will know, is a very large collection of scientists, many of whom have many different views. The JBC takes their advice into account, and we are absolutely monitoring the situation as closely as we possibly can. We celebrate the transparency with which the very large amount of surveillance data is handled and published for public analysis. Measures are in place on testing, therapeutics and social distancing, but the number one measure is the vaccine. The rollout of the vaccine is what will give this country the protection it needs.

**Lord Robathan (Con):** My Lords, I reiterate my congratulations to the Government and all those involved in the fantastic success of the vaccine development and rollout programme. This inquiry does not need to be long and drawn out. Will my noble friend confirm that it will look into the accuracy of—and contradictory nature of some of—the scientific advice received over the last year, the appalling scaremongering of some of the media, the validity of political decisions such as lockdowns, and whether the government reaction to the pandemic, and the reaction overall, has been proportionate?

**Lord Bethell (Con):** My Lords, the Prime Minister promised on 12 May that there will be a statutory inquiry beginning in spring 2022, as my noble friend alluded to. Its chair and terms of reference will be announced before spring 2022, and it will be for the terms of reference and the chair to determine exactly what subjects are looked at.

**Baroness Andrews (Lab) [V]:** My Lords, I ask the Minister to return to the first Question asked by my noble friend—she asked two—which he overlooked. Does the Minister agree that publishing the internal review could strengthen the strategic plan to contain new variants? Does he agree with me that it would certainly raise public trust and that, because of the inordinate delay until next year in starting the public inquiry, it surely makes sense? Even if this is not a public-facing review, it is of such public interest that he should publish the internal review.

**Lord Bethell (Con):** My Lords, as I said before, there was an internal ways-of-working review into the department's early response to the pandemic, way before the threat of variants was on the horizon. None the less, it is our commitment to focus on the pandemic and the threat presented to us by its future evolution. That is why we are focused on today's measures. We will leave reflection on the past to the inquiry.

**Lord Balfe (Con):** Does the Minister see that we will keep on having variants of this virus and, to an extent, will have to learn to live with it? I am sure people would be much happier if we were to downscale the amount of advice that we get from a variety of often dubious sources. The sooner we can publish an inquiry into it, the better. We must recognise that the Government faced an enormous challenge. Overall, they have come out of it pretty well, and we should not carp.

**Lord Bethell (Con):** My Lords, I am enormously grateful to my noble friend for his comments. I know he has been a vocal critic of some things, and I take his comments in very good measure. On his point on guidance, this is not how the public have presented things to us. They want clear, easy-to-understand guidance. We have learned the importance of publishing in many languages and now regularly publish in 10 spoken languages. The public are in fact hungry for detailed guidance, which is why we have published more than 400 pieces of guidance on GOV.UK, covering everything from funerals, care homes and schools right through to smokers, vapers, houseboat dwellers and singing with children. That is because the public would like to have this kind of advice and recommendation.

**Lord Flight (Con):** My Lords, I congratulate the noble Lord, Lord Bethell, on how professionally he handles his responsibilities in the Lords. I am sure he will support the Prime Minister's announcement that a full inquiry will be held next year, beginning in the spring, which will place the state's actions under the microscope. The existing internal lessons-learned review was an informal exercise, not a public-facing work, which I believe will not be published. It would be wrong to publish it. While there have inevitably been some mistakes, I congratulate the Government and the noble Lord, Lord Bethell, on having got Covid-19 vaccinations moving significantly faster than the EU. I hope he will exceed the speed limit even more.

**Lord Bethell (Con):** I am enormously grateful for my noble friend's kind comments. On his point on vaccines, I emphasise the enormous contribution of the whole union behind the vaccine project. It has been a union project to deploy vaccines to every person in the UK at amazing speed and with consistency right across all parts of the union. For that we should be enormously grateful.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, while we all here respect that health is a devolved responsibility, does the Minister not agree with me that one of the problems that arose was the confusion arising from different rules in different parts of the United Kingdom and different messages throughout the United Kingdom? In the inquiry, will the United Kingdom Government talk with the devolved Administrations to make sure that, in future, there is a more co-ordinated response? The virus knows no boundaries.

**Lord Bethell (Con):** My Lords, the Prime Minister will define the terms of reference and the chair will define how the inquiry departs itself. On the noble Lord's point about the rules and the suggestion of confusion, I agree that there was a lot of heat and smoke around differences but the truth is that 99% of everything that we did between the different parts of the union was exactly the same. There was a lot of focus on very small differences, but what I celebrate is how much common ground there was in our responses.

**Baroness Altmann (Con):** My Lords, I echo the congratulations to my noble friend on his dedication to his role, and I welcome the noble Baroness opposite to her position. I join other colleagues in congratulating the Government on their successful rollout of the vaccine,

which, from what we can see so far, deals with the variants that have arisen and allows us to open our country back up again after the extraordinary efforts that have been made in connection with the vaccine. In connection with any review, will there be an urgent announcement of an investigation into the way that social care was handled, particularly at the beginning of this, for those people who are so reliant on home care or care homes for their very survival?

**Lord Bethell (Con):** My Lords, I do not think I need to speculate on this matter; of course social care will form part of the inquiry. It has been an incredibly important part of our response, and we have come a long way in the last 14 or 15 months. I pay tribute to all the people who work in social care, and their leadership, who have done an enormous amount to protect those who live in social care or are supported by it. We as a country have learned a huge amount about how to protect those who are vulnerable and those who are elderly. I also pay enormous tribute to the public, who have made huge sacrifices to protect and save the lives of those who live in social care.

**Baroness Uddin (Non-Afl):** My Lords, I welcome the noble Baroness, Lady Merron, to her position and look forward to hearing from her. I too pay tribute to the Minister and the Government, including my friend in the other place, Nadhim Zahawi, who has led this very effectively. It is so pleasing to see the uptake of vaccines in all parts of our countries and communities. While we are not privy to any internal findings of the report, does the Minister accept that any current or future review must address the detrimental economic impact on women, people with disabilities and those communities of minority heritage that suffered significant loss of life in the early days? Will such a report also therefore consider whether the lessons of the first wave were learned, and unnecessary deaths and infections subsequently prevented?

**Lord Bethell (Con):** My Lords, it is not for me to define exactly what the scope of the inquiry will be but the noble Baroness's points are extremely well made. I emphasise the importance of women. We are in the midst of consultation on the women's health strategy. It is proving to be an incredibly impactful process and events are being held almost daily. I encourage all noble Lords to submit evidence to the health strategy on any issues that they feel strongly about. This could be a really impactful turning point in the way in which the health of women in this country is massively improved.

**Lord Dobbs (Con):** Does my noble friend agree that publishing an internal review right now would do nothing less than risking a dodgy dossier, of the sort we have seen before which shed far more confusion than light? Does he not think that the most important use of time right now would be in getting to grips with the anti-vaxxers who are spreading vicious lies, so that we can get on with vaccinating as many people as possible and bringing this country together as quickly as possible?

**Lord Bethell (Con):** I am extremely grateful to my noble friend for his comments. He is entirely right. The battle against anti-vaxxers has been very successful.

[LORD BETHELL]

We have used a spirit of dialogue with people who have very personal and legitimate questions about a vaccine that requires an injection of fluids into their body. People quite reasonably have detailed questions about its impact. I applaud officials and partners of the Government who have been so effective at conveying the message on the safety and efficacy of the vaccine. It really has demonstrated the power of government and NHS communications at their best.

**Baroness Bennett of Manor Castle (GP) [V]:** My Lords, I join the chorus of welcome to the noble Baroness, Lady Merron, who referred, as have other Peers, to the National Audit Office report on the handling of the pandemic. Commenting on that, Gareth Davies, the head of the NAO, stressed the need to “learn lessons at speed”. The Minister has often expressed how useful and informative he has found the contributions in your Lordships’ House. Would those contributions not be better informed if Members could absorb and reflect on the findings of the internal review as the country and the world continue to deal with what is, certainly on the global level, a raging and deeply dangerous pandemic?

**Lord Bethell (Con):** I am enormously grateful to the NAO for the powerful report that it has published. It said many complimentary things about the Government’s handling of the pandemic. I am grateful to noble Lords for the counsel and challenge that they have given here in this Chamber. I point out the vast amount of data and information that we have published, which is at the disposal of the public and parliamentarians. However, confidential advice from officials to Ministers on a means-of-working review is not the kind of thing that I think adds to this sort of debate, and for that reason it is most appropriately kept confidential.

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, this morning on BBC News there has been a suggestion that the Indian variant has been due in large part to ineffective track and trace. Would the Minister like to comment on that?

**Lord Bethell (Con):** My Lords, I do not think that is correct. The noble Baroness is right to ask the question because we should always challenge our systems, but track and trace has really delivered for the country when it comes to the containment of the variants. We were extremely concerned about the Manaus variant. That was why we instigated Project Eagle, an intense application of testing in communities on a very large scale and forensic tracing, putting huge resources into tracking down the movements of those who tested positive with a VOC. We then had the South African variant, which has been successfully contained. We could not have imagined that an Indian VOC of this kind could make its way into this country with such high transmissibility, and I pay tribute to those working in track and trace who have bought us an enormous amount of time so that we can bring in surge testing and surge vaccination to contain and minimise the spread of this variant.

**The Deputy Speaker (Baroness Garden of Frognal) (LD):** My Lords, all supplementary questions have been asked and answered.

## Wellbeing of Future Generations Bill [HL] First Reading

1.17 pm

*A Bill to make provision for a public consultation to inform a set of national wellbeing goals; to require public bodies to act in pursuit of the United Kingdom’s environmental, social, economic and cultural wellbeing by meeting wellbeing objectives, publishing future generations impact assessments and accounting for preventative spending; to establish a futures and forecasting report; to establish a Commission for Future Generations for the United Kingdom; to extend the duty of the Office for Budget Responsibility to consider wellbeing and the future generations principle in their work; to add on to a Minister in each government department’s portfolio a duty to promote the future generations principle across government policy; to establish a Joint Parliamentary Committee on Future Generations; and for connected purposes.*

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

## Office of the Whistleblower Bill [HL] First Reading

1.19 pm

*A Bill to make provision for an Office of the Whistleblower.*

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

## Deputy Chairmen of Committees Membership Motion

1.19 pm

*Moved by The Senior Deputy Speaker*

That, as proposed by the Committee of Selection, the following members be appointed as the panel of members to act as Deputy Chairmen of Committees for this session:

Alderdice, L, Ashton of Hyde, L, Barker, B, Brougham and Vaux, L, Caine, L, Dear, L, Duncan of Springbank, L, Faulkner of Worcester, L, Finlay of Llandaff, B, Fookes, B, Garden of Frognal, B, Geddes, L, Haskel, L, Healy of Primrose Hill, B, Henig, B, Kinnoull, E, Lexden, L, McAvoy, L, McIntosh of Hudnall, B, McNicol of West Kilbride, L, Morris of Bolton, B, Newlove, B, Palmer of Childs Hill, L, Pitkeathley, B, Rogan, L, Russell of Liverpool, L, Simon, V, Stoneham of Droxford, L, Watkins of Tavistock, B.

*Motion agreed.*

**Corporate Insolvency and Governance Act 2020 (Coronavirus) (Extension of the Relevant Period) Regulations 2021**

**Warm Home Discount (Miscellaneous Amendments) Regulations 2021**

**Air Quality (Legislative Functions) (Amendment) Regulations 2021**

**Food and Drink (Miscellaneous Amendments Relating to Food and Wine Composition, Information and Labelling) Regulations 2021**

**Electricity Trading (Development of Technical Procedures) (Day-Ahead Market Timeframe) Regulations 2021**

**Combined Heat and Power Quality Assurance (Temporary Modifications) Regulations 2021**

**Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) (Amendment) Regulations 2021**

*Motions to Approve*

1.20 pm

*Moved by The Earl of Courtown*

That the Regulations laid before the House on 3, 18, 22, 23 and 24 March be approved.

*Relevant documents: 49th and 51st Reports from the Secondary Legislation Scrutiny Committee, Session 2019-21. Considered in Grand Committee on 18 and 19 May.*

*Motions agreed.*

**Israel and Gaza**

*Commons Urgent Question*

*The following Answer to an Urgent Question was given in the House of Commons on Wednesday 19 May.*

“Since I was last at the Dispatch Box on 13 May, we have sadly seen further violence and more civilian deaths. I am sure the House will join me in offering condolences to all the families of those civilians who have been killed or injured across Israel and the Occupied Palestinian Territories.

Mr Speaker, with your permission I will set out to the House the work that the Government are doing, along with others, to bring about a peaceful resolution. We are urging the parties to work with mediators

towards an immediate ceasefire to prevent further loss of life and a worsening humanitarian situation. We are supporting United Nations, Egyptian and Qatari efforts to that end, and we work closely with the United States.

We are also prioritising our own diplomatic efforts through both bilateral and multilateral channels. The Foreign Secretary and I, with the support of our diplomats on the ground, have been working to progress the conditions needed for an immediate ceasefire. The Foreign Secretary has spoken in recent days with the Israeli Foreign Minister and the Palestinian Prime Minister; he reinforced our clear message of de-escalation and our desire to work together to end the violence. I delivered similar messages to the Israeli ambassador and the Palestinian head of mission in London.

We have also engaged regional partners at ministerial level. The Foreign Secretary spoke with the Foreign Minister of Jordan on 17 May and just this morning I spoke with a number of ambassadors from Arab states to reiterate the need for an immediate ceasefire, and I underlined our shared goal of a peaceful two-state solution. We are playing a leadership role in the United Nations Security Council, where we are calling for measures by all sides to reduce further violence. We will participate in the emergency UN General Assembly session later this week.

The UK unequivocally condemns the firing of rockets at Jerusalem and other locations within Israel. We strongly condemn these acts of terrorism by Hamas and other terrorist groups, which must permanently end their incitement and rocket fire against Israel. There is no justification for the targeting of civilians.

Israel has a legitimate right to self-defence and to defend its citizens from attack. In doing so, it is vital that all actions are proportionate, in line with international humanitarian law and make every effort to avoid civilian casualties. We are aware of medical institutions, a number of schools and many homes in Gaza that have been destroyed or seriously damaged, and we are concerned that buildings housing media and humanitarian organisations such as Qatar Red Crescent have been destroyed. We call on Israel to adhere to the principles of necessity and proportionality when defending its legitimate security interests.

We are also concerned by reports that Hamas is once again using civilian infrastructure and populations as a cover for its military operations. Humanitarian access is essential, and we urge all parties to allow the unimpeded entry of vital humanitarian supplies. Hamas and other terrorist groups must cease their mortar attacks on these crossings. We urge all parties to work together to reduce tensions in the West Bank, including east Jerusalem. The UK is clear that the historic status quo in Jerusalem must be respected. Violence against peaceful worshippers of any faith is unacceptable.

The UK position on evictions, demolitions and settlements is clear and long-standing: we oppose these activities. We urge the Government of Israel to cease their policies related to settlement expansion immediately and instead work towards a two-state solution. The UK will continue our intensive diplomatic efforts in the region focused on securing a ceasefire and creating the conditions for a sustainable peace.”

1.21 pm

**Lord Collins of Highbury (Lab):** My Lords, last week we called for concerted action at the United Nations Security Council to halt the violence, so it is welcome that France has put forward proposals, with the support of Egypt and Jordan, together with yesterday's news that President Biden is encouraging the Israeli Government to facilitate a ceasefire. Such a move will not only allow moderate voices on all sides to be heard but will address the urgent need for humanitarian access to Gaza. Can the Minister detail what steps our representatives at the UN are taking to support the ceasefire initiative, and what steps the Government are taking to help facilitate urgent humanitarian support into Gaza?

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, on the noble Lord's first point, I have been engaging directly with our ambassador to the United Nations and we are working with other key colleagues to ensure first and foremost that a ceasefire is guaranteed, both through the UN and bilaterally. We have taken other urgent steps as well. My right honourable friend the Foreign Secretary has engaged directly with both the Israeli Foreign Minister and the Palestinian Prime Minister over the last few days to ensure that there is an immediate ceasefire, and on the important point the noble Lord made about guaranteeing access for humanitarian relief, particularly into Gaza.

**Baroness Northover (LD):** My Lords, does the Minister accept that the international community failed to address the underlying causes and grievances following earlier wars on Gaza, and this time a simple ceasefire—though absolutely necessary—is just not sufficient for the benefit of Israelis and Palestinians? I also point out that in the past a group of aid agencies working in Gaza, including Oxfam, Save the Children, and the Quakers, had regular meetings with his department. Can I ask him to make sure that these are reinstated?

**Lord Ahmad of Wimbledon (Con):** My Lords, it is certainly my firm belief that, in the tragedy of this ongoing conflict, we all know what the ultimate sustainable solution is: a secure, safe Israel next door to a sustainable Palestinian state. I assure the noble Baroness of my good offices in ensuring that we do not lose the momentum behind this challenge. In response to her second point, if it is within scope to meet directly, I will—otherwise the appropriate Minister will engage directly.

**Baroness Redfern (Con) [V]:** My Lords, the longer this cycle of violence continues, the more challenging it will be to reach the objective of two states living side by side in peace. Does my noble friend the Minister not agree that, unless this conflict is soon brought to a close, it could result in increased radicalisation and extremism for the whole region? Therefore, could he tell me what steps the UK is taking to join the International Fund for Israeli-Palestinian Peace, alongside the United States?

**Lord Ahmad of Wimbledon (Con):** My Lords, we must engage directly with all initiatives which seek to bring peace to the region. This conflict has gone on for far too long. We know what the ultimate goal should be and should ensure we exercise all opportunities in achievement of that goal. We have taken immediate

steps, as I have already indicated. On the issue of extremism and radicalisation, I agree with the noble Baroness; we have to ensure that the whole ideological base and the hijacking of the agenda by extremist and terrorist organisations are put to rest. The best way to do that is to bring together voices that want to see progress on this most important issue.

**Lord Hannay of Chiswick (CB) [V]:** My Lords, perhaps I could press the Minister a little further on some of his earlier answers. Could he say whether, in the meetings of the Security Council between 16 and 19 May, our representative gave full support to the call by the UN Secretary-General for an early ceasefire? If the answer is not unambiguously “yes”, why not? Does he not agree that, as I think he has said, we have now seen beyond demonstrable doubt that the policy of neglecting the Palestine-Israel negotiations over recent years is neither producing security for Israel nor generating well-being for the Palestinians?

**Lord Ahmad of Wimbledon (Con):** My Lords, on the second question the noble Lord raised, I think I have made the position clear. In reply to his first point, both at the Security Council and in the Statement yesterday we called for an immediate ceasefire.

**The Lord Bishop of Southwark:** Some of your Lordships may be aware that I returned from Jerusalem yesterday evening, where I attended the very joyful installation of the new Anglican archbishop there. From an earlier answer given by the Minister, I take it he agrees that, until the underlying causes that gave rise to the clashes on Temple Mount, in the Al-Aqsa Mosque and in the Sheikh Jarrah neighbourhood where I was staying, and the conflict between Hamas and Israel, are addressed, Israelis and Palestinians will not enjoy security, experience justice or build a relationship of mutual respect and regard? Does the Minister agree that, for violence to permanently end, Israel's occupation must also end?

**Lord Ahmad of Wimbledon (Con):** My Lords, I agree with the right reverend Prelate and have already indicated what the sustainable solution is, which is clear and in front of us. It goes back to the importance of a viable two-state solution, which the Government have repeatedly stated. On the points he made about the importance of Jerusalem and other holy places across the Holy Land, speaking as a Muslim who has visited Israel—Jerusalem and other holy sites—I say that we have been enriched by the essence of faith, the Abrahamic faiths, which bring people together. The faith community has had an important role to play in the healing, reconciliation and building through progressive steps towards the two-state solution.

**Lord Leigh of Hurley (Con) [V]:** My Lords, it looks like a ceasefire is imminent, but that is not the issue now. This conflict was completely unprovoked and started by Hamas terrorists for pure political expediency at a horrific and terrible cost, not least to their own people. Does my noble friend agree with me that the issue now is that we ensure that Hamas cannot and does not call this conflict a win in any way, and that it does not get access to more lethal and dangerous arms, as it will undoubtedly seek to, from countries such as Iran?

**Lord Ahmad of Wimbledon (Con):** My Lords, I agree with my noble friend: Hamas does not represent the Palestinian people. We have seen interview upon interview with innocent residents of Gaza who have been impacted by the actions of Hamas and the missiles and rockets that have been seen over Israel. Equally, it has also caused not only destruction to buildings but loss of life. The response has also caused a major loss of life in Gaza. We need an immediate ceasefire, but Hamas is an organisation that does not believe in peace. What we need is progressive voices on both sides to build to the ultimate sustainable solution of two viable states.

**Lord Anderson of Swansea (Lab):** My Lords, beyond an immediate ceasefire, does the Minister agree that, until last week, there seemed to be no chance of reviving the Middle East peace process? However, now, in part because of concern in Israel about a possible civil war, there is at least the prospect of opening serious talks, brokered by the United States and Arab states, with our support. Of course, Iran is acting as a spoiler, still supplying rockets to Hamas in Gaza.

**Lord Ahmad of Wimbledon (Con):** My Lords, as I have already indicated, through the tragedy of the current conflict, there is ironically a sense of both attention and momentum, and therein lies an opportunity to revive the peace process, in the interests of not just the Palestinian people but Israel and, indeed, the wider region.

**Lord Sheikh (Con) [V]:** My Lords, I am very concerned at the loss of life and violent activities on both sides. I have been to Gaza as well as Israel, and I ask that we actively pursue securing the ceasefire immediately. However, I will refer to a question that I raised in your Lordships' House yesterday but did not get a reply to. Like many Muslims in the world, I was very disturbed by the Israeli attacks on the al-Aqsa mosque; to us Muslims, it is the third holiest place in the world. I have visited and prayed there three times. It is sacred, and I believe that what has happened is sacrilege. Can my noble friend the Minister comment on what has happened and perhaps try to ensure that it does not happen again?

**Lord Ahmad of Wimbledon (Con):** My Lords, my apologies; I was certainly writing to answer my noble friend's question. I too have worshipped at the al-Aqsa mosque; it is a sacred site for Muslims. Equally, as we have heard from the right reverend Prelate, the whole essence of Jerusalem is important to all three Abrahamic faiths. Respect for the historic status quo in the holy sites in Jerusalem is also valid. Any violent action, particularly that which was taken on the eve of Laylat al-Qadr, is extremely tragic to see unfolding in a mosque, which is a place of peace. We need to ensure that the sanctity of places of worship is sustained.

**The Deputy Speaker (Baroness Garden of Frognal) (LD):** My Lords, the time allowed for this Question has elapsed. I apologise to the noble Baronesses, Lady Deech and Lady Ramsay, that there was not time to hear their questions.

1.32 pm

*Sitting suspended.*

## House of Lords: Remote Participation and Hybrid Sitings

### *Motion to Take Note*

1.46 pm

*Moved by Earl Howe*

That this House takes note of remote participation and the hybrid sitings of the House of Lords.

*Relevant document: 1st Report from the Constitution Committee*

**Earl Howe (Con):** My Lords, I beg to move the Motion standing on the Order Paper in the name of my noble friend the Lord Privy Seal. As we meet today, we are still in the grip of a global pandemic that has significantly impacted all our lives and the working of our Parliament. The first national lockdown began on 23 March 2020. Two days later, when our House adjourned early for the Easter Recess, it was far from clear to anybody how or when we would return. That we were able to return after Easter, as scheduled, on 21 April was thanks to the extraordinary efforts of the staff of the House.

**Noble Lords:** Hear, hear!

**Earl Howe (Con):** However, it was clear from the outset that those early virtual sitings would need to serve as a stepping-stone to a more sophisticated system.

A little over a month later our hybrid House, as we now know it, was up and running, and shortly after that we started voting remotely. These changes were developed and implemented in a matter of weeks. While they have worked well in their own terms, we all knew they were never going to be perfect or a proper substitute for our normal arrangements. There have been unintended consequences and opportunity costs as well as frustrations. Nevertheless, we have continued to meet and to scrutinise, revise and pass legislation, which is our primary duty, and—albeit not in an ideal fashion—your Lordships have continued to hold the Government to account.

The hybrid House arrangements have seen us through this unprecedented time, which has included two further nationwide lockdowns and all the social distancing and shielding measures in between. Notwithstanding that, we have always perceived these measures to be a temporary fix to a temporary problem; and that is the basis on which we proposed the changes to the commission and to the Procedure and Privileges Committee.

Before we get into the debate, I want to clarify what we mean when referring to the “hybrid House”. I suggest that there should be three separate and very distinct elements to it, which are often wrongly conflated. The first element is remote participation in business that would previously have required all participating Members to be present in person. The second element is remote voting. The third element, which can be separated from the other two, consists of all the procedural changes which have been made independently of, or

[EARL HOWE]

are not dependent on, remote participation in the Chamber or Grand Committee or remote voting. This includes things like the increased time allocated for Oral Questions each day, the taking of evidence from witnesses remotely in Select Committee meetings, and the selection of Oral Questions by ballot rather than first come, first served.

The Leader, the Chief Whip and I have always been consistent in our position on remote participation and remote voting. We believe that, once the social distancing guidance allows it, the House should return to its full physical capacity, and remote participation in the Chamber and Grand Committee should cease, as should remote voting. A parliamentarian's place is in Parliament. This is not just a sentimental view; it is a practical view of how the innumerable interactions between Ministers, Peers, officials and staff all contribute to the way that Parliament should work. That is what Zoom, for all its technical wizardry, cannot provide.

I do not intend to go into full detail about all the practical implications of retaining remote participation or remote voting, but certain considerations are important to mention to set the context of this debate. First, keeping any remote participation in the Chamber or Grand Committee, even if only in exceptional circumstances, would have significant implications for our ability to return to the House as we knew it before and would entail continued costs of just over £90,000 a month for the extensive broadcasting team. Even if we enabled only a small number of Members to contribute in this way, the bulk of this monthly cost would still be incurred.

Secondly, we are a House of Peers. An important element of the hybrid system has been the principle of maintaining general parity of treatment between physical and remote speakers. Unless in some way or to some degree we take steps to remove that parity and introduce procedural limitations for those noble Lords who are not physically present when speaking, the consequences would be an inability to return to interaction and interventions in the Chamber for all participants equally.

Remote participation, to however limited a degree, necessarily brings with it procedural millstones: advance notice and pre-planning of speakers' lists; allowing time for Members to sign up; allowing further time for broadcasters to organise the necessary connectivity; and retaining time limits for items of business that did not have them before. Even if no virtual speakers sign up for a particular piece of business, we would still be left with wasted time because of the need to plan the order of business in advance, just in case. Let none of us think that just having a few people taking part in our debates remotely would allow us to return to the flexibility that this House once enjoyed and took for granted.

While the matter of remote voting may be more a matter of principle than practicality, it is significant to note that since we introduced remote voting more Members are voting and Divisions are more frequent. During the 2017-19 Session, there was an average of one Division every three days. Since remote voting, we have had an average of one Division every day—a threefold increase. This has had practical implications for the timing, scheduling and progress of business.

I make a plea for the Government. With no in-built government majority in the Lords, Ministers work hard to make their case and try to win the argument to win Divisions. Is it not right that Members are here to listen and give them a fair hearing before casting their votes? That aside, with the rest of the country coming back to work physically, how could we credibly defend parliamentarians doing something different?

Our present arrangements have allowed us to carry on to the best of our abilities within unprecedented limitations. However, they have added little or no value to our pre-existing procedures. From a ministerial viewpoint, we fully appreciate that the technical constraints have made the Opposition and Back-Benchers feel that their ability to scrutinise the Government effectively has been restricted. At the same time, the Government have found their ability to progress legislation more difficult and this House's unique self-regulating nature has been curtailed. Indeed, at times it has felt as if the House has had one hand tied behind its back.

I have heard it said that, with remote participation, our debates are a shadow of what they once were. "Sensing the mood of the House" is a phrase that is now almost devoid of meaning. There is simply no way of determining who the House wants to hear from or for how long and, without the interaction that comes with a physical House, speeches are increasingly disconnected from one another and can often be tiresomely repetitive.

It is interesting that our hybrid arrangements have not increased average daily attendance. The difference that noble Lords may have noticed is that a great many more Members than before are speaking in our main items of business. As we are all painfully aware, the result of that has been to restrict speaking times to one or two minutes. I am the first to acknowledge that that renders any attempt at healthy debate and scrutiny almost impossible. Members with genuine expertise and experience, whom the House would benefit hearing from at greater length, are crowded out. There is frustration all round.

I do not believe that I am alone in holding the view that there is immeasurable value to be gained from noble Lords participating physically in Parliament. Virtual proceedings cannot replace or adequately substitute for the interactive dynamic of the Chamber, conversations in the corridors or face-to-face engagement on important legislation and matters of the day. When voting on legislation, Members benefit immensely from being in the House to follow the debate, listening to the responses and voting among colleagues in the Division Lobbies. This communication between Back-Benchers and Ministers, Government and Opposition, friends and colleagues, is, I believe, our bread and butter and vital to the proper functioning of this House. This building is our Parliament. It is where we all belong and it does not work as it should without us being here, in person, together.

As I said at the start, at the outset of the pandemic we viewed remote participation and voting as a temporary solution to a temporary problem. This House has evolved its procedures and practices over many years and it is not in our nature to permanently alter or curtail them as a result of decisions made very rapidly

out of temporary necessity. Having said all that, where smaller changes do not impact on the practicalities or principles of our traditional ways of working or our ability to participate and vote physically, we perhaps need to be more open-minded. These are the procedural changes I mentioned a moment ago as the third element of our hybrid House. I am thinking of things such as the time allocated for Oral Questions, the elimination of reading out Statements and the way in which Select Committees decide to hear from witnesses. There may well be good arguments for holding on to these changes on a long-term basis.

These should perhaps be viewed as second-order issues because we think it important for the House to return to normality before considering whether any of these sorts of procedural changes should be retained in the long term. However, if there is a genuine and thought-through demand for one or more of them, the Leader, Chief Whip and I stand ready to take forward discussions, as appropriate.

My task today has been to make the Government's position on remote participation and the Hybrid Sitings of the House clear, which I hope I have done. However, I do need to emphasise that this is not a matter for the Government to decide upon; it is a matter for the House. The Leader, the Chief Whip and I felt it was right to facilitate the debate today, so that all noble Lords would have the opportunity to air their views. While I am sure that my noble friend Lord Cormack will speak persuasively to his amending Motion, we also believe that the main aim of this debate should be for views to be expressed, and not for binding decisions to be made. Our intention was, and is, for the views of noble Lords as expressed today to be synthesised in a careful and nuanced way to enable your Lordships' commission to make appropriate recommendations to the House. My noble friend the Leader, alongside other members of the commission, are here to listen. I beg to move.

2 pm

**Lord Cormack (Con):** My Lords, it is a very great pleasure to follow my noble friend Lord Howe. He has spoken clearly and persuasively and there is hardly anything he said with which I would disagree. I tabled this resolution because a number of colleagues, particularly those who have been attending regularly, have spoken to me and discussed these things. We thought it might be a good idea to have a resolution before your Lordships to give a little more point and purpose to the debate. I reserve the right to divide the House, but I shall listen very carefully indeed—as will others. Whether there will be a Division at the end of this debate or not, I genuinely do not know, but I certainly accept that there is a great deal of good sense in what my noble friend Lord Howe said a few moments ago.

The period since 23 March last year has been one of the most remarkable in our long parliamentary history. To those who made possible first the virtual and then the hybrid House, we all owe a great deal, as my noble friend said. As someone new to the technology, I would like to add a very personal thank you to the digital support team, who have been truly remarkable in the 24/7 service that they have offered. It would be very easy to be seduced into the comfortable way forward:

to continue to speak from our homes and even to vote from our beds, as I understand some have done. It would be easy, but it would be wrong—emphatically wrong—for the House we have at the moment is one dimensional. As the Constitution Committee has made plain in its latest valuable report, the first of this Session, there is no opportunity for spontaneity or intervention and no real opportunity for human contact between colleagues, without which no institution can work effectively.

Parliament, and that means both Houses, must be at the centre of any thriving democracy. Good governance means that the Government must be held effectively to account, both formally in the Chamber, in committee and, as my noble friend touched on, informally, in conversation and personal meetings. One of the great deficiencies of the present system is that statutory instruments pile up—the Constitution Committee referred to this in its report—leading to retrospective legislation and to confusing the public by blurring the difference between legislation and guidance. That is thoroughly undesirable. As my noble friend also touched on, debates without opportunity for challenge and intervention become a series of written statements, delivered without any reference to others. They are a series of personal utterances, not a debate; there is no cut and thrust. There is not even the opportunity to know how what one is saying is going down with one's colleagues. As for the voting system, it is far too easy and remote in every way.

Our Constitution Committee is wise to say that we will need to assess our former normal working methods, but I agree emphatically with my noble friend: first of all, we need to get back to those methods. After all, a significant number of Peers have had little or no experience of our normal methods: those who have been ennobled in the last two years. Some have had no experience whatever of our normal working day. I believe that we need to get back to where we were in mid-March 2020 before assessing what, if any, changes should be made to the working of our self-regulating House. The only practice that we should maintain is that of allowing distant witnesses to appear remotely when giving evidence, but before a proper committee, assembled in a proper Committee Room.

The Commons, we are told, will return on 22 June. The longer after that that we delay the move, the more irrelevant this House will become. Ideally, the changes should be concurrent in both Houses, but I put 6 September as the latest possible date in case there is a general wish to take just a little longer in your Lordships' House. I hope that there will not be, but it would have the added advantage of making sure that everyone was able to have a vaccination.

Before I finish, I want to give a warning. When we decamp during restoration and renewal, we must not look at the virtual and hybrid House as something we should return to. That would be totally wrong. We would merely deserve the riposte that, if that is the case, what point and purpose is there in a second Chamber? If those greybeards cannot transmit their wisdom other than via Zoom, would the nation not be better served by another television channel? We need to be here—or wherever Parliament is sitting—or we will become an irrelevance, tweeting and twittering into the twilight.

[LORD CORMACK]

I have just been reading the diary of Alan Don, who was rector of St Margaret's and subdean during the war years; I commend it to your Lordships. He talks about this House and the other place sitting in Church House, the Robing Room and the Royal Gallery, and the Commons moving here, but meeting all the time during the Second World War—never, never giving up. This has been a very difficult period, but it has been nowhere near as difficult as the Second World War, when the bombs were falling on both Houses. If they could do it then, we can and should do it now.

2.07 pm

**Baroness McIntosh of Hudnall (Lab):** My Lords, during a long career in theatre, I supported many understudies. As they shook in their shoes waiting to go on, there were only ever two notes worth giving them: "Remember your lines" and "Try not to bump into the furniture". So far, so good. I have been a Back-Bencher all my political life, so it is a huge and, frankly, unexpected privilege to be asked to understudy my noble friend Lady Smith of Basildon, who is unavoidably absent on personal business today. She is a star in your Lordships' House and I know my place, but I hope that my recent membership of the House of Lords Commission, my current membership of the Procedure and Privileges Committee and my service as Deputy Speaker, as well as my experience on the Back Benches, will give me just enough credibility to take the edge off your Lordships' disappointment that my noble friend is, as we say in the theatre, "off".

I start by adding my thanks to those already given by the noble Earl and the noble Lord, Lord Cormack, to our many staff colleagues who have worked so hard, first to invent the virtual House and then to create the hybrid House and keep it going. It is an extraordinary achievement and we owe them a huge debt of gratitude. As a result of their patient efforts—as the noble Lord, Lord Cormack, has already alluded to—lots of us have even become modestly competent users of technology that we had never heard of a year ago.

This is an important debate, as the noble Earl, Lord Howe, and the noble Lord, Lord Cormack, have made clear. The noble Earl has set out the Government's position very clearly and unambiguously. While I do not disagree with everything that he said, or indeed much of it, there may be some additional points to make. After a challenging year, the House is faced with some critical choices. Fortunately, last week's excellent report from the Constitution Committee of your Lordships' House, which has already been mentioned, sets out the issues very clearly and concisely—including, by the way, some trenchant comments on the current state of play with restoration and renewal. I do not propose to dwell on that but hope that someone else will. The whole House will be grateful to my noble friend Lady Taylor and her colleagues; they have certainly made our job today easier. I agree wholeheartedly with their conclusion that the House needs to reflect on its experiences before deciding next steps.

Today's debate is the essential first stage in that process. Each Member's experience of the hybrid House has been different and we shall hear a wide range of views this afternoon. Everyone with some part to play

in considering what the House should do next must, first and foremost, as the noble Earl said, keep an open mind—and listen. That is why I hope that the noble Lord, Lord Cormack, to whom I listened closely and for whom I have a very high regard, as I think he knows, will not press his Motion to a vote. Today should be for considering, not for deciding.

For me, the key observation of the Constitution Committee's report comes in its summary, where it says that

"changes to House of Lords procedures as a result of hybrid proceedings ... has resulted in Parliament's essential scrutiny role becoming less effective, including its capacity to hold the Government to account. This presents significant problems for both members and ministers."

The University College London Constitution Unit recently warned that

"parliamentary accountability and control over decisions have diminished to a degree that would have been unthinkable before COVID-19".

I think there are few who would disagree. The constraints that have particularly affected your Lordships' House—including the lack of spontaneous intervention, the absence of informal contacts and the restrictions on speakers' lists and speaking times—are discussed in detail. I am sure that we shall be hearing much more about these issues as the debate unfolds.

However, the Constitution Committee's report also points out that there have been benefits to the hybrid model, especially for Members for whom, for example, coming regularly to Westminster presents difficulties. It reminds us that our pre-pandemic procedures had shortcomings and frustrations, too. For example, our traditions of self-regulation, to which reference has already been made and which are treasured and jealously guarded by many of us, can be quite intimidating for others. The introduction of speakers' lists for most business and the calling of speakers from the Woolsack of course has been difficult, but it may have advantages which we must properly evaluate.

Our goal must be to make the House the most effective it can be in its role of scrutinising and revising legislation and holding the Government to account. That, in my view, does not necessarily mean going back to exactly how things were. We should bear in mind, as the noble Lord, Lord Cormack, has already reminded us, that the House has welcomed many new Members in the past year. Most have become impressively active participants in our work, but they have only ever known the House as it is today. This is their normal. I am glad to see that several will be speaking later; their perspective will be particularly valuable.

I would like to highlight a couple of other points. The first concerns Select Committees, which have been operating very successfully in hybrid mode; the Constitution Committee recommends that they should be allowed to continue to do so. Having served on two Select Committees in the past year, I agree that this way of working has been particularly helpful, especially in the ability to attract a more diverse range of witnesses.

The second is electronic voting, to which reference has of course already been made. I believe that PeerHub is an excellent innovation that we should retain and develop. Personally, like the noble Earl and the Government, I would not be in favour of continuing with the remote

element of the present voting arrangements once we are fully back in Westminster. But maintaining the electronic system for use on the Estate may have benefits, which I hope we will consider.

I note that the Constitution Committee report does not comment on the earlier start to business that we have become used to in the past year. While I think that, for some, there has been an upside to the current arrangements, it may be outweighed by the additional pressure created, particularly for Front-Bench colleagues, by reduced time available for preparation and for other business. Earlier starts are also less convenient, obviously, for Members who live at a distance from Westminster. None the less, it is a matter we should consider carefully to see if any adjustments to our previous arrangements would be helpful to the House.

Finally, a word on the social aspects—if I may put it that way—of life in the House of Lords. One might include chance meetings in the corridors, being able to invite guests in, or congenial conversations in the Bishops' Bar. If we are honest, that is probably what many of us have missed the most, not least because these informal contacts, as has been said, help to oil the wheels of the political machine. Let us hope that we can enjoy them again soon. But, as we do, we should remember the many staff colleagues who we depend on and whose circumstances may be very different from our own. We have a responsibility to ensure that their needs are understood and respected.

However hard we try, we cannot erase the impact of the pandemic. It has affected all of us individually and profoundly changed how we live and work together, perhaps for ever. While the idea of reverting wholesale to the old normal is attractive, I am not sure that it is desirable, or even possible. The House has invested a lot of time and money in creating some genuinely innovative systems of which we can be proud, and we have adapted our procedures imaginatively. There have also been strikingly high levels of participation while we have been in hybrid mode. Although the noble Earl and the noble Lord, Lord Cormack, have indicated that there are some downsides to that, it is something that we should note. It would be perverse—would it not?—to set all that experience aside.

We should especially heed the wise words of the Constitution Committee on the importance of applying what we have learned to strengthening the longer-term resilience and business continuity that we must expect to have. We must, I believe, embrace and value the capacity of the House to work differently, because there is no knowing when it may need to do so again. I look forward to the rest of the debate.

2.18 pm

**Lord Newby (LD):** My Lords, 15 months ago, we could not have imagined that your Lordships' House would be discussing the extent to which it retained—not introduced—a range of ways of working that, at the time, would have seemed impossible, both politically and technically. So I, like other noble Lords who have spoken, begin by expressing my thanks to the staff who have worked so hard to implement the very widespread changes that we are debating today. I also acknowledge that

many Members of your Lordships' House now have a proficiency in new technologies that, 15 months ago, they would have thought impossible.

I had Covid in March and I therefore decided that, as soon as the House started meeting again, I was at less risk than my colleagues and that I would come. I have attended virtually every day since the House resumed, probably more than any other Member of your Lordships' House. I have therefore seen at first hand, from in here, what it has been like as we have changed our procedures. As members of various committees know, I have chafed at the restrictions—many of which I have thought to be petty and overdone—with which we have had to put up over the last year.

As the country returns to normal, we now face the challenge that many other organisations are facing: how far should we simply revert to the ways we have done things in the past, and how far should we make permanent the changes that have been introduced, in an emergency, during a crisis? In making the decision, we have to begin by acknowledging the particular characteristics of Parliament, as the noble Earl, Lord Howe, and the noble Lord, Lord Cormack, have set out so eloquently. It is a place for debate, for weighing the strength of argument, for exerting influence over colleagues, and, particularly in your Lordships' House, for working together across parties on a daily basis. The conventional wisdom, which I support, is that this is best done face to face. It is undoubtedly the case that it is impossible to adequately hold Ministers to account through the sanitised environment of Zoom.

Against this, hybrid working allows those who cannot be present physically, because of either health conditions, work commitments elsewhere or problematic travel arrangements, to participate in our deliberations where otherwise they would not have been able to do so. This obviously allows a greater number of participants and a broader range of views. In a parliament, that is a good thing. The easiest option would simply be to turn the clock back and do everything as we did it before. That obviously has the benefit of simplicity, but it implies that the way we did things before cannot be improved upon, or at least cannot be improved upon by any of the innovations of the last year. Surely nobody can really believe that.

As we have more fundamental reform of your Lordships' House, there is a disparity of view on the desirability of retaining virtually every aspect of the changes we have already made. In order to get a sense of balance among those views, we circulated a questionnaire among Members of the Liberal Democrat group to see what people thought. I thought it might be helpful if, instead of simply expressing my own view, I set out the headline views of my group.

First, while there is unanimity on virtually nothing, there is strong majority support for the following: that participation in the amending stages of Bills be restricted to those who can attend in person; that electronic voting should be retained in some form; that committees should be able to operate in a hybrid manner; and that each committee should decide for itself what degree of hybridity it thinks is most appropriate.

There was also support, by smaller majorities, for retaining a degree of hybridity for Oral Questions, Statements, Second Reading debates, SI debates, and

[LORD NEWBY]

party and general debates, as well as for retaining our earlier starting times from Tuesday to Thursday but reverting to 2.30 pm on Monday to allow those travelling long distances to arrive for the start of business. There was also a recognition that because some people would not be able to easily attend the House in person for some time after 21 June, mainly for health reasons, there should be a transition to whatever final arrangements were made to a point in the autumn, when, all being well, all significant Covid-related barriers to attendance would have lifted.

The only two glosses I put on those general findings, from my personal perspective, are these. First, while I do believe electronic voting should be retained, I accept that very many believe it should be restricted to those on the precincts. There is a good argument for retaining the current system, albeit without voting continuing to qualify for an allowance. But if, as I suspect, this is not a majority view, I hope that at the very least we allow electronic voting on the premises. Spending many hours a year shuffling at glacial speed through the Lobbies should surely be a thing of the past.

I also believe there is a strong case for allowing those who have a disability that makes attending the House difficult to retain the option to participate virtually on a permanent basis. The truth is that the House will not be able to benefit fully from the wisdom and experience of all its Members unless such an approach is adopted, and we will all be poorer as a result. The noble Earl, Lord Howe, says this is not an acceptable way forward, not least because people who participate virtually would not do so on the same basis, so there would not be parity. I do not know how many disabled Members of your Lordships' House he has spoken to, but I can tell him that, from those I have spoken to, that would be a very small price to pay to have a continued ability to participate in the work of the House.

There are many more detailed aspects of the way we do things—for example, whether we retain speakers' lists for Questions, or whether we repeat ministerial Statements made in the Commons on the same day here—on which I know Members of your Lordships' House have strong and differing views. We should proceed with the maximum degree of consensus. This argues for not necessarily deciding on all the changes by 21 June—assuming that the next phase of easing happens on 21 June.

My principal plea, as we return to normality, is not to discard anything that we have done for the first time in the past 15 months simply for the sake of returning to normal. No other organisation is doing that. The noble Earl says that everybody is going back to the office, but, in my experience, virtually no organisation that has a large number of staff is going back on the same terms. People are working part-time and different methods of operation are being undertaken. This is happening everywhere else. It would be bizarre if your Lordships' House was the one place that did not look to see where it could improve its efficiency and effectiveness by continuing changes it is already undertaking. Surely we want a new normality to embed those changes that have helped your Lordships' House to undertake its core functions of scrutinising legislation, holding Ministers

to account and leading a public debate. The Government want the country to build back better. We should aim to do the same.

2.27 pm

**Baroness Hayman (CB):** My Lords, I am grateful to the Leader of the House and her colleagues around the House for arranging today's debate. It is a privilege to be the first of around 80 Back-Bench speakers contributing to the debate on the Motions before the House. We can already hear that there will be strong and divergent views expressed today. I do not want in my contribution to set out my own personal prescription for the way forward for the House. What is important is that this is part of a process in which people listen to each other.

I very much support the recommendations by the Constitution Committee that any draft proposals that it or the Commission or the Procedure Committee make for change should go out to consultation before any firm recommendations are put to the House for decision. I would add my own prescription that provision should be made for review, so that we go step by step with the changes. In our considerations, I suggest that we follow the prescription from Albert Einstein, which we were reminded about in the House earlier this week. He said that if given an hour to solve a problem, he would spend 55 minutes looking at the problem and only five minutes looking at the solution.

I hope that we can find common ground—and it has emerged from speeches already today. The essential problem we have collectively to solve is how we ensure that the Lords functions at the highest standards and as effectively as it can in its essential tasks of scrutinising and improving legislation, utilising the expertise and experience of its Members through committee work, and, above all, and centrally, holding the Government to account.

That ability has been degraded and our capacity to fulfil our role has been downplayed. The ways in which this has happened have already been spoken about, and they are set out in the report of this House's Constitution Committee and in the Government's response to the House of Commons Procedure Committee report, which included the words

“the quality of debate and scrutiny has undoubtedly suffered ... scrutiny of Government has been less effective with fewer opportunities for interventions; debates have been reduced to a succession of pre-prepared speeches read out one after the other; MPs have had fewer opportunities for collegiate cooperation to hold government to account ... there has been less spontaneity and flexibility and backbenchers have had reduced access to ministers.”

All that is true and is of great concern. It is the problem we need to put right, but the challenge is to do so: to remedy the deficiencies, but not to assume that we can go back.

The noble Lord, Lord Cormack, said that we should beware of “the comfortable way”—the comfort of working from home, the ease of contributing remotely. I agree with him about that, but there is a comfortable way of thinking that the status quo ante is what we need and that there are no challenges at all. As others have said, we were not doing our job perfectly before Covid, and we need to look very carefully to see whether there are things that we can learn, or imagine, from remote and digital working that could, in future,

enhance the performance of the House as a whole. I have to say to the noble Earl, Lord Howe, that while I agreed with a great deal of what he said, I thought his list of possible things that might, perhaps, a little bit, be considered for doing things better in the future was slightly minimalist. I think there is real opportunity to do better and to talk about the sorts of things that the noble Baroness, Lady McIntosh, mentioned, in terms of self-regulation.

I am unashamedly a sentimentalist about Parliament. I have been much happier this week, participating here, than remotely. Politics is a people business, but we live in a world that is ever more digital and changing and we need to find a way forward that understands both those truths.

2.32 pm

**The Lord Bishop of Birmingham:** My Lords, I share, from these Benches, our gratitude for all those who have worked so hard, with agility and rapidity, both the staff that serve the House and those who manage the business of the House, in a very challenging and, in fact, a unique time, as has been referred to several times already.

The noble Earl, Lord Howe, said that every aspect of life has been affected by the coronavirus pandemic. Even churches have become hybrid. Families have been separated and have kept in touch by Zoom. Employers and employees are now negotiating home and back-to-work settings. Online parents' evenings at schools have become more popular than ever. As has been said already, I join those who are at a moment of learning lessons from what has happened to us, unexpected and unprepared, over the past 15 months. This great disruption means that we will face further change, not just here but in society as a whole. The decisions we have to make are about what to keep that has been beneficial, or surprisingly new and advantageous, and what to go back to, as what works well for our purpose today. We do so in the context of an uncertain journey ahead, on the road map, and also with the priority to keep everyone safe and well in this terrible time of virus, as I believe we have tried to do in this House.

I have no doubt that your Lordships will want to do this learning on the basis of the principles of our primary purpose. As was said in Question Time on Tuesday, I think, structures follow purpose—it has been well articulated here, and I do not have to go through the details—but this, I believe, is best fulfilled in person. Yet, at the same time I agree with those who have said we should not simply stop and revert without attending to what we have experienced in some detail and to see what might be beneficial in the months and years ahead.

Let me just reflect for a moment on the experience of the Lords spiritual in our purpose of scrutiny. One of my colleagues has been quite clear that this has been stifled by the medium of Zoom. Then we come on to the whole business of accountability, our major passion in this House, to allow the Government—whatever kind of Government—to be held to account in the rush and tumble of our current way of doing things. Colleagues would say that it has been harder to press the Government to accountability, not least at this

time when we have had to make lots of decisions by secondary legislation or, as was mentioned by the noble Lord, Lord Cormack, by statutory instruments.

Of course, there is the important matter of legislation itself: our role as part of the Parliament, the legislature in our organisation, especially at a time when there is tension and a contested power struggle between legislature, Executive and judiciary. This is much better done in person rather than remotely. The Lords spiritual is a distinctive group in your Lordships' House—when writs are issued, it is done in the name of the Lords spiritual and temporal—bringing with us our regional experience and our responsibilities from all around the country. As has been mentioned, we have found it to be positive that committees, in the way they operate, have an advantage, in part, in their proceedings by having remote access, particularly when witnesses are being called. There is a much better reach, even internationally.

Electronic voting and the PeerHub have been mentioned. We love the PeerHub. Electronic voting has been used by the General Synod of the Church of England for several years, although some of my noble colleagues find it difficult to remember which of the three options, including abstaining, to press at the right time, which means that electronic life requires us to concentrate even more on the business of the day. Less easy, of course, has been the business of intervening when it comes to the very difficult task—I do not underestimate this—of forming the lists when ballots are involved. Colleagues on this Bench find that the custom of the House to allow an intervention in person is much more effective and easier than just being part of a ballot for which we cannot actually get in. I am sure that as we emerge from the next stage of the pandemic, decisions about rules and practices—comments have already been made about the detailed work that may need to be done in our lessons learned—will include the interests of everyone in the House.

In summary, we on this side of the House feel that it is preferable to be present in person. We express, as has been mentioned, our full humanity, our ability as this extraordinary part of the created order, when we engage with one another by sight—if we have sight—by hearing, by touch, by listening and getting the mood of what is happening. Of course, this is using all the advantages of politics as has been practised over the centuries and I hope will go on being practised in the centuries ahead—although not all of us may be here to experience that when it comes. The same applies in church: we may well go on with hybrid. I am getting a nod and I am going to sit down. Please, may we work together in order to make the lessons learned really important. My final word is a word from the streets of Birmingham to the elders of the city: “If you're not on Instagram, you don't exist.”

2.39 pm

**Lord Forsyth of Drumlean (Con):** My Lords, it is a great pleasure to follow the right reverend Prelate the Bishop of Birmingham, and I agree with much of what he says. I associate myself with the thanks so many people have already expressed to the staff who have made this remote Parliament possible. I also agree with the right reverend Prelate about the importance of being here in person.

[LORD FORSYTH OF DRUMLEAN]

I also congratulate the commission which has, in advance of this debate, anticipated what we were going to say by relaxing the rules today. I make that point partly as a criticism, because I would have thought it would be better to wait for the debate before deciding what relaxation should be considered—but then I am old-fashioned; I have this idea that we are a self-regulating Chamber.

Let us face it: the experience of this virtual Parliament has not made this House look particularly good in the eyes of the outside world. We have been subject to a degree of mockery. The clue really is in the name: Parliament—“parley”. It is about being able to parley and engage with each other, and remote operations have certainly not enabled us to do so. If this House thinks that the other Chamber can relax its rules and go back to normal and that we should do nothing, it is on the way to extinction, in my view. I will not repeat the points made by my noble friend Lord Howe in opening this debate, but I will say that, probably for the first time, I agree with every word that has come from the Front Bench today—except, perhaps, the last sentence, where my noble friend suggested that it was for the commission to come forward with its views. It is for this House to come forward with its views.

I think we should have a care for the Government, who have the duty to carry forward the legislative programme. My noble friend Lord Howe mentioned the sudden increase in the number of Divisions. I am a believer in markets and, therefore, I am not surprised that we have seen a large increase in the number of people participating in voting and in the proceedings of our House when the incentives are such—but perhaps I am rather cynical.

For those who say, “Well, actually, we have to make allowances for people who cannot come to this House”, I will give one little anecdote. In her latter years, when she was very frail, the late Baroness Thatcher would ring my office—I worked for JP Morgan at the time—to say, “I am thinking of going into the House this afternoon; would you come along and support me?” So I would cancel all my meetings and go. This was happening quite frequently, so I said, “You know, Margaret, you have been Prime Minister. You have saved our country—you don’t need to come as often as you do”—at which point there was an explosion. She said, “Michael, when we were appointed to this House, it was our duty to turn up and participate in these proceedings. And, by the way, how often do you come when I am not coming?” I think that is an important point: we do have a duty to participate, and if we feel that we are not able to do so, or do not want to do so, we should make way for those people who are.

In introducing this debate, my noble friend talked about the temporary nature of the changes made—and they were temporary. However, listening to some of the speakers opposite, I am beginning to think that they are about as temporary as the introduction of income tax. They were temporary because there was an emergency, so the starting point should be that we return to normal. Yes, if we want to make changes, fine—but let us not delude ourselves that what we had before worked perfectly well.

On the issue of committees, I chair the Economic Affairs Committee. In our current inquiry on quantitative easing, we have been able to talk to and have as witnesses central bankers from all over the world and some very distinguished people—who, incidentally, seem to be flattered to be asked to give evidence to our House. That is great, but we could always do that; we could always have witnesses remotely. Of course, we also have the committees sitting virtually. I do not know whether it works well for members of the committee. It is great if you are chairman, because you are in complete control—but you have no interaction. People can put their hands up, but you do not have the same degree of interaction. So I say to those who argue that we should continue our committees in this way that I think we would lose a very great deal.

Of course, we need to think about the staff, as the noble Baroness, Lady McIntosh, pointed out. I believe that the operation of Parliament is central to the future of our country. Therefore, those people who support us in carrying out our work, and those people in the other place, are essential workers. Why do we not have the courage to stand up and ensure that all of them are able to get vaccines if they wish to do so? That would completely change things. The answer is that we are afraid of the tabloids. Well, let us just take it on the chin from the tabloids, because many of them are no friends of this place.

On the issue of holding Ministers to account, what they say from that Dispatch Box is important. If a Minister says that travelling is dangerous, it affects hundreds of thousands of people throughout our country. We should be able to challenge those statements, and we are unable to do so. It is central to our entire purpose and, if we fail to do that, I am afraid that we will disappear.

Finally, on the impact of this virtual Parliament, we have people reading speeches to a computer screen, unable to interact. Reading speeches actually used to be banned—in the old days, people would start saying, “Reading!” We lose that interaction between us.

So I want us to go back to where we were. If people want to propose changes for improvement as a result of this experience, let them do so. But let us not delay making this Chamber—this Parliament—effective, because that is what the people of this country expect.

2.46 pm

**Baroness Taylor of Bolton (Lab) [V]:** My Lords, I start by offering my congratulations to my noble friend Lady McIntosh on her debut performance. I hope that she might get a taste for speaking from the Front Bench. I also join others in sincerely thanking those in the House who have made the changes to our proceedings work, despite all the difficulties.

The Queen’s Speech last week contained one phrase that is very relevant to this debate:

“My Government will ... restore the balance ... between the executive”

and the legislature. I am not sure that my version of that balance will be the same as Ministers’, but I mention this because we should not assume that everything—especially in respect of that balance—was right with our proceedings pre Covid. It was not. In looking ahead, we should absolutely consider first of all what procedures and practices this House needs to

allow us to fulfil our obligations to properly scrutinise legislation and fully hold the Government to account, because we have not been able to do either of those things as we should in recent months. I do not think, as some others have suggested, that we can simply press a reset button and assume that all will be well. It is neither practical nor desirable to do that.

The Constitution Committee, which I chair, has produced a report. Some colleagues have referred to it, and I hope it has been of help to the House. We listened, we took evidence, and we had information from officeholders, Members, Back-Benchers, Front-Benchers and Cross-Benchers. In our report, we not only outline the narrative of what has happened over the last 15 months but set out the advantages and disadvantages of the changes introduced to our procedures. As has been mentioned, different individuals have different priorities and experiences of the Chamber and our proceedings.

I was hoping that we could agree that we should not rush to judgment, but I think some people want to do that. The reason we should not make any snap decisions or set a specific date is threefold. First, we do not know what the next turn of the pandemic might be. Noble Lords only have to look at my home town of Bolton to see that there is a need for caution, because we do not know what might hit us next or what the next challenge might be. There is also the fact that many of us—most of us—in the House have had second vaccinations, and many of us will be expecting boosters in the autumn. That is not the case for our staff, many of whom are so much younger and have not had their first jab. But there is also the issue that, if we make decisions now, we may have to go back on them because we may get them wrong. That is why the Constitution Committee recommended a staged approach: that we should have a debate of this kind and then the Procedure Committee should draw up draft proposals—we emphasise, “draft” proposals—that the House could look at again. The committee could then amend them in light of that debate, and we could have a full, proper debate before we accept any changes.

I turn to the specific issues raised. My personal view is that we are a Parliament, as others have said. In normal circumstances, we should rely primarily on being present in person. However, we must acknowledge that some Members have exceptional difficulties. We cannot just dismiss this. We have to look at further potential arrangements for helping in those circumstances.

Many Members feel that the battle to be heard at Question Time is intimidating. They prefer a list system. Not everybody agrees. Maybe we should look at some form of compromise; there could be scope for the first three Questions to be listed and then having a more open situation. We must be willing to consider tweaking or modifying our arrangements in some respects.

As has been mentioned before, the major problem with the current arrangements is the total lack of spontaneity. This is a real and serious cause for concern. It curtails the scope for the will of the House to be felt by Ministers, for which there is no substitute. One Minister has said to me privately that the current arrangements are much easier for Ministers. I know that the noble Baroness, Lady Evans, disagrees, but I

thought that the noble Earl, in opening the debate, was hinting that this might be the case. The lack of atmosphere in the House helps Ministers and lets them off the hook too often. This is not just about having a lively Chamber or a lively debate. The loss of spontaneity is very significant, particularly when it comes to the Committee or Report stages of legislation. At that point, constructive dialogue across the Chamber between Members can lead to real improvements in legislation. This has to be in everyone’s interests, including those of Ministers. The tweaks that have been made to our virtual proceedings to try to improve the situation have not worked. Preparations for any future emergency will need to take this into account.

Time limits on speeches is a vexed question. We have seen some ridiculous situations where Members with vast, relevant experience have been limited to one minute. This is just not on. We need a system where we have no less than five minutes in major debates, and perhaps three minutes in others. If this limits the number of us who can speak on every occasion, I am afraid that we may have to live with it.

I do not think that we can retain the present system of remote voting in the long term. We have to keep it until everyone feels safe coming to Westminster in person. Having card reader facilities around the Chamber would help everybody.

Mention has been made of committees. They work well and should be allowed to develop hybrid proceedings. However, my committee thought that the business continuity plan of the House did not cover the circumstances of the pandemic. The House may well face other problems or emergencies—especially during restoration and renewal, if the Government get their way and delay this further. We need to ensure that we have a business continuity plan which covers every contingency. This would stand the House in good stead. We can thereby learn the lessons of our experiences during the last 15 months.

2.54 pm

**Baroness Hamwee (LD) [V]:** My Lords, I have it easy: I live in London and I do not have to look after anyone else, with travel and caring two of the issues that face many noble Lords. As well as appreciating the work that has gone on—and still goes on—into enabling the House to function, I appreciate how our current way of working has meant colleagues who had had to make considerable efforts to attend, given illness or disability, could continue to do so. I say “appreciate” because their contributions are valuable. I am sure that they would be the first to acknowledge that accepting a peerage involves a commitment to contribute which they wish to fulfil. I want to see those colleagues enabled to continue to do so. Having been forced to be creative, the House should continue to innovate—quite apart from the moral, if not legal, duty to make reasonable adjustments. I mean sensible innovation in any and every aspect.

We are able to make our views known. I should be interested to know how the House is actively consulting the staff about ways of working. Our considerations are not necessarily theirs. They may have views about the effectiveness of hybrid proceedings.

[BARONESS HAMWEE]

I want to focus on remote working for committees. I am chairing one of the House's new Select Committees and confess that I have not consulted anyone about what I shall say, so this is personal. Until Easter, I was a member of two committees whose chairs and staff made them productive. My strong view is that fully remote working is second best. A lot is being written about the psychology and operation of groups in the light of recent experience, I am sure. I think that a committee develops a personality of its own; it is more than the sum of its parts. A sometimes disparate collection of individuals makes up a team—not necessarily with the same views or approach, but able to operate as an entity. This is particularly true of scrutiny—everyone is interested in the workability of a policy, if for different reasons.

Noble Lords are masters of impassivity. Reactions can be very subtle. A comment to that effect was made by David Natzler in evidence to the Constitution Committee in its excellent work. That subtlety and those non-verbal communications are lost when members are not in the same physical space. They are quite different from messages in a chat function. Sometimes it is about how members react to what witnesses are saying, or how witnesses themselves react to questions and to one another. Sometimes it is about a Minister's reactions and how at ease they are. How are all witnesses—including Ministers who are in the same room as other people—responding or not responding to one another? One can best observe these things if they are all in the same space, not dependent on the clues available according to the broadcasters' edit. Observation is one of our scrutiny tools. It supports spontaneity. The process itself is an important part of scrutiny. It is an outcome in itself, additional to a report. My analysis of personal interaction is similar to that of the noble Earl, Lord Howe, although it does not take me to the same conclusions. Let us not forget the water-cooler moments before a meeting—the discussion, chat and gossip that make for team-building and good, collaborative functioning.

Remote participation must have been very difficult for members—and sometimes for witnesses—who had to join by phone or had low bandwidth. Parity of treatment probably means different things to different people, but everyone being online does not necessarily produce parity. Committees could surely remain hybrid if that would enable everyone to take part.

We could not have functioned during the last few months had we not been able to take evidence remotely. With some witnesses—academics, for instance—I do not think that we have been disadvantaged. We have been able to hear from some who would have had to make a disproportionate effort to come to Westminster. I trust that, now that we have the gear and the experience, we can regard this as an additional facility, but we should not assume that online suits every witness or works on every occasion. Experts by experience of certain situations may be more relaxed if they are communicating with people they can see properly. I guess we all regard ourselves as experts by experience now. I hope there are common threads to be extracted from our debate today.

2.59 pm

**Lord Norton of Louth (Con) [V]:** My Lords, the sole criterion for assessing the hybrid proceedings should not be whether they have proved popular or convenient to Members, but whether they have facilitated—indeed, enhanced—the capacity of the House to fulfil its functions, primarily those of scrutinising legislation and calling the Government to account for their actions and policies.

The fact that we have managed all-Hybrid Sittings is, as we have heard, a tribute to those responsible for the technical delivery of proceedings. Without their work, the bottle of parliamentary scrutiny would be near empty. As it is, it is a quarter or a half full. Some Members of the House have generalised on the basis of it being half full. The fact that the House has been able to achieve some changes to legislation and even prevent certain provisions being pursued does not make the case for a continuation of Hybrid Sittings. When one compares performance during the pandemic with the period before, we are falling short, and by a considerable margin.

The capacity of the House to engage in detailed scrutiny has diminished as the use of prerogative and order-making powers by Ministers has expanded massively. The UCL Constitution Unit, along with other bodies, has produced a damning analysis of the situation in the other place. We are in a not dissimilar position, as is clear from the report of the Constitution Committee published on 13 May. As the committee identified, the problem is not just the sheer number of statutory instruments laid before Parliament but the use of fast-track legislative procedures and inadequate explanatory material. Scrutinising Bills and ministerial actions is made difficult by procedural limitations, by the prohibition on interventions and by our inability not only to be present in numbers in the Chamber to challenge Ministers but to meet informally outside the Chamber—essential for lobbying and information exchange. We are operating, but at a sub-par level.

The way forward, as the Constitution Committee recommends, is to engage in lesson-drawing: are there features of the Hybrid Sittings that have enhanced the capacity of the House to fulfil its functions and that may therefore be worth utilising in future? I suggest that we undertake four lesson-drawing exercises rather than one. The first is to identify any features that merit being retained when we resume meeting physically. That is the most pressing inquiry. The second is to identify features that may be utilised when we decant the Palace in preparation for the restoration and renewal programme. The third is to identify features that may be utilised as part of the R&R programme and be integral when we return to the Palace. The fourth, as the Constitution Committee identifies, is to consider how we cope if there is a future crisis and we are unable to meet physically. How can we enhance current facilities, should we need ever again to have Hybrid, or purely Virtual, Sittings?

There are thus several lesson-drawing exercises. Committees may wish to continue to utilise the power they already have to take evidence online. The ability to take evidence virtually may be built into the R&R programme. Remote working by staff may be utilised more extensively, but temporarily, during the period of

decant. In all our reflections, there must be one overriding consideration: the need to restore and, if possible, enhance our capacity to scrutinise legislation and call government to account. That is how we add value to the political process; that is how we complement the elected Chamber.

3.05 pm

**Lord Hope of Craighead (CB) [V]:** My Lords, I start with some of the things which I believe have worked really well and should be on the list of things we should retain.

Number one on my list is the listing of speakers for Questions and Ministerial Statements and the calling of their names from the Woolsack. Casting my mind back to how things used to be, it fell to me when I was the Convenor to try to ensure that the Cross-Benchers got their fair share of the opportunities to come in within the time allowed. This was not easy under the free-for-all system we used to have. Those who had the loudest voices tended to outplay those who had real contributions to make but who were too hesitant, or whose voices were less easy to hear.

I could usually judge who it was among the Cross-Benchers who should be, and wanted to be, heard on each occasion. My job then was to try to make contact with the then Government Chief Whip, the noble Lord, Lord Taylor of Holbeach, who sat almost within arm's length of where I was sitting as Convenor. This was because it was then generally understood among the usual channels that he should decide whose turn it was to come next, as the Lord Speaker did not yet have that function. It usually worked, although for obvious reasons it was controversial. But, if the right reverend Prelate the Bishop of Birmingham will forgive me for saying so, there were occasions when the careful arrangements we had made broke down when a right reverend Prelate stood up, as the convention was that a Lord Spiritual should have always have priority over everyone else. Things were not much better when the Lord Speaker took over from the Government Chief Whip, and of course I was no longer within arm's length of the controller.

The listing system we have developed has eliminated the disadvantages of the old system and produced real benefits in return. The opportunity to speak is being distributed in a fairer and more orderly manner among the groups, and among the members within each group and the non-aligned. Extending the time allowed from seven minutes to 10 has allowed more people to come in who might otherwise not have been able to. The list has tended to instil a greater awareness of the need to keep questions and answers short. I suggest that we should keep this system, including the timings, when normal sittings are resumed.

Number two on my list is the use of the virtual, or remote, system for meetings of Select Committees. I chaired the HS2 committee in the very early days when we were just starting to resume work after the lockdown. Our main task was to take evidence from petitioners. Some of our meetings were attended by everyone, including the petitioners, in person, but we also had to have hybrid meetings, with some of our Members and some witnesses participating remotely.

The imbalance that this created between the various participants was noticeable and uncomfortable, and it did not work very well, so I am not much in favour of hybrid committee sittings.

On the other hand, it has been a pleasure to take part in the virtual meetings of the Common Frameworks Scrutiny Committee and the Constitution Committee—thanks, of course, to the noble Baronesses, Lady Andrews and Lady Taylor of Bolton, who have been chairing our meetings with such great skill. My impression is that it has been easier for us to discuss our business among ourselves in the informal setting of Teams or Zoom than in the large Committee Rooms we have, where we are all so spaced out from each other and it is sometimes not easy to hear what everyone is saying. Taking evidence remotely from witnesses in all parts of the United Kingdom, as we have been doing frequently in the Common Frameworks Scrutiny Committee, has been so much more convenient for them, at least. There will be occasions when Select Committees will want to meet in person, and of course I very much favour that, but I suggest that the facility to enable them to meet virtually if they wish should be retained. That would be a virtual meeting of everyone, not a hybrid meeting, which I found so unattractive.

There is time for me to mention only a few other points. I welcome the way in which each item of business is being announced and handled from the Woolsack for the better information of the public. That has been a great advance on which we can continue to build. As for remote voting, there is value in the PeerHub system because it saves so much time. If we can combine that with the need for Members to vote from within the premises, so much the better. But I hope very much, in sympathy with what the noble Lord, Lord Cormack, has been saying, that we can go back to list-free discussion of legislation through all its stages.

Finally, perhaps I may add my own words of deep appreciation for the work of all those behind the scenes who have made remote participation possible and enabled it to work so well.

3.10 pm

**Lord Howard of Rising (Con):** My Lords, the joy of this debate has been hearing my noble friend Lord Forsyth congratulating the Government. It is a rare event and I only wish that I could have seen the faces on the Front Bench—but there we are.

I hope that this House will give full support to returning to normal as soon as possible. We should resume our usual proceedings at the earliest possible opportunity. It is inconceivable that those who aspire to take part in the governing of this nation should not make the effort to attend Parliament, whatever the difficulties. Before the pandemic, facilities were made available so that those with disabilities could attend. There is no reason to suppose that this will not go on just as before.

There have been calls to continue with remote voting. I am sure that good reasons can be produced as to why it would be simpler and easier to have remote voting but, in the main, they are excuses for an easier life. I repeat that if one aspires to govern the nation, one should attend Parliament, and that includes voting and going through the Lobby.

[LORD HOWARD OF RISING]

There are those who think that the public considers that this House is too large and should be smaller. The size of the House is not of any interest to anyone outside the navel-gazing Westminster bubble. What the public finds of interest and a source of complete contempt is the idea of being paid to sit at home or on holiday drinking cocktails while receiving £163 for voting. The idea is shocking, embarrassing and demeaning, and the longer it goes on the more the media will focus on it. It should cease. I hope that this House will show some character, return to normal and end remote voting forthwith.

3.13 pm

**Lord Rooker (Lab):** My Lords, the report from the Constitution Committee is helpful but the important paper of 21 April, headed “The marginalisation of the House of Commons under Covid has been shocking”, by the Hansard Society and others, is more worrying. I shall refer to it as the Hansard report.

So far as the Constitution Committee report is concerned, paragraphs 42, 54, 81 and 89 are references to the fact that all was not well in the House of Lords before the pandemic with regard to accountability, scrutiny and adherence to the Ministerial Code. The hybrid working of the House benefits those in poor health, which prevents them attending in person, but it only works if those Members are sworn in after a general election. To be sworn in, one has to do it in person. That is a statutory requirement and it needs to be looked at if the system is to be retained.

My experience during Covid covers Oral Questions, Statements, Second Reading, Committee and Report. For years, I have not been at all certain why we bother with Second Reading debates. We do not vote on Second Readings and would never reject a Bill sent from the Commons for scrutiny. Second Reading debates here add nothing to a Bill. However, the Committee stage is crucial in more ways than Report. There is the ability to speak more than once and interact with Ministers and departments to receive the mood of the House. I know that, having been on both sides of the House. Departments get the mood of the House back. Those interactions should be restored as soon as possible. Assuming a that degree of hybridity continues, there is no reason to continue with equal treatment. Those in the Chamber should be able to intervene and, indeed, do so on behalf of remote Members, according to my noble friend Lord Campbell-Savours, who I received a message from.

As for secondary legislation, paragraph 48 of the committee’s report highlights obvious defects that should be addressed because some of them are pre-pandemic. Two aspects are of concern. As the Hansard report states, the use of the made-affirmative procedure can be addictive for the Government. The other aspect is their casual scheduling of debates, meaning that SIs are in force for weeks before MPs and Peers get to scrutinise them.

I like having the lists for Oral Questions. It stops the bullies shouting for a place. What would really help, though, would be to dilute the Front-Bench control of that list. The Lord Speaker should be able to choose four out of the 10 supplementaries. The conclusion in paragraph 85 is worth further work. I could agree to a

limit on numbers of speakers and minimum times for business, but only if the Front Benches are not controlling the list.

I cannot speak about committees. Given that I was not sworn in until June last year due to illness, I could not participate and am, disappointingly, not currently a member of any committee.

On voting, we need to get back to as near normal as possible. I always defended the system in the Commons and Lords as being useful for back-benchers. Perhaps that day has gone, but votes should be limited to those in Parliament—I repeat, in Parliament—either remotely or using pass readers.

We are part of Parliament and not a legal symposium, which is what we will get from some of the lawyers later on. We need to be able to challenge Ministers and other speakers. Efficiency should not necessarily be the watchword in procedure; it is Parliament’s ability to be the inquest of the nation, scrutinise the Government of the day and watch how the money is spent.

The Hansard report concentrates on the House of Commons but creates questions for this House. We are here to revise the Commons’ work; it always has the last word. The Hansard report identifies five areas that lead to the erosion of parliamentary control: emergency legislation, regulations, money, the denial of MPs’ equal participation rights and the wholesale and unnecessary use of proxy votes. Individually, each of those five is shocking. Collectively, they amount to a fundamental undermining and exclusion of Parliament and its elected Members from crucial decisions on policy, spending and the management of the Commons itself, so my question is this. If the Commons does not reassert itself and prioritise the full restoration of parliamentary democracy and MPs’ rights to participation, what is the role of this House in helping the Commons achieve those ends?

3.17 pm

**Baroness Barker (LD):** My Lords, there are two main reasons why I wish to speak in this debate. The first is that, due to some truly appalling experiences very early on during the teething problems of introducing the new system, I, my noble friend Lord Clement-Jones and Members from all Benches came together in a rather insurrectionary way to gather the experiences of Peers of the new virtual system and, subsequently, the hybrid system. Since then, we have continued to engage as a group, particularly with the technical staff of the House who are responsible for the digital systems. It has been extremely helpful for the staff and certainly for the Members. It is on that basis that I want to talk about some of the things that we have identified.

It is absolutely clear from the Constitution Committee report that the hybrid system is not as good as having an entirely real-life setting, but we can take some things from the experience of the past year. We should not mischaracterise what has happened during it. In the midst of a crisis, we worked with the tech companies on systems that were never designed for a Parliament but for a commercial setting. While I agree with those who talk about the distinctions of a Parliament, and of this Parliament and this House in particular, we are not the only democratic organisation in the world

having to deal with the new reality. I would stress that we are pre-eminently placed to work with tech companies to develop what will, in future, have to become more participatory and democratic systems. In order to do that, we should continue to work with them.

Over the past few weeks, through the IPU, I have taken part in discussions with women parliamentarians all across the world in different circumstances. It is interesting that there were an awful lot of prejudicial views about how remote working might help women to be participants in parliaments. In some ways, remote working was good and beneficial—in some cases it made it physically safer for women to participate in politics—but there were other respects in which it was not, and women found themselves having to take on even more domestic duties while they tried to fulfil their professional duties.

My plea in all this—particularly to the noble Lord, Lord Cormack—is that we proceed not on the basis of prejudice but on the basis of informed evidence about an evolving situation. I have taken part in several training courses which have been run by our digital staff. I am one of the very few Members of this House who has done so. I did it because when somebody offers me free training, I want to learn, and I go along. There is much about the new systems, and many benefits to them, that noble Lords simply do not know about. Take Zoom, for instance. We had a technical session provided to us by Zoom itself—that shows what ability we have as a House to call upon the providers of these services and to shape them. It is now possible for Members of the House of Commons, not for us, to convene meetings of up to 500 people in their constituency and ask Ministers to come along and be interrogated by them. That is opening up democracy. It may not be as satisfactory as having the poor Minister stand in front of constituents quaking as people call for their blood, but it none the less has a potential benefit.

My one point in this debate is that the staff, technical staff and Members of the House have done things with the best of intentions and to the best of their ability, but it has all been very piecemeal. There is no strategic body in place which has the job and the resources to make informed decisions about how we develop things in future in order to do the unique thing that we have to do, which is to scrutinise government. I hope noble Lords will have taken to heart what my noble friend Lord Newby said about dealing with different stages of legislation in different ways. I hope that noble Lords will also understand and appreciate that much of the work that many of us do in Parliament, while contingent upon us being Members of this House and on what we do in the Chamber, is done elsewhere. When we are building systems for our debates in this House, we have to take that into account.

This is probably the biggest transition this House has faced since the move from quills and parchment to pen and paper. All I am asking is that we approach it in a way that is informed, is not built upon prejudice, and sees change as something of which we do not have to be fearful and as necessary. The rest of the world out there is going through these changes too, and if we do not, we will be left behind.

3.24 pm

**Lord Farmer (Con):** My Lords, the facility to participate in the House of Lords remotely has proved invaluable during the pandemic and while its effects peter out, particularly the prescription to keep one's distance. However, we cannot gloss over the considerable disadvantages of hybrid working in order to maintain the convenience and easy access it has facilitated.

Virtual or hybrid working makes it impossible to take the temperature of the House and almost kills spontaneity, as we have already heard, and the ability to interact informally and to comprehensively understand each other when we speak in proceedings. Non-verbal communication is disastrously dampened when someone contributes by Zoom. Put simply, 55% of communication is body language, 38% is tone of voice and 7% is the actual words spoken. If one's camera is turned off and there are any bandwidth or other technical problems which distort tone of voice, sometimes all that is left is the attenuated influence of disembodied words. I profoundly disagree that the principle of equal participation should be fundamental or guiding when it so profoundly depletes the effectiveness of in-person interaction. It is another example of extending the logic of equality beyond reason.

Moreover, parliamentary process must serve not our convenience but the common good of the people affected by the laws we pass and the policies we influence through debate, committees and questions. In this chronically divided society, considered and courteous debate is more important than ever, and the House of Lords is one of the few places where it can happen. We hold the Government of the day to account through scrutiny, revision and amendment, and through interaction with each other and Members of the other place. The ability of the House of Lords to fulfil these criteria should fundamentally guide our course, not the self-serving principle that every Member must be able to contribute equally.

Processes were far from perfect pre-pandemic but, as the Constitution Committee's report *Covid-19 and Parliament*, which was published last week, points out, hybrid proceedings may have actually aggravated their downsides. Oversubscribed debates, which are more likely when one can just dial in, mean Members with significant subject expertise have risibly short speaking times. Similarly, voting has become ridiculously easy. I am aware of one Peer who has voted from the seat of his lawn-mower. Our being turned into voting machines from home advantages the Whips, particularly those of the Opposition, who can easily organise rebellions. The privilege of voting should be the preserve of those who are willing to turn up. I welcome the benefits of remote proceedings for Members with disabilities, health concerns, caring responsibilities or long journeys to London, but such benefits belong to these unprecedented times and should not become business as usual.

The pandemic may not be fully behind us for a little while, especially in global terms, but once we have all had two doses of vaccine and society opens properly, we have to get back to the primacy of presence. If Members of the House of Commons are all coming back, then so should we. To be candid, for the sake of the public who are paying our way, personal infirmity

[LORD FARMER]

should not provide grounds for exemption from normality. Parliamentary participation is for those able to bring vitality to proceedings. This is neither ageist nor dismissive of those with disabilities. It is my observation that many disabled Peers have actually been very good attenders during Covid, and we can all think of nonagenarians whose contributions in this place make us sit up and take note—I hope eventually perhaps to be one of them. But the public is already impatient with the high average age of this House, and if infirmities of mind or body make that vital contribution impossible, any permanently lowered bar to participation serves Peers' interests, not those of the public. The previous norm should be reinstated: those of us who cannot come to the House cannot contribute.

3.29 pm

**Baroness Campbell of Surbiton (CB) [V]:** My Lords, I shall be upfront and confess that I am a fan of remote participation. The capacity to join in remotely has swept away many of the barriers that some of us encounter daily—and not just disabled people. Many colleagues adjusted to a hybrid House quickly, while others found it difficult, if not impossible. As we emerge from lockdown and look to the restoration of the parliamentary estate, it is important to learn from our virtual experience. We do not have to go back entirely to the old ways. I believe that we can fuse the best of both, to create a richer and more progressive democracy.

I have no doubt that remote working made it much harder to scrutinise and to hold the Government to account—without spontaneous interventions, as the Constitution Committee identified in its report. I also understand that some Members thrive on the cut and thrust of political debates, the hustle and bustle of the voting Lobby, and midnight sittings. They have felt isolated and detached. I understand that, but many struggle with those practices and find virtual working a lot easier.

Some of our parliamentary conventions can be inadvertently discriminatory. Having to be present at the start and end of a long debate in the Chamber can be an enormous challenge, especially if it ends at midnight. Asking the Chief Whip for permission to leave early is akin to a trip to the headmaster's office. For me, it was a relief to watch debates at home on my night-time ventilator and to vote. It improved my focus, decision-making and health. As a result, I worked harder, longer and more effectively than ever I had done before the pandemic. Yes, I did my duty better. Surely remote working should at least be seen as a "reasonable adjustment" under the Equality Act.

I was bowled over by the speed at which Parliament set up virtual working, and great praise is due to everyone involved. It has helped not only those with a disability but others with short-term health conditions and those who live far away or have caring duties. But while I support the virtual world and have experienced its great benefits, it is not, on its own, the solution. Virtual working has discouraged those uncomfortable with technology from participating; Parliament must work for all its Members. Networking in the corridors or the tea rooms oils the wheels of parliamentary collaboration. Some of the most creative ideas spring

from informal discussion with colleagues and are shaped into policy and legislation. I look forward to returning to play my part in that, but let us not throw the baby out with the bath-water. Some benefits of remote working should be retained; it is simply fairer.

Times are changing and we must respond to the demands of modern practices. We must not be left behind. Many businesses and public services now use hybrid ways of operating. Outside our Westminster bubble, members of the public have engaged virtually in all-party groups and given evidence to our committees. Only on Tuesday I held a webinar with 40 members of the public, many of whom would not have been able to attend Westminster. It has boosted our parliamentary democracy, relevance and inclusivity. Let us embrace the best aspects of our hybrid model as we look to the future. I stand ready to help at every step of the way.

3.34 pm

**Lord Hain (Lab):** My Lords, I could not help but be very moved by that speech, as I think we probably all were.

I am a member of the House's Covid-19 Committee, and on 21 April we published our first report, *Beyond Digital: Planning for a Hybrid World*. It shows that the pandemic massively accelerated a trend towards simultaneous actual and virtual, physical and online, living. The future of our society will be hybrid for working, shopping, learning, caring, receiving health advice, and social and family interaction—almost every part of our lives. We as a House have prefigured this new future over the past year with our own hybrid proceedings. We have been able to participate, to speak, to amend, to scrutinise, to revise, and to vote remarkably successfully, our staff performing amazingly.

According to figures from the Library, the average number of Members voting per Division, which had been pretty constant over the three preceding parliamentary Sessions 2015–16 to 2017–19 at 360, rose to 496 after the introduction of remote voting—a leap of nearly 40%. Surely it is healthy to have greater democratic involvement in amending and improving legislation, which, after all, along with scrutiny is our main function as a Chamber.

I desperately hope that we can return to what people call "normal" as much as anybody else does. The chemistry of debate, the palpable groans and "Hear, hears" greeting speeches bad or good, intervening, especially to hold Ministers to account, the informal face-to-face part of politics—all these are vital ingredients of a lively parliamentary democracy, as the noble Lord, Lord Cormack, so eloquently explained. Our legislative Chambers are nothing like as potent in the rather antiseptic culture of remote participation.

I will give an example. When I moved a manuscript amendment prior to the Dissolution of the House in 2019 to force the Government to complete the remaining stages of the Historical Institutional Abuse (Northern Ireland) Bill, the Government Whips resisted, initially with the help of our Whips. But the feeling of the packed House was absolutely unanimous. That amendment was carried without Division and the legislation completed its course. That would not have happened in a virtual or a hybrid House.

But is that at all possible in the foreseeable future, with new Covid variants and the pandemic spreading in other parts of the world such as India and directly impacting on us in Britain? Is it not the case that there will be no return to what we once knew as “normal”? The future is likely to be one of more or less effectively managing the Covid pandemic and whatever other pandemics or mutations follow it, because scientists warn that there will be more and different ones. In retrospect, maybe HIV/AIDS, SARS and Ebola were all dress rehearsals for a new and immensely more difficult future interaction with nature. If that is the case, then surely the future of parliamentary democracies, and therefore this House, will be hybrid—not necessarily everything we do all the time, but certainly part of what we do some of the time, and conceivably bits of what we do all of the time?

The first thing we need to do is to maintain and upgrade the technological, skills and physical infrastructure of the hybrid House. It would be unwise to dismantle it when the future is so uncertain, especially since many staff, who are generally younger, have not yet been vaccinated and may come a far second with booster jabs in future. Surely staff safety is imperative.

Secondly, we should maintain remote voting on our smartphones. Especially given the age profile of Members, is it really prudent to squeeze into poorly ventilated voting Lobbies? The noble Earl, Lord Howe, seemed to think that it was an offence that we were voting more often; I think that it is a sign of democracy.

Thirdly, we should enable the option of remote speaking for those who find it easier or safer, not least to avoid cramming into London underground trains or buses, but perhaps with new limits, particularly on Member numbers speaking to amendments, where debates have been far too long and Members have spoken to multiple amendments—sometimes consecutively—far too often. Debates have lasted long into the night, which they never would have done with the same frequency in the physical past.

Fourthly, we should keep the current 10-Member lists for Questions, which are an improvement on bobbing up and down, which favours muscular, loud males.

Fifthly, we should encourage committees to meet virtually, as has occurred very successfully when taking online evidence from all over the country and even the world.

The future is hybrid, and the question is how best to adapt our procedures to that, while retaining the essence of the physical parliamentary cut and thrust important to all democracies.

3.39 pm

**Baroness Seccombe (Con):** My Lords, I begin by making a small practical suggestion. Since the start of lockdown, payment for goods and services has been by card only and I believe that has been a great success. Peers and staff have not had to handle filthy coins and notes. There must be savings on accounting and banking. Accounts are paid instantly. The only downside I see is that my monthly bank statement has become lengthy, with every 49p et cetera itemised. That is not my problem, but may be one for the bank. I just hope that it becomes a permanent fixture here.

I add my tribute to the staff, who have made it possible for the House to operate—in a manner of speaking—for the past 14 months. Devising and producing a truly professional broadcasting unit has been brilliant and deserves the highest praise.

When each one of us was introduced to the House, we took the oath of allegiance, having listened to the clerk read the document signed by Her Majesty the Queen, so we knew what was expected of us. It is an enormous privilege to become a Peer and serve our country. We knew, on that day, that the work of Parliament took place in Parliament and that our contributions would be made in Parliament. It is essential that we all return to this place as soon as possible.

There have never been so many speeches as during lockdown and, I am afraid, one of the reasons for this expansion of contributions is about finance. Paying Members to vote and speak from home is not acceptable as we return to a more normal life. We often hear, “The noble Lord is on mute”, or “Please unmute yourself”. Speeches made virtually may seem to have conviction and feeling to the speaker at home but, with very few exceptions, come over on the 10 screens around the Chamber—with some sound distortion—as lacking in emotion and rather sterile. I believe that speakers need the atmosphere of the Chamber to arouse passion and fervour, and find that virtual speeches emphasise well-known quotes from lobbying material, which makes them difficult to listen to. We need the cut and thrust of the House to hold the Government to account. It may be more convenient for us to vote wherever we happen to be, but no institution can be organised in that manner. It is not a come-as-you-please operation.

I know that some Peers, including me, would find a return to the days before lockdown difficult, because of the long hours of the House. If we are unable to fulfil our commitment, we should not forget that legislation was passed in 2014 that enables us to retire with dignity and privileges, and to maintain our friendships in the House, when we visit from time to time. I know I will hate it when the time comes, but we owe it to the House we love. It is important that the House of Lords is not seen as a place full of elderly people but as an active, thriving institution, playing its right and proper role in the constitution.

3.44 pm

**Baroness Brinton (LD) [V]:** My Lords, I echo the thanks to all the staff who managed to adapt our proceedings, especially the technical team and clerks for making the actual proceedings run so smoothly, and all beyond that who have had to change the way they work over these last 15 months. I thank them, and the commission for doing its best to respond to the unprecedented circumstances of Covid-19 and the need to find alternative ways of working, and to change those as circumstances in the country changed too.

The Constitution Committee’s very helpful report and the contribution from my leader and noble friend Lord Newby set out the difficulties of the hybrid system, with which I agree, and possible routes back that do not set hard dates, way ahead of our knowledge of the spread of coronavirus. I also echo the comments of

[BARONESS BRINTON]

many speakers that a way of electronic voting in the future, even if on the parliamentary estate, seems sensible. We waste hours of our time in Divisions, queuing in the Lobbies.

The noble Lord, Lord Forsyth, spoke of Parliament being to “parley”, to come together. He is half-right. The word “parliament” comes from the Old French verb “parler”, in its indicative form: “parlement”, or speaking. I assert that the one achievement of the last year is that we have all been speaking, but using the technology of the 21st century. All the other details of how we work, spoken of by many so far, especially the Constitution Committee, have suffered. Despite what I will say next, I welcome the return, in due course, of the entire business of the House being physically in the Chamber. Stronger than that, I long to be there and part of it.

I say to the noble Baroness, Lady Seccombe, that we have achieved real progress with Bills during this year. Things may not have been perfect, but the contributions, scrutiny and challenge during the Domestic Abuse Bill have shown that it can work. It is not perfect, but it can work.

The noble Earl, Lord Howe, talked about “a temporary solution to a temporary problem”, but are the Government, as well as the noble Lord, Lord Cormack, and his supporters, confident that that temporary problem is at an end? The Prime Minister, Ministers and SAGE do not yet agree. We have all been told to expect more different variants that will get round large numbers of people having been vaccinated. The World Health Organization and Ministers say that we are not safe until everyone is safe and we are reaping the lessons, at the moment, of moving India to the red list too late. Although there are hopes that it will not affect those already vaccinated, it is certainly infecting younger people. With the higher level of transmissibility, cases are increasing in more than 100 different areas. We have been warned to expect more variants to do this in the next few months.

I declare my interest in this matter. I am one of those irritating people who are classified as clinically extremely vulnerable; there are a number in your Lordships’ House. That is not because I am sick at the moment, but because of the immunosuppressant drugs that I need to take to manage the autoimmune disease that has left me disabled. On 1 May this year, the Government reiterated their advice to the clinically vulnerable: always socially distance; remove yourself from any environment where social distancing is breached by others; work from home, if at all possible and, if not, ensure that your employer makes your workplace safe for you. I am not one of those lucky grandparents who have been able to hug their grandchildren or children, for 15 months now.

We do not yet know how quickly Covid antibodies will dissipate after two vaccinations other than for the clinically vulnerable, for whom they believe that protection will not be reliable. Yesterday, the Government invested £90 million in booster vaccine research, ready to go again with more doses in the autumn, hence the advice of caution, caution, caution. This is a warning word, as caution must be everything to all of us, not just those who think they are covered because they have had two doses of the vaccine.

The noble Lord, Lord Cormack, spoke of remote working as a “comfortable way forward”. It is not comfortable for those of us who are ordered not to be with noble Lords. I agree with the noble Baroness, Lady Hayman: I too am unashamedly sentimentalist about Parliament and want us to return to as much in-person contribution as possible. I am not alone in being desperate to rejoin a physical Lordships’ House, but I cannot.

The noble Baroness, Lady Campbell of Surbiton, made an important point about the duties of an organisation in regard to disability discrimination, which I am sure that the commission and House authorities have heard, even if the noble Lord, Lord Farmer, dismisses us for being of unsound body or mind and, therefore, not worthy of a place in your Lordships’ House. I am grateful to those who seek to enable some way for us to contribute. Without it, the words of the Queen at the introduction of a Peer become somewhat meaningless.

3.49 pm

**Lord Taylor of Holbeach (Con):** My Lords, I find myself trying to rediscover my voice in this place. I hope I will be forgiven. I am using some notes; in the past I used rather to wing it, which I prefer. The dialogue that this House engenders is really what this place is about. I find myself very much in agreement with the introduction made by my noble friend the Deputy Leader of the House, the noble Earl, Lord Howe. They say that timing is everything in politics, and this debate—in government time—is very timely and very much to the benefit of this House.

Despite the chill and gloom of the weather we have had during this past month or so, with others I have a sense of optimism that we are getting out of some of the temporary measures we have had to live with over the past few months. There is a feeling that we will be able to return, with some care—that will be necessary—but with confidence to a House in which we should and will be able to debate in the Chamber and vote in the Lobbies.

Before I go on, I join others in thanking those who made it possible to alter this House, giving us continuity of constitutional practice by creating the virtual House and the hybrid House. I particularly thank those usual channels I abandoned, unknowingly lumbering those I left behind and my successor with the task of trying to make this place work in this difficult time. The House owes them a great debt of gratitude.

I hope it is understood that when we eventually turn our backs on this time, we do so with thanks for everything we have to enable us to maintain our constitutional role. But good government needs a strong and robust Parliament. Some noble Lords will be surprised that, as a former Government Chief Whip, I should say such a thing—but I do. I love this place. I love my home, but I love what this House can be and should be. It has been but a shadow of its former self during this difficult time.

I believe that, although we quite rightly spend much time worrying about the building we work in, this House is about people, not the building. This House is about debate, not speeches. It is about assertion and dissent, disagreement and accord, give and take, argument,

dialogue, emotion, humour and wit. It is about mood and atmosphere. Noble Lords will know that this interaction and intervention have been impossible to express in a virtual world.

This has been reinforced for the increased number of us who have been here for the few days since the gracious Speech and have experienced the remarkable change in the mood of the House. It is no longer a morgue. There are people about. Already today this Chamber has nearly doubled the number of Peers able to be seated here. What a difference a modest change such as this has made. The Dining Room, the Long Room and the Bishops' Bar have become alive again. There is chatter, conversation and—I do not exaggerate—a sense of a new beginning. I hope my noble friend the Leader of the House will give us her views on passholders, spouses, partners and visitors in general soon being able to be admitted to this building.

I understand the caution, hesitation and uncertainty but, as I said before, our Parliament is about people. There is a real need and a real impatience to have our Parliament back.

3.54 pm

**Lord Thomas of Cwmgiedd (CB):** I first add my thanks to the staff and clerks, who have provided such an amazing technical solution to the problems of the pandemic. We ought to praise ourselves; we in this House have been among the leading legislatures across the world in showing that you can carry on in these difficult times. That is because the staff and clerks have seized upon the huge advances in technology driven by the pandemic. Real congratulations and praise are due to them. We ought to sing of our success in this respect.

Having said that, it is important that we test what we should do next by one criterion alone: what makes this House most effective in carrying out its constitutional duties? I think the answer is clear. In the vast bulk of the work the House does—holding Ministers to account by asking questions; debates; the scrutiny of legislation—there can be no doubt that being present in the Chamber must be the right solution. I say that for three reasons.

First, on occasions you need the pressure of the room. I use that phrase because you get the pressure of support if people are for you—you do not get that when you speak remotely—and you get the pressure of people laughing at you if you say something idiotic, fail to answer a question or try to emulate Sir Humphrey. That is critical. Secondly, there is spontaneity: the ability then and there to make a point that can be devastating either in support or to the contrary. Thirdly, there is what people outside this place call “work in the margins of the House”—in other words, all the rooms and the chats. In my view, those three reasons all make it absolutely essential that we return to a House that does the bulk of its legislative business and holding to account in the Chamber.

However, there are three other matters that we ought at least to consider. The first is the work of the committees. I could not add a single word to the description given by my noble and learned friend Lord Hope of Craighead. He is absolutely right, for two reasons. First, although we have always had the power to hear witnesses remotely, the technology was awful. It has changed, and we really

ought to seize that and do much more. Secondly, as I have found when hearing litigation, you can get good answers out of a witness much more easily in a question-and-answer session on a video link than you can when unable to follow up on something a Minister might or might not say. It is effective, and that has been shown in the courts. You can also have good dialogue—that works as well—so I hope we will look at committees in a new light and not merely say, “We have always been able to do that.” It is not so; technology has made a difference.

Secondly, I very much hope that we can look at some of the things that have happened in the modern world—for example, the ability to put on screen the clause or amendment you are debating. This works in the real world and is something on which huge progress has been made.

Thirdly and finally, there is the very real issue of disability. We must do something to address that as well.

3.59 pm

**Earl Attlee (Con) [V]:** My Lords, I am grateful for the opportunity to debate these matters and I fully agree with the approach of my noble friend Lord Howe. I join noble Lords in expressing gratitude to the staff and the administration for making remote working possible and so effective.

Recently, I was looking at my old prep school reports. I was not surprised to read that I was an academic disaster area—I was a very late developer and suffered badly with what we now know as dyslexia. The surprise was when the headmaster started regularly observing my citizenship and desire to help others for no direct reward. This may explain why I am not a very good businessman. Most of us agree that our role in the House of Lords is to revise legislation, to be an additional check on the Executive and, most importantly, to be a source of expertise. My expertise is broadly as a logistician, combined with practical engineering knowledge. I venture to suggest that very few Members of either House can match my practical experience of road transport operations or military logistics. Many other noble Lords have deep expertise in their own fields. We combine our own knowledge with our interpersonal skills to be effective parliamentarians.

The system of allowances has allowed me to undertake my parliamentary duties since 1992, albeit with a modest standard of living, and I have been content. There is of course, as the late Earl Onslow delicately put it, an element of hypocrisy with the system, but it works. Apart from my pay as a reserve officer, I have not been remunerated or otherwise influenced by anyone. My personal finances were at one point predicated on sitting for about 140 days per year, for about £300 per day. I have acted on my personal honour and addressed issues on which I have expertise. Of course, I ranged more widely when on the Front Bench

However, since 2010, Conservative Prime Ministers have been stuffing this House with as many Peers as possible, largely from London and the Home Counties, ostensibly to refresh the Benches but, I believe, to make full reform unavoidable. We all know that it is hard to devise something that will work better which is not accompanied by unacceptable risks. As a result, the House is becoming increasingly subject to adverse

[EARL ATTLEE]

comments, which the leadership appears to do nothing to rebut. Worse still, our system of allowance has been altered, so that only Select Committee attendance, voting or speaking in debate is recognised. All the other, and arguably more important, work that we do is not recognised, whether it takes place on a sitting day or on other days.

Most of my parliamentary work is done driving a desk or attending meetings, whether formal or informal. I am not so foolish as to claim £162 for pressing a button to vote or for making a short speech. As a result of this bizarre system, I have not made any claims since 10 March last year, and I do not undertake much parliamentary work unless there is an overriding public interest in doing so. Nevertheless, I have had parliamentary effect, including in persuading DfT Ministers to undertake a policy review which they had not originally intended to do.

There are numerous serious adverse effects of this system of allowances. Noble Lords are putting their names down to speak in debates where they are not known to have any particular expertise, thus crowding out the genuine experts, as observed by my noble friend Lord Howe. He also drew attention to the increased number of Divisions. Despite my considerable relevant experience, including in both the military and overseas aid operations, I made no contribution to the overseas operations Bill, because I would not have been rewarded for doing so. Altruism goes only so far. Instead, since March last year, I have been engaged in other highly commendable pro bono activities, some of which, directly or indirectly, support the defence of the United Kingdom.

My plan to glide past retirement is going well, although I might advance it a bit. However, we should spare a thought for those who are subject to the moral outrage of being unpaid Ministers but who are not known to be fabulously wealthy. Even more serious is the position of some newer Members of the House who have altered their personal arrangements in accordance with the modest income stream that I have referred to but now find it largely cut off through no fault of their own. In this regard, I look forward to hearing from my noble friend Lord Shinkwin.

4.05 pm

**Baroness Quin (Lab) [V]:** My Lords, I welcome the chance to participate in today's debate and to add my views on the way that the House has adapted to the challenges of Covid. In addition, as a recently appointed Back-Bench Member of the Procedure and Privileges Committee, which will be considering the outcome of today's debate, I am keen to listen and to learn from all the views that are being expressed. Like others, I give thanks for how our staff have responded to the new and unforeseen circumstances in which they have had to work. They cannot be praised enough. If we as Members have had to acquire new skills, many of our staff have had to not only acquire them but to do so faster than us in order to assist us in carrying out our roles.

I was somewhat puzzled by the words of the Minister in his introductory speech, when he talked about many places now getting back to work and how it would somehow be a bad example if we did not follow

the path that we had previously trod and pick up our old ways of doing things. But it seems to me that workplaces across the whole country are doing exactly as many of us are today: evaluating the new ways of working and seeing what lessons can be learned, with working practices changed for the long term in a beneficial way. For that reason, we must reflect, and I do not support the Motion in the name of the noble Lord, Lord Cormack, that we should simply go back to where we were before. I hope that he does not press his Motion to a vote at this stage.

I very much welcome the report of the Constitution Committee, which I feel strikes the right balance in recognising both the strengths and the weaknesses of remote and virtual working. Paragraph 86 of the report makes clear that remote proceedings have brought benefits for Members with disabilities, health concerns or caring responsibilities, and those who are geographically distant. I very much agreed with, and was impressed by, the contributions on this from the noble Baronesses, Lady Campbell of Surbiton and Lady Brinton. The issue of geographical distance resonates with me, perhaps because, over a long parliamentary career, I have travelled, week-in, week-out, from the north-east of England to London. I own up that I have benefitted from being at home while continuing to be active in your Lordships' House, but I reject the idea that somehow working at home is not really working—which seemed implicit in some of the comments. You have to do your preparation and your background reading, and virtually everything else that you must do if you are present physically. Working from home is exactly that: working from home.

We also have a duty to evaluate the environmental effect of everything that we do these days, which can include such things as cutting down on non-essential journeys, which the hybrid House has allowed many of us to take advantage of.

Our House has huge strengths, but one of its weaknesses is that London and the south-east is overrepresented, as the studies have shown, and yet most of us want to see a second Chamber that contains the voices of all regions and nations, as well as more closely representing the diverse nation that is the UK today.

The big loss in the hybrid House has been spontaneity, and on this I recognise many of the concerns that have been articulated today. That spontaneity is particularly lost in interventions—not being able to intervene on colleagues to insert one's comments and views on what they have said, and in particular, not being able to intervene on Ministers during their Statements and concluding remarks on Bills.

However, I do not think that spontaneity has been lost at Question Time in the same way. I am certainly not keen on us simply returning to the old way of conducting Question Time. As others have said, there are failures under the old system, particularly when there is noisy competition between members of the same group to ask a supplementary. Many people have made the point to me that they have felt that if they do not have a big physical presence or a booming voice then they simply lose out, to the point where they are dissuaded from asking supplementaries at all.

This issue could be tackled by retaining a list or part-list system. I hope we will continue with the number of 10 Members asking a question, for example; I think that is beneficial. Or it could also be tackled by the Lord Speaker having the power to call the names of supplementary questioners, as happens in the House of Commons. That is one good example of Commons procedure. Spontaneity is still possible under the list system. If you are lower down in the list then there is nothing to stop you raising a matter that has not been properly dealt with in earlier questions. You certainly do not have to stick to a particular script.

I see that I am now running out of time so, with those comments, I want to say how much I am looking forward to listening to the rest of the debate.

4.11 pm

**Lord Paddick (LD) [V]:** My Lords, I add my thanks to those who have made hybrid proceedings possible.

I am supportive of a return to business as usual as soon as possible, but some noble Lords whose contributions are valued by this House may decide not to participate if virtual contributions are no longer permitted, for genuine and understandable reasons. Some, like me, are being hindered from attending physically because of Covid restrictions, as my noble friend Lady Brinton has said. We should not be deciding to return to normal until Covid restrictions are lifted to enable us all to return to normal. In light of the uncertainty surrounding the variant first identified in India, I believe that setting a target date for the end of virtual proceedings today would be premature, despite noble Lords' earnest desire to return to normality.

I want to challenge and refute one of the arguments of the noble Lord, Lord Cormack. There is no evidence that I can see that statutory instruments are being delayed as a result of hybrid proceedings. It is the sheer quantity of them as a result of the pandemic and EU exit that is the main problem. Indeed, I have just received an email from a government Minister citing these as reasons for the pressures on Parliament. So, no, this is not just a series of speeches with no account taken of what others have said.

I am married to a Norwegian who lives in Oslo, and he cannot work remotely for reasons of national security. In normal times when the House is sitting, I commute between Oslo and London every other weekend, spending most of my time in London and rarely missing a sitting day. Currently, Norway is on the amber list for foreign travel. As the noble Lord, Lord Forsyth of Drumlean, has mentioned, the noble Lord, Lord Bethell, told this House earlier this week that foreign travel is dangerous; the Prime Minister said yesterday that travel to amber-list countries should be only for extreme reasons; and the Transport Secretary said this morning that people should go to countries on the amber list only in exceptional circumstances. If we ignore what the Environment Secretary said, the message is clear: I should not be travelling between the UK and Norway. I very much regret having to choose between being with my family and being physically present in this House but, after almost 37 years of public service in the police and in this House, despite my love for all your Lordships, I am choosing to be with my husband at this time. In

short, I would love to return to normal working but, if virtual proceedings end before restrictions on foreign travel are lifted, I may be forced to take a leave of absence, and I am sure that I am not alone, not because we want to but because we have little choice in the current circumstances.

Other noble Lords who have far more valuable contributions to make than I may be considering their future in the House, having experienced virtual proceedings unrelated to Covid restrictions. The House needs to consider how valuable these contributions are and whether those who would find it very difficult or impossible to attend in person, for genuine and understandable reasons, should be allowed to continue to make their highly valued contributions virtually. I accept that some additional costs would be incurred were this to continue, but I am not convinced that they would be as high as the noble Earl, Lord Howe, has estimated.

This pandemic has introduced us to what is possible with modern technology. The House should carefully consider how the use of technology can enhance the working of this House, and how the use of technology might in other ways detract from it. Still, as the noble Baroness, Lady Campbell of Surbiton, has said, this House should not throw the baby out with the bath-water.

4.15 pm

**Lord Strathclyde (Con):** My Lords, what this House and its staff achieved in March and April 2020 was truly remarkable and utterly brilliant in that this House in essence was able to continue its work, although it missed out a lot of what we had before. My noble friend Lord Howe said in his opening address that these were temporary measures. I very much support that view and the one that has been expressed throughout the House during this debate: that we should go back to where we were as soon as possible.

It is especially remarkable that the Government should take the view that they have because noble Lords have also commented on how many of these measures have actually suited the Government extremely well by reducing the level of scrutiny that we give them and letting them introduce all sorts of measures that have not been properly debated. So I very much thank and congratulate my noble friend—and, no doubt, the Leader of the House later on—when they say they want to get back to normal as quickly as possible.

There are some key issues that need to be considered. First, the time allowed for Questions should go back to half an hour, and we should scrap lists for Questions. Secondly, PNQs have become a sort of ungovernable monster every afternoon. We have starred questions, Topical Questions, Urgent Questions and PNQs, and we have to leave the Chamber between most of them. That really is not what this House is for, which is to look at legislation in detail. If we return to sitting at 2.30 pm, which I hope we do, then the House will sit later and later. PNQs really are very precious things. In the hands of the Lord Speaker to decide, they should be the most urgent type of questions, largely to do with this House rather than more generally. I understand why they have been put to such use during this emergency period, but as we come out of it I hope we can go back to where we were.

[LORD STRATHCLYDE]

There is another reason why we need spontaneity. I accept what the noble Baroness, Lady Quin, said earlier, but it is about not just spontaneity but intervention. It is about cross-examining and making whoever has said whatever they have said more accountable.

There is another reason, which is ministerial time. Ministers have been able to devote time to this House at a level that they were unable to do so prior to the emergency. When we go back, they will be undertaking visits and real meetings, which they have been unable to do. It would be quite wrong to expect Ministers to turn up to your Lordships' House the whole time.

My last point is about voting, particularly remote voting. Similarly to some who have spoken, including the noble Baroness, Lady Quin, I live in the south-west of Scotland, and on many occasions it has been extremely convenient to whip out my phone and support the Government in the way that I so loyally do. However, Parliament should not exist for my convenience or for anyone else's. We need to come here to listen to the debate and be part of the collective argument that takes place. I understand that there may be some special cases where voting off-site, virtually or remotely, is required, and I hope that those are fully debated in the committees before they are brought to this House for its decision. However, for the overwhelming generality you need to be in the House to vote in order for it to count.

I very much hope my noble friend Lord Cormack will not push his Motion to a vote, but I think this has been an extremely valuable debate that shows just how many noble Lords care very deeply about how this House is managed.

4.20 pm

**Lord Kerr of Kinlochard (CB) [V]:** Technically, the hybrid House has been terrific, and the technical staff warmly deserve the thanks they are getting from all around the House. Professionally, it has been acutely frustrating. The nadir for me was when we all had two minutes each to give our verdict on the treaty which now governs relations with our nearest neighbours, although I guess that the limitation may have suited the Government rather well.

That is the trouble. Like the Constitution Committee in its important report, I do not believe that we have been holding the Executive to account as well as we should and as well as we normally do. Hearing the arguments tested in debate really matters for a Cross-Bencher such as me, by definition knowledgeable on only a small minority of the issues that the House has to tackle and not helped by the kindly tutelage of any Whip. The constraints of the hybrid House preclude the spontaneous to and fro, interventions and give and take of genuine debate. Set-piece speeches help me a bit, but not much, in making up my mind; it is the real debate that counts, so the sooner we can all get back, the better for me and, I think, for the effectiveness of the House.

I would retain two innovations. First, electronic voting works well, and it is astonishing that the Leader in the other place spurns it, insisting instead on proxy voting. The UCL Constitution Unit in its admirable recent report revealed the astonishing fact that, on the last sitting day before Easter, the Government Whip in the other place cast 329 votes. That is, as the chair of

the Procedure Committee in the other place delicately put it, "open to abuse". I am with the noble and learned Lord, Lord Hope, and the noble Lord, Lord Hain, for the reasons they gave. Instantaneous electronic voting is now common in legislatures. Ambulant voting, as in our Lobbies, is beginning to look a little archaic. I would phase in the change, permitting those who want to stretch their legs still to do so—I do not believe many would. It think that it would rapidly be possible to reduce the time Divisions take, perhaps to three or four minutes.

Secondly, I would retain remote participation, but only in a severely limited form. Yesterday, I took part in a hugely valuable committee hearing with witnesses in New York, Sydney and Singapore. I agree with the Constitution Committee that that should go on being possible.

However, for the business in the Chamber, participating and voting remotely should be permitted only exceptionally for those unable, for reasons of distance or disability, to get here. It should not be permitted for those who could get here but choose not to do so. We signed up to be here; that is our job, and I think we do it better when we are here. I therefore warmly endorse what the noble Lord, Lord Forsyth, said today—I would add that I greatly admired the way he supported Lady Thatcher in the House in her latter days; it did him enormous credit.

Finally, I would make any decision to participate remotely irrevocable for a Session and not changeable from day to day, whereas we should all be free to choose, Division by Division, whether to cast an archaic ambulant vote or a daringly 21st-century electronic one.

**The Deputy Speaker (Lord Lexden) (Con):** The noble Lord, Lord Hunt of Kings Heath, who is next on the list, has withdrawn. I therefore call the noble Lord, Lord Dobbs.

4.24 pm

**Lord Dobbs (Con):** My Lords, this is proving to be an elegant and most useful debate—the sort of debate, frankly, that I have missed. We have been kept apart too long. Like my noble friend, and roommate, Lord Forsyth, I believe that Parliament is an essential service, but we are told that we could not come back earlier because we were too old. Now it seems that we cannot come back fully because our staff are too young. It is about time that we sorted ourselves out.

I do not accept all the statistics thrown at us about how many votes we have had and how well they show we have done. Virtual participation and voting have become largely meaningless and they have left us open to lots of abuse. I quote:

"Peers vote in droves ... Peers claimed almost £1m in taxpayer-funded 'attendance' allowances while working from home."

So says the *Times*. It continues:

"Since the rules were changed ... participation has soared to record levels."

The *Times* does not like us, nor does the *Daily Mail*. It says:

"Lords a-leaping to vote from home after being allowed to claim £162-per day."

Not even the *Telegraph* likes us, one headline stating:

"Lords up their voting as they claim virtual attendance rates."

These accusations are incredibly damaging. We do not have many friends left, and we need friends. I cannot think that Downing Street looks on us with much favour, not after the House's extravagant show of belligerence over Brexit. We have lost many former friends in the House of Commons too. Where shall we find the friends whom in these turbulent times we desperately need?

The press attack us constantly:

"Drunk as Lords. House of Lords spend nearly £2million on booze in the past five years"

screamed the *Sun* recently. There have been references to "the same old snouts in the trough"

and:

"The unelected House of Lords is a corrupting influence at the heart of Westminster"—

that is what people have read in the *Daily Mail* and the *Daily Express*, and I have not even got close to the *Guardian* and the *Mirror*.

We have become a laughing stock in many eyes, and perhaps deservedly so when it comes to the wretched "Valuing Everyone" training. Is it not about time we started valuing ourselves? When are we going to stand up and say that we believe we do an incredibly important job and do it well? If we lurk in the shadows, as we have been doing, we will simply wither away.

As my noble friend Lord Howe and many others have said, we need to return to full physical debate and physical voting. We keep hearing that this is a business. It is not a business. We are not employed. This place is unique, and it is important.

I know that there will be many claims for exemption on the grounds of individual hardship. I listened carefully to the noble Baroness, Lady Campbell of Surbiton, as I always do, and we need to consider very carefully what she has said, but I still have ringing in my ears the accusations that we are being paid for voting from the comfort of our own homes and gardens. Whatever else we do, we must bring an end to these accusations of "deckchair Divisions".

Being a Peer is a huge privilege. It carries with it some pretty unselfish responsibilities. We are here to serve this House—not the other way around. It is on that basis that I believe we should move forward.

4.29 pm

**Baroness Bakewell of Hardington Mandeville (LD)**

[V]: My Lords, I congratulate the staff on supporting the functioning of the House throughout the pandemic.

I was hoping to take part in this debate physically. However, having been present for the adjourned gracious Speech debate until 9.30 pm on Monday, and with briefings and statutory instruments on Tuesday and Wednesday, I knew that I would not be able to sit in the Chamber until 10 pm today, for a fourth day. The Benches, which were designed and built for men, do my arthritis no favours at all.

I have found the hybrid arrangements during lockdown and working from home to be a mixed blessing. I have been able to participate in Questions without being shouted down—nearly always by male Peers—and managed to contain my contributions to roughly 70 words and 30 seconds 90% of the time. Participation in statutory instruments has been extensive, but most have managed contributions within the timeframe. I

have used the mornings for research and speech writing, as I am sure have other Peers. The Agriculture Bill was managed reasonably well, although, on the days when we finished at 11 pm or midnight, I had great difficulty getting up from my desk, having become extremely stiff.

Many of your Lordships have felt the time constraints on speeches to have been too short. However, they do help to focus the mind considerably, with unnecessary verbiage cut out. This also assists the listeners not to lose the plot. I fear that some in the House have come to expect that everyone who wants to can take part in any debate. I fear that today's debate may fall into the category where everything will be said early on but not everyone will have said it by the end.

What I did miss during lockdown was the chance to chat with colleagues over coffee or a glass of wine—but the whole country was similarly restricted and missing social interaction with family, friends and colleagues. When I returned, I was shocked to find just how few spaces for Peers there were in the Chamber. On the Tube, on the bus, in the supermarket, on pavements et cetera, we were all much closer to one another, even while wearing masks and keeping two metres apart. However, the layout of the Chamber gave what seemed like an excess of space.

If there were no seats in the Chamber, we were invited to go up to the Gallery. I did this twice—it took quite a while. We are not a House of young, agile Members—quite the opposite. I cannot be the only Peer with arthritis and mobility problems that mean that steps and stairs are becoming completely impossible. Unless we were on one of the sparse seats on the Benches or in the Gallery at the start of debates, we could not speak. "Rules are rules", I hear many of you say; however, the pandemic has given us a golden opportunity to modernise some of our practices and bring the Chamber into the 21st century.

I urge your Lordships to think very carefully about the way forward. Rushing back to the old ways is somewhat like donning an old favourite suit. When it was first made, of finest-quality worsted wool, it looked amazing. It is still comfortable but is now very misshapen, baggy and shiny, and has seen better days. It no longer fits, has moth holes and needs replacing. This is the upper Chamber of a world-famous parliamentary system. There is no room for sentimentality in clinging to outdated practices. I recommend that we review and move forward with courage.

I read with interest the report of the Select Committee on the Constitution and agreed with many of the comments. Electronic voting has been a godsend: struggling over from the fifth floor of Millbank House in the pouring rain, negotiating cyclists who ignore both crossings and traffic lights, fighting with the door at Chancellor's Gate and then waiting for the lift to take me up to the Principal Floor to vote was never a great experience. No doubt those Peers whose offices are above the Chamber cannot wait to get back to queuing up in the Lobbies. I suggest that remote voting is so easy that reducing the time allowed for it to take place would not be out of the way and would assist in speeding up the business of the House.

[BARONESS BAKEWELL OF HARDINGTON MANDEVILLE]

I have one negative comment to make about what is contained in paragraph 94 of the report. In the opinion of the noble Lord, Lord Norton, Members have “a moral obligation to contribute to the work of the House”.

I agree with this. However, he and others feel that being present in the Palace is everything. I have been here for seven and a half years and have seen Peers in the Palace having coffee, tea, wine, lunch and dinner—oh, and popping into the Chamber for five minutes during Questions, but rarely speaking. It is insulting in the extreme to imply that Peers who are not in the Palace are not contributing to the work of the House; this is quite clearly not the case, as this debate demonstrates.

4.35 pm

**Lord Stirrup (CB):** My Lords, pace the noble Earl the Deputy Leader, I hope that I will not be thought too tiresomely repetitive if I start by adding my thanks to the staff of the House, who have worked so hard and to such good effect, putting in place, maintaining and operating the systems and processes that have enabled us to continue to function over the past year. Their ingenuity and perseverance have been remarkable.

However, for all their efforts, we should not imagine that our current *modus operandi* is anything other than a necessary but uncomfortably restrictive contingency. “Why should this be so?”, some ask. “Surely, in the second decade of the 21st century, we should be updating our processes to take account of new technology. Is this not what is happening in other fields?” Well, to some degree.

Many enterprises are indeed allowing, and will continue to allow, a degree of remote working—but this is not the same as holding virtual meetings. These do of course take place; I have had experience of them over many years. They can bring considerable benefits: most importantly, the ability to annihilate space and bring people together virtually when they cannot be present physically is particularly useful.

Nevertheless, it has also been my experience that, even in the wider world, virtual meetings have significant drawbacks. They are very good for the passing of information—for delivering reports and briefings—but, when it comes to the consideration and debate of difficult issues, their utility tends to decline significantly. They do not permit the to and fro of discussion that is crucial to a thorough examination of issues and views, and they tend to mute, if not eliminate, body language. Watching the reactions of listeners can be most instructive—if any noble Lords doubt that, I recommend looking around this Chamber some time.

Nor should we underestimate the impact of personal presence. I see many instances where the benefits of virtual proceedings have had to be abandoned because personal contact has been necessary to resolve difficult issues. Human interactions go beyond things that can be transmitted electronically—so technology can be a boon, but it can also severely hamper communication.

I formed these conclusions several years ago, but they have only been strengthened by my experience of the past 12 months. Yes, we have been able to sustain wide involvement in the proceedings of the House—but those proceedings have lost the spark of spontaneity. Yes, we have been able to make our views heard—but

we have not debated. Yes, we have been able to follow pre-planned paths of discussion—but we have not been able to challenge assertions or explore newly opened vistas, and this has been true in Questions as well as in debate.

The noble Earl the Deputy Leader mentioned another unfortunate consequence: it has become harder for the Government Front Bench to assess the mood of the House. This is not just about numbers: there is something a little remote about dissenting views expressed on screen, no matter how strongly they are put. But a Minister facing a Chamber well peopled with noble Lords expressing their opposition, not just in individual speeches but in the atmosphere they generate, is left in no doubt of the position—as indeed many have acknowledged in the past.

Committee work too has become more difficult. The lack of agility that online hearings have imposed on us has, in my view, made it harder to interrogate witnesses satisfactorily or discuss their evidence in a properly dialectic way. However, I acknowledge the benefit of hearing from witnesses who are too distant to be able to participate in person—not least those from overseas.

Like other noble Lords, I believe that remote participation has led to a diminution in the power of Parliament as against that of the Executive. The demands of the current crisis have of course been the main driver behind this trend, but remote participation has made the problem worse. If we are to slow, let alone reverse, this unwelcome process, we need to return as quickly as possible to more normal proceedings.

There is still the question of whether some aspects of the present system might be retained in the longer term in order to improve efficiency. Well, it is difficult to see much scope for this if we are to adhere to the principle that all participants are to be treated equally. For my part, I rather like the system of electronic, as opposed to remote, voting, although I understand that many noble Lords are opposed to continuing with it. However, this is one innovation that would fit neatly into our previous practices.

We should be grateful for hybrid proceedings and for the way that they have allowed us to continue our work—after a fashion. But I strongly believe that the health of our parliamentary system requires a return to physical presence in your Lordships’ Chamber and in committees as soon as possible.

4.40 pm

**Lord Lamont of Lerwick (Con) [V]:** My Lords, nothing that has been said or will be said today detracts from brilliant work of all those who have helped to make hybrid and virtual proceedings work in this House and have enabled us to continue working through the emergency. We are immensely grateful. However, in considering whether we continue with what were temporary measures, it is about one question and one question alone: “Is Parliament sufficiently holding the Government to account?” I agree with the noble Lord, Lord Newby, that we must move as the world moves—but I also agree with the noble Lord, Lord Rooker, that we are not just a business and it cannot be simply a question of efficiency.

There are some aspects of the new procedures that we may wish to continue: submitting questions by email rather than queueing in a draughty corridor seems long overdue. Improvement may also come from more time for Questions. Many will also favour keeping lists for Questions, rather than the bear garden that we dignify with the term “self-regulation”. However, the main questions cannot be divorced from social distancing, and until that has resolved it will be difficult to return to full normality. A House of Lords with social distancing cannot operate as a House of Lords.

Paradoxically, I am speaking remotely but I wish to argue against both remote participation and remote voting. I am speaking remotely because I cannot be present physically in the Chamber for the Leader’s wind-up tonight, and so the convention is that I should not participate in the House. I am sure that remote participation is not a satisfactory mode and it will be illustrated, I am sure, by my speech. Our Writ of Summons commands us to attend at Westminster. A Parliament where people are not physically present is not a Parliament at all. A lot of talking heads on screens suspended from the ceiling may make a good TV programme, but it is no substitute for a lively debate where people argue face to face with each other. What sort of debate is it where people cannot interrupt the wind-up of a Minister who has failed to answer the questions raised in the debate?

As has been said many times in this debate, and I apologise for repeating it, it is necessary to judge the mood of the House to decide whether to force a Division, as my noble friend Lord Cormack is going to have to decide later. But where there is no coughing with boredom, no muttering and no quiet laughter, there is no mood of the House to judge. The House of Lords is very polite House, possibly too polite, but with remote proceedings the politeness has become the stillness of the graveyard. We may not yet have bored ourselves rigid, but we are beginning to bore the public. The number of viewers of House of Lords proceedings on Parliamentlive.tv declined in 2020 compared with the previous year.

How we vote should not be a matter of convenience; it is a question of commitment. Remote voting requires hardly any interruption to whatever a person is doing. Mind you, I suppose in theory that remote voting could be the answer to the numbers problem in the House of Lords. We could have a House of 2,000, with no pressure on the facilities of the Chamber. Of course, that would be ridiculous, but remote voting and being paid for it is going to seem a lot more than ridiculous to the general public. The public will be outraged if life returns to normal and we continue to be paid to vote from the comfort of our own homes.

The noble Lord, Lord Hain, thought that the increase in voting was a sign of democracy that should be welcomed. I fear it may have other causes. Our temporary procedures have distorted behaviour. Speaking lists have become longer, requiring speeches to be ludicrously short. Sometimes the most distinguished people with the most to contribute have not been able to contribute very much. To squeeze more people in for Questions, Ministers are asked to be very brief with replies. Some of the replies would be recognised by Lloyd George,

who used to tell the story of how once he got lost in his car when driving in Snowdonia. He stopped and asked a passer-by where he was. The passer-by replied, “You are in Wales”. Lloyd George always said that this was the perfect parliamentary answer: it was brief, it was true, and it told no one anything of any use. That is true of too many of the ministerial replies that we have had under our new procedures.

We agreed our procedures as temporary to cope with an emergency. As the country returns to normality, without doubt we must return to the procedures that were before. Parliament is not holding the Government to account and that is what the public expect us to do.

4.46 pm

**Lord Knight of Weymouth (Lab) [V]:** My Lords, it is a pleasure to follow that fine speech from the noble Lord, Lord Lamont—which, of course, was delivered remotely. It has been a very strong debate and I have enjoyed listening to the speeches. I join everyone else in thanking the staff for having made the hybrid proceedings possible and effective.

I guess it is possible to characterise this debate as having something of a false dichotomy between those who want to keep things exactly as they are now and those who want them to go back to exactly how they were before the pandemic. I detect in pretty much every speaker that they are somewhere on the spectrum between a little bit of change and quite a lot of change—but no one is going to either of the extremes. I am more towards the end of the spectrum of my noble friends Lord Hain and Lady Quin, rather than the end preferred by the noble Lords, Lord Strathclyde and Lord Dobbs—respectful though I was of their contributions.

Of course, I had a bit of quandary. Where was I going to speak? Should I come in? Should I make a non-essential journey? I am doing the rest of my work from this room, which I am very pleased to welcome noble Lords into. Or should I come into the Chamber where, of course, I am going to be so much more engaging and will be able to benefit from all the interaction? I may not be able to make anywhere near as good a speech, but I have childcare responsibilities today, so I am not able to come in.

There is so much that I have missed about the way that we used to do things. Like everybody else, I miss the social interaction. The Lords is at its strongest when we are working together, across party in many cases. It has been impossible to have those relationships across party during this period of the pandemic, and it has been impossible also to get to know new Members. I hugely miss that. Of course, like everybody else, I miss the scrutiny, principally brought about by the spontaneity of being there face to face. So, of course, as soon as we are safely able to, we have to get back to those arrangements.

However, I have also really enjoyed the flexibility. I used to think I was one of the younger Members. I certainly was when I joined 11 years ago. I have to do other work and I now do all of that from this room. To have been able to do that alongside being able to contribute in the House has been really helpful. On occasions, I have enjoyed looking inside other people’s houses—but not so much looking up their noses if they have got the camera angle wrong.

[LORD KNIGHT OF WEYMOUTH]

I think the PeerHub has worked really well, as my noble friend Lady McIntosh said in her wonderful opening. I have enjoyed the equity of balloted lists for Oral Questions. I have really enjoyed the way we have been able to be more inclusive of a wider range of witnesses, geographically, through Select Committees—again, as other noble Lords have said.

So I am a strong advocate of reflecting and hanging on to the changes. Pretty much everyone has said that longer Oral Questions should be retained. I am certainly one who advocates keeping the list generated by ballot and the fairness of that. I, too, support retaining remote voting, but only on the Parliamentary Estate. I am one of those with an office in Millbank House. I am perfectly agile and able to come over—I am not yet at the point where I am struggling, like the noble Baroness, Lady Bakewell. But I would like to be able to carry on working in my office at times, rather than schlepping all the way over to vote.

We had a great meeting yesterday of the National Plan for Sport and Recreation Committee, and I am absolutely sure that the witnesses were more comfortable sat in their own settings than the intimidating scenario of coming into a committee. If we want to hear from diverse and disadvantaged voices, we need to be able to hang on to that practice. When we do so, it is worth noting that you get better equity when everybody is joining remotely rather than the committee being in a room looking at three or four witnesses on screens and trying to interact that way.

I agree that we should have speeches in the Chamber, but if the reason for that is so we can have more interventions, then can we have more interventions? Can we move on from a culture of not really intervening in Second Reading debates and QSDs, because then we can have real debates? That is a really good reason to carry on and return to the Chamber; otherwise, I would not rule out returning to hybrid debates.

The world of work has changed. We are not a business, as the noble Lord, Lord Rooker, has said, but everyone is reflecting on how we are going to have to change as a result of what we have learned from the pandemic. I see today, with the modestly titled *Williams-Shapps Plan for Rail*, that we are having flexible season tickets, so even the Department for Transport is reflecting. We should do the same and we should have some version of a hybrid model in future.

**The Deputy Speaker (Lord Lexden) (Con):** The noble Lord, Lord Robathan, who was next on the list, has withdrawn, so I call the noble Lord, Lord Roberts of Llandudno.

4.51 pm

**Lord Roberts of Llandudno (LD) [V]:** I have listened with great interest to many of the speeches and nobody has mentioned how it has affected the attendance of Peers. Have the pandemic and the virtual or hybrid proceedings reduced the presence of Peers? I went through some of the records. In 2016 there were 484 Peers on most days, in 2019 there were 458, and all could claim the full allowance. Then we come to the hybrid House—this is not the physical presence, but the voting presence—where we have on average 474 Peers voting. The figure

is always in the upper 400s and sometimes, rarely, it goes into the 500s. However, we always have about 300 Peers who do not engage in any way in the activities of the House. Can we have the official figures for this, please? That would be interesting in case I have misled or been misled.

The other point I want to raise is on voting. Mr Rees-Mogg, leading the Commons, wants to return to traditional voting arrangements and, yes, that is okay—some want us to follow. But people are forgetting that the older you get, the less able and mobile you are. In the Commons they are on average about 30 years younger than us in the House of Lords. In the Lords, 306 Peers are in the 70-79 age range and 122 Peers are over 80, so we can see that it is much more likely that Members of the Lords will have greater difficulty attending in person than Members of the Commons. These things demand a great deal of thought and I am delighted to give some figures to bear out some of the recommendations.

4.53 pm

**Baroness Ritchie of Downpatrick (Non-Afl) [V]:** My Lords, it is a pleasure to follow the noble Lord, Lord Roberts, and I welcome the opportunity to participate in this important debate. It is not only reviewing the operation of hybrid proceedings in the House of Lords but pinpointing a way forward for now and into the future about how we conduct our business, and informing the Procedure and Privileges Committee in designing how we do our business in this pandemic and the post-pandemic phase.

Listening today to some noble Lords, you would think that most of us are occupying a parallel universe, because there is a dichotomy. Noble Lords, quite rightly, feel aggrieved that they are no longer able to participate in what they once were able to participate in. Then there are others who characterise the situation as per the pandemic; namely, supporting hybrid proceedings or a variation of them.

I come to this debate as a former Member of the other place, where debate was always present, but we did not have a pandemic. I came into your Lordships' House in November 2019. There was then a general election and we took our seats again in December 2019. I have been unable to come from Northern Ireland since the middle of March last year because of travel restrictions. However, that has not prevented me participating in the proceedings of the House in the Chamber, in Grand Committee and on two select or scrutiny committees. I firmly believe that the constitutional purpose of the House is to scrutinise, legislate and debate. We have been able to do those things, albeit in a very straitened way.

I agree with Members that we have probably lost the physical presence of the House because of the nature of this pandemic—that necessary spontaneity and nuance, the nod and the body language of Members, which are always important in fuelling the direction of the debate and informing the Government and the Opposition of the way things are going. Notwithstanding that, we have been in the middle of a pandemic in which many thousands of people have lost their lives. We have to reflect that. We also have to reflect that, outside our

Parliament, many businesses will be adopting some of the methods of at-home working, remote working and office working. We have to reflect that as well.

I am very much in agreement with the first report of the Constitution Committee into Covid-19 and Parliament, which I believe has contributed to understanding not only the challenges faced by Members and staff but the needs of the new normal as we continue our work of investigation, scrutiny and holding the Government to account. In this new normal, and this review, we should retain the PeerHub and that measure of remote voting—albeit on the parliamentary estate. We should retain virtual proceedings on Microsoft Teams for scrutiny committees because it has enabled witnesses from near and far to provide very detailed evidence, thus enabling us to carry out our scrutiny and investigative function.

I cannot support the Motion in the name of the noble Lord, Lord Cormack. I fully respect that he comes to this with a high degree of knowledge and experience from both Houses, but we have to be cognisant of the fact that we have been through a pandemic and that dictates that we must keep our staff, ourselves and the wider community safe on the parliamentary estate.

4.59 pm

**Lord Kakkar (CB):** My Lords, I join other noble Lords in thanking the Minister for the very thoughtful way in which he introduced this debate and in thanking members of staff and the staff authorities for the rapid response to the unprecedented situation last year, when our nation recognised that it was in a pandemic, and the way that this House discharged its responsibilities had to be modified. There is no doubt whatever that we have to recognise that the procedures, processes and indeed the adoption of technology platforms that were necessary at that time were undertaken under considerable pressure. In particular, the technology platforms have a number of important limitations that we need to consider in determining how we should move forward as we come out of the pandemic period.

Noble Lords have rightly recognised our principal constitutional obligations, which are to revise and scrutinise legislation and to hold the Government to account. They have rightly identified the need to weigh the opportunity provided by the processes, procedures and technology platforms we have adopted in this unprecedented period in determining whether those obligations are being properly discharged. We have heard, of course, about the important report of your Lordships' Constitution Committee and many noble Lords have identified that, regrettably, much of the discharge of those important responsibilities and obligations is less than satisfactory in the way we are currently having to conduct our responsibilities.

That is not to say that there may not be opportunities in the future, as technology advances. Technology may be developed that is bespoke for a parliamentary Chamber rather than adopting platforms that have been developed primarily, as we have heard, for use in other businesses. We may be able to return to this question. As things currently stand, it is clear that the subtlety and nuances afforded by physical presence in parliamentary debate—the capacity to intervene; in particular, to hold Ministers

to account; and to ensure the expertise and experience that this remarkable Chamber is able to bring to bear to a specific and often detailed question, sometimes not properly considered in the other place—has been undermined as a result of the current circumstances and our current working practices.

When the Lord Privy Seal comes to wind up this debate, can she say whether there might be opportunities for your Lordships' House, in returning to practice as prior to the pandemic, to continue to explore technology—with the potential development of bespoke technology—that might help the House overcome some of the limitations we have heard about today? Might we continue to explore processes and procedures, but, as we have heard, in the context of actually returning and functioning as the House should and rightly must expect to do, rather than adopting measures that were applied as a matter of urgency? We have had the opportunity of an impressive experiment; might we look at some of the advantages and disadvantages of those technologies, but not adopt them without proper and due consideration beyond the period of the pandemic?

We have been very fortunate in our own country to benefit from the remarkable vaccination programme. It will soon allow us to take these decisions and return to what we would consider the normal working of your Lordships' House, but we should not dismiss the opportunity to learn from the experience of the past 15 months. Noble Lords will be well aware of the words of the Writ of Summons, demanding that, “(waiving all excuses) you be at the said day and place personally present”.

Those words are a very powerful reminder of our individual obligations, as Members of your Lordships' House, and I very much hope that, in reaching a conclusion about future working, we are cognisant of those important obligations and responsibilities.

5.04 pm

**Viscount Trenchard (Con):** My Lords, I thank my noble friend Lord Howe for introducing this debate with his customary charm, and I agree with everything he said. I too congratulate all those who have worked hard to ensure that we could operate, after a fashion, through the pandemic.

I wholly agree with what many noble Lords have said about the loss of spontaneity and decline in quality of debate and scrutiny. Under hybrid conditions, advisory speaking times are now risibly short and strictly enforced. This means that noble Lords are unable to add to their prepared speeches to refer to others' contributions. In debates on Bill stages, since the order of speakers is predetermined and contributions are prepared in advance, many noble Lords speak when they would previously have remained silent because another has already made exactly the same point.

The briefing prepared by the Library in February on the impact of hybrid proceedings on participation makes interesting reading but, strangely, did not include any statistics on voting patterns. However, the Constitution Committee did cover this and the Minister confirmed that noble Lords have, on average, participated in a much higher proportion of Divisions than was the

[VISCOUNT TRENCHARD]

case before the introduction of remote voting. It is, of course, very much easier to vote, wherever you may be and whatever else you may be engaged in at the time a Division is called. I believe that remote voting should be abandoned completely as soon as possible. It seems to me unsustainable for legislators to be permitted to vote remotely, even if they may attend the House for a short time on the same day.

Voting in person makes it likely, or at least plausible, that noble Lords might have participated in discussing the subject of the vote with others, even if they have not participated in the debate in the Chamber. The informal chance meetings and discussions between noble Lords in the corridors, restaurants and Division Lobbies are also an invaluable part of the functioning of the House as a legislature. Physical voting also provides useful opportunities to buttonhole Ministers. Some have argued that it is good and should be made permanent that those with disabilities, in poor health or pregnant should be allowed to continue to participate remotely. However, it remains an unfortunate fact that if a noble Lord's condition or circumstances prevent his or her attendance and ability to participate fully, it is hard to argue that that Member is fully capable of exercising his or her functions as a legislator. I welcome the fact that it has become easier for those with disabilities to participate fully, but exceptions to physical attendance requirements should be minimised.

Unlike another place, we are a self-regulating House and should reverse the accretion of authority to the chair that has taken place. It is no longer clear whether it remains the role of the Government Front Bench to call the House to order. In the hybrid House, it is often the Lord Speaker or the sitting Deputy Speaker who exercises this function. The time-wasting practice of the Lord Speaker calling on noble Lords to speak should also be discontinued.

The earlier sitting times adopted by the hybrid House make it difficult for those with interests outside the House to participate as they would wish. Of course, noble Lords' improved technical skills will lead to an increase in job offers. Lastly, I ask whether it is intended to reverse the simplification of the clerks' dress, which the previous Clerk of the Parliaments told me was a response to the need for a larger pool of Clerks at the Table during the pandemic. I am sure that Messrs Ede & Ravenscroft would have no difficulty in supplying the proper uniforms to all clerks who do not have it. I am keen that we should revert 100% to where we were before the pandemic—tellers, wands, wigs and all. They are all part of the panoply of this great Parliament. From that point, we can reflect on whether we should make any permanent changes.

5.09 pm

**Lord Morris of Aberavon (Lab) [V]:** My Lords, I add my congratulations to the House authorities and, in particular, to the officials of the usual channels on establishing and operating an acceptable method for the House to carry out its duties during the pandemic. To have contributions during major debates on subjects such as Brexit limited to a few minutes is a gross undermining of the role of Parliament. This House is a gathering of many distinguished persons who should

have a proper opportunity to enhance our debates on fundamental issues. If necessary, we should consider sitting for longer hours.

I will make the following points. First, the appropriate committees of your Lordships' House should take the opportunity to learn lessons from the way that we have been operating, and not merely return to our former practices without question.

Secondly, account should be taken of the disadvantages of noble Lords who do not live in London.

Thirdly, some things can be done equally well virtually. Until now, like many noble Lords, I have kept to the recommendations and stayed away from our premises for over a year, except on two occasions. I hope that I have, nevertheless, played my part in debates and Questions in this House. I see no reason why we should not continue to vote virtually. The high number of votes, particularly at a late hour, for whatever reason, is proof of its popularity. So long as the danger exists, we should avoid crowded Lobbies. When the danger has passed, we should perhaps revert to what we were doing in the past. At least we have not followed the other place by putting our votes, by the hundred, into the back pockets of the Whips who can vote on behalf of Members. Cromwell would have been very proud; Hitler failed to close down Parliament.

Fourthly, I am a member of the International Agreements Committee, which sits virtually most weeks. I am convinced that, with good chairmanship and the tolerance and co-operation of members, the work of such a committee can be carried out equally well virtually if we wish. This week, we had witnesses from as far away as Singapore and other parts of the world, who were able to make a major contribution.

Fifthly, we are losing out on calling the Government to account at Question Time and when they make Statements to the House. The absence of spontaneity and putting pressure on Ministers has been dealt with by many speakers. I served as a Minister for 13 years, in three different Governments. I know what it is to be under extreme pressure from all parts of the House, including, possibly from behind, particularly when one is introducing controversial Bills. I feel less strongly about committees of the House, but I lean towards returning to normality.

Although this is not the main issue of this debate, we should take the opportunity to revisit the issue of Members' allowances. What I like to call country Members—those whose main homes are not in London—have to pay for accommodation in London and I suspect that some of those arrangements had to continue during the pandemic. They have been very badly treated. I no longer have an interest to declare, after a lifetime of commuting between west Wales and London. The last committee which looked at this took fright at the definition of "main home".

Seventhly, if virtual proceedings are to continue, it makes no sense to pay a full day's allowance for presence on the premises to attend a virtual Select Committee, while paying the half rate for Committee sittings such as on the Agriculture Bill—as other noble Lords have mentioned—which go well into the night, where the amendment that you are particularly interested in is not reached until 10 pm or even 11 pm.

Lastly, the Bingham Centre, in its letter to the *Times*, has made a powerful case that Parliament has been marginalised under the pandemic, with over 400 pandemic-related statutory instruments introduced in the Commons making sweeping changes with limited debate. I hope that we can return to normality when the danger is over.

5.14 pm

**Lord Balfre (Con):** My Lords, I add my thanks to the noble Earl, Lord Howe, for his comprehensive introduction, which covered all the points that the House needs to consider.

The main point, to my mind, is that we need to get back to being a functioning House of Lords, with Members here, and to wind down the so-called special measures. We are moving dreadfully slowly. I had a talk with one of the senior officials in the Library yesterday. They said that, yes, they are definitely moving forward: they are going to be open for an extra hour a day from Monday to Thursday, starting on 20 June. They will then be open for four whole hours a day. This is a snail's pace.

I am going to say it: I am afraid that working from home has been a great boon to many people. Many of our staff probably quite like not having to commute; they quite like having to provide their own lunch and to work at their own pace. We have got to put some effort into getting people back, and if that involves lobbying the Department of Health for vaccinations—the latest of a series of excuses that I have heard—then so be it, but we have got to get people back. Here is one good indicator: I have an office on the fifth floor of Millbank House and we share a kitchen with staff. You can tell how many are here because the fridge in the kitchen is absolutely empty; usually it is packed full of sandwiches and lunch. The staff are just not here; they have got to be got back.

I differ from my colleague the noble Lord, Lord Cormack, on one issue. The Question Time list has actually been a great move forward. For those of us who do not have a background in the other place, the bear pit of people jumping up and down at Question Time put a lot of people off. I would like whoever responds to look at having some sort of list and order for Question Time, but it should come back and we need to have this House in charge again.

I will also make a point about interventions in debate. I spoke in the Queen's Speech debate on Monday and asked the noble Lord, Lord Goldsmith:

"so all I am going to ask him to do is to say that he will pass my comments on to the Transport Minister and ask her to respond to me in writing."—[*Official Report*, 17/5/21, col. 390.]

When he came to wind up, he did not mention it. Even though I had spoken to him privately and asked him to just give me that assurance, there was no assurance. Even though I was sitting here, and he was sitting just in front of me, I could not get up and intervene, even to say: "Will the Minister kindly agree to the question I put to him during my speech?" This has led to a situation in which, to my mind, Ministers frequently do not answer the questions that are put to them, because they know that there is no feedback. We do need to get back to people being accountable to this House.

The noble Lord, Lord Norton, spoke about our moral obligation to arrange our lives in order to contribute to the House. As I have said before, when I came into the House in 2013, the only question David Cameron was interested in was, "Will you attend and vote?" He forgot to ask me which way I would vote. He was very keen to say, "Richard, we really need people who will attend and vote. Will you do that?" It is important that we do organise our lives. Frankly, if people are too ill, we have sympathy for them. My good friend, the noble Lord, Lord Harrison, has just had another year's leave of absence from the House and that is the way to deal with it. You cannot cast the House around this sort of thing.

I hope that we will get back to a functioning House. I hope that we will end our remote voting, because that is not the way to run a democratic institution. Even though I am not sure whether I support the Motion in the name of the noble Lord, Lord Cormack, I certainly support the date and the sentiment within it. I hope that we will move to get back to the House so that, when we come back in September, we are recognisably in a democratic assembly.

5.19 pm

**Baroness Bowles of Berkhamsted (LD) [V]:** My Lords, in considering whether to keep hybrid proceedings, I have viewed this from external perspectives in addition to my own experience: how is working from home regarded in the business world, and what are the outside impressions about how we work?

Permitting virtual attendance makes us more normal, more diverse and less London-centric. It enables valuable contributions that might otherwise be lost because of ill health, disability, immobility, location or caring responsibilities. We would not think much of businesses that did not make such efforts regarding their employees and we would not reflect society's interests if we shut out remote participants now that we have the technology. It is a vehicle for greater diversity.

That basic premise extends to every activity, be it Questions, general debates, legislation, committees or voting. To my mind, the question is not whether to keep elements of remote participation but to determine the guidance on how often or why remote participation is requested. Why not be like businesses, with two days a week working from home as the new normal option, with extra days allowed if it is for health, caring or other personal circumstances? It might also help remove the "dinner club" perception of our House.

The hybrid procedures that we have experienced during the pandemic are not a fair sample of what hybrid working in normal times would be like. The social distancing restrictions in the Chamber and elsewhere, travel and the "pay for speaking" virtual allowances have all incentivised virtual contributions, while Covid business has simultaneously pressurised the schedules.

Schedule crowding seems to have eased a little as more have returned to in-person attendance, and there will be further changes, especially to atmosphere, once normal attendance in the Chamber is allowed. The murmurs, groans and spontaneous interventions from the Benches are important—not least when the House

[BARONESS BOWLES OF BERKHAMSTED]

thinks it has been short-changed by a Minister on a Question—but that happens when we sit in numbers, not in rationed social distancing. The appetite for numbers will draw us back. If a few noble Lords were also contributing in a virtual way, it would not change the dynamic and take it back to the sterile atmosphere of the fully virtual or socially distanced hybrid arrangements.

When it comes to Select Committees—I have served on three during recent times—it has been a huge benefit to have a wider range of witnesses than the predominant usual suspects who can service London. I have not found remote participation worse; if anything, it has made Members more disciplined and stopped some hogging proceedings, as can happen at Question Time. Proceedings have also been a lot more audible. Some of our committee rooms have terrible acoustics—I went to get a hearing test a while back to make sure it was not just me. Face-to-face togetherness has benefits and will predominate because it wields greater presence, but I would rather a Member contributed virtually than missed a meeting, even if the reason is that the plumber or electrician is coming or the grandchildren need collecting that day. They have still worked on the papers, and what you notice in real time is always a little different from reading or watching it back later.

I have also contributed to all stages of a fair number of Bills in virtual and hybrid format. It has in fact been more exhausting than contributing in person and I expect that we can learn—as businesses are—about the effects of too much video. Going forward, the notion of treating virtual and in-person participation equally, and therefore not allowing in-person interventions, would need revising. I wish we had never had it—we are not being treated equally with half pay for virtual attendance, so it was always untrue anyway. In-person interventions and spontaneity could resume as normal, alongside a system of slot-booking for virtual participants. There might also be scope for expanding the Question Diary approach for remote participants. In some cases, that has already been used quite extensively.

Overall, hybrid working, as in the country generally, is part of the future—of modernising, being greener and spreading opportunity. We will be dinosaurs if we do not reflect that.

5.25 pm

**Baroness Finlay of Llandaff (CB) [V]:** My Lords, I am delighted to follow the noble Baroness, Lady Bowles of Berkhamsted, to whose thoughtful words I say, “Hear, hear”. Our thanks must go particularly to all those working tirelessly across the House to enable us to function for a year. As a pilot group of Deputy Speakers, we rehearsed with Andrew Makower and Simon Burton how virtual proceedings would work. Then we moved on to a hybrid House. Form aimed to follow desired function to work as best it could—and work it has. We have shown legislatures worldwide what can be done by working differently, which is why I decided to speak remotely today.

The excellent opening remarks of the noble Baroness, Lady McIntosh of Hudnall, summarised a balanced perspective. We should not fool ourselves: Covid-19 in

the Chamber would have brought a high mortality and morbidity rate. As we come back together, the worst scenario would be a highly infectious variant that escaped vaccine immunity and ripped through our number and the staff.

This House needs diversity and has shown inclusiveness this year, in the Chamber and beyond. We have used technology to outreach in new ways. To have true parity, we must work in a way that enables everyone to contribute their expertise, as my noble friend Lady Campbell of Surbiton demonstrated so clearly. That means changing our approach, not putting the old barriers and hurdles back in place.

Remote voting avoided crowded voting Lobbies. Voting by whipping does not apply to Cross-Benchers, and I believe that my colleagues on these Benches have taken great care to listen and decide how they vote. We should maintain electronic voting and thereby maintain social distance as we vote.

PeerHub has proven itself to be a valuable resource with much background information; it has been well designed. By contrast, the new parliamentary website introduced in recent months is not easy to use.

There have been procedural changes of benefit. My noble and learned friend Lord Hope of Craighead referred to having longer for Oral Questions, fairer allocation of speaking slots and concise questions. For those of us with longer travelling time, the earlier start is very welcome—the day away means one cannot go into work locally. We should not be taking decisions late at night; we have all seen Peers flagging, the later the hour. Also, I recall having one or two-minute speaking times long before the pandemic. The noble Baroness, Lady McIntosh of Hudnall, encapsulated the wish to retain the best aspects of the rapid learning and the changes imposed on us by the pandemic for those of us who do not want to go backwards.

Finally, the noble Baroness, Lady Taylor of Bolton, wisely cautioned against rushing. Our work sets an example to the country—how we worked before is a bygone era. In risk-planning, we should consider the previously unthinkable and not throw away the lessons learned. In the face of an emergency, we adapted and used technology; it may not have been perfect, but neither was what went before.

5.29 pm

**Lord Bourne of Aberystwyth (Con) [V]:** My Lords, it is a great pleasure to follow the noble Baroness, Lady Finlay, who rightly reminded us of just why we had a virtual House and a hybrid House. It is in those terms that we should look at the last 15 months. I thank my noble friend Lord Howe for introducing this debate and I agree with his approach of looking at three separate areas: the virtual proceedings in the House; online voting; and whether we retain some of the improvements—to my way of thinking—we have seen during the pandemic in the hybrid House procedures.

Like others, I thank our staff, who have been remarkable, the House authorities, the broadcasters, the Procedure Committee, and the Government and the usual channels for helping us function and operate in these difficult times. Again, it is in the light of those difficult times that we should look at the last 15 months.

They have not been ideal, and they have not been perfect, but they have certainly been better than having no House at all. That is the way we should look at it, and I do so with admiration, respect and thanks. Like others, I welcome the report of the Constitution Committee, which, while recognising the shortcomings of the hybrid House, points out its very real benefits for those who are disabled and those who are geographically remote. They should not be lightly dismissed.

As we emerge from the shadow of the pandemic—and I acknowledge the massive success of the Government's vaccination programme—it is right for physical proceedings to resume. But they should resume while recognising the health needs of our staff, and, frankly, I cannot associate myself with some of the comments that have been made about the health needs of our staff, as if they are some excuse being used. That is not the case. It is easy for us, who have mostly been double-jabbed, to regard these as lacking significance, but, particularly if we open up to visitors and others who are not parliamentarians coming in as guests, there is a danger for those who have not been vaccinated. That should be considered.

I support, as I have said, a return to a physical presence. I also agree with others that online voting needs to be looked at, but it should be subject to detailed consideration. It does have some benefits. While hybrid proceedings make it easier for the Government, no doubt online voting makes life much more difficult. I can understand those challenges and sympathise with them.

Lastly, I come to the third category that the noble Earl set out: the considerable benefits we have seen, to my view, from operating the hybrid House. I refer particularly to a better-ordered Question Time and the ability for those who do not necessarily have the loudest voices to participate. I hope that we do not turn away from that very real benefit. This could be seen in other activities in the House, too.

We should not, as has been said, grab the comfort blanket of operating from home—I can quite see that, as the pandemic comes to an end—but nor should we either turn our face against change and seek to turn the clock back to the day before the pandemic struck, preserving the House in aspic. I fear there are a few parliamentarians who participated in this debate who are really parliamentary Miss Havishams, intent to hold out against any changes and to reside in a parliamentary Satis House. Such a course of action would, in my opinion, be a great mistake. The noble Earl is certainly not in that category; he is no Miss Havisham. As I have indicated, a longer Question Time with pre-allotted questions is, I think, desirable. Clearer announcements of business are helpful to members of the public and Members alike. I also support an earlier start to proceedings than our traditional one—and indeed an earlier end; that is desirable too.

Lastly, on Select Committees, I have seen the very real benefits from the participation of witnesses from overseas—recently, at the Public Services Committee, there were witnesses from Taiwan and New Zealand. Let us not throw away these sensible changes in a desire to get back to so-called normal.

5.34 pm

**The Earl of Caithness (Con) [V]:** My Lords, it is good to see the House fuller than it has been for some months; that is a substantial improvement. I too thank the staff and everybody who has made the last 15 months possible. It has been an incredible achievement and, as has been said, something many of us would have predicted could not possibly have happened. There are a lot of lessons to be learned.

Like my noble friend Lord Bourne, I am going to follow the lead set by my noble friend Lord Howe and divide my speech into three parts. There is the remote participation. I have found it harder participating remotely than 15 months ago, when one was in the House and able to access papers quickly and easily, with the Printed Paper Office open and the Library working full-time. It has required a great deal more work at the weekends and during the week.

One advantage of remote working has been that the acoustics are better than in the committee rooms. For those of us who sometimes find it difficult to hear, it has been a joy to hear every word, rather than one in four. But there are downsides. One is the lack of spontaneity, as has been mentioned, and I believe that we have not held the Government to account in the way that we should have done and used to be able to do. I note that it was highly frustrating when the Agriculture Bill was going through that one was not able to intervene and hold the Minister to account. I am deeply concerned that, with the Environment Bill ahead of us, we are going to have Committee stage under these strict rules. That is a Bill we need to get right, and we are not going to be able to properly do the job that we should do.

One other thing on remote participation is that I smiled ruefully when the noble Lord, Lord Newby, said he wanted an opening time of 2.30 pm on Monday for those who lived far away. When I lived in Caithness, I had to leave on Sunday to get to the House at 2.30 pm on a Monday.

Some Peers have said remote voting has been abused. I think that is down to the expenses system. Whatever expenses system you have, it will be abused. I throw in the idea that, if we are going to continue with remote voting, those who vote remotely should not be paid. I also think that physical voting has an advantage, in that it gives one the chance to collar a Minister. Ministers can be highly elusive; they like sticking to their departments and their civil servants keep them there. But if they have to vote physically, there is at least an opportunity to collar him or her for an urgent word at that time.

Moving on to procedural changes, I agree with what the noble and learned Lord, Lord Hope of Craighead, said about Oral Questions, and that was picked up by my noble friends Lord Balfe and Lord Bourne. I thoroughly approve of 10 minutes for Oral Questions, and I approve of the list system. I did not like Oral Questions before the pandemic hit us: the House was thoroughly overcrowded and it was impossible to get up to ask a question. I shunned Question Time completely; I read it in *Hansard*, but it was easier and nicer to come into the Chamber when Question Time was over.

[THE EARL OF CAITHNESS]

I talked about holding the Government to account. One of the things we have learned in the last 15 months is how important it is to hold the Lord Speaker, the Commission, the Senior Deputy Speaker and the Conduct Committee to account. They have got away with an awful lot of things, such as debates being scheduled at very short notice, and noble Lords having to be physically in the Chamber to comment on those issues. We ought to have a debate, and I hope my noble friend the Lord Privy Seal will give us time for one, on what we think the role of the Lord Speaker should be. The last Lord Speaker, my noble friend Lord Fowler, seemed to attract additional work with Velcro hands. That has left us with a difficulty. My noble friend the Lord Privy Seal is the Leader of the House, but in fact she does not have control over the House; the control is by the Commission, which has got things through that we have not been able to investigate. So at the moment, our Leader is rather like an empress with very few clothes, having to account for a House over which she has no control. I hope that there will be time to discuss many of the procedural issues that have been thrown up as a result of this pandemic.

5.39 pm

**Lord Inglewood (Non-Afl) [V]:** My Lords, I welcome this debate and the work of the Constitution Committee that lies behind it. I am speaking from my office in rural Cumbria, which is just further away from London than Paris. In my remarks I will focus on remote participation and voting.

First, however, I think that it is a mistake to assume that the hybrid proceedings, which, as so many of your Lordships have said, have been so skilfully arranged by the House's staff—I pay tribute to them—are a consequence of Covid. Covid has of course played a part, but so has the development of the technology, which until recently did not exist. If the pandemic had happened a few years ago, things would have been very different. I hope, pray and believe that the pandemic will come to an end, but the technology will endure and will get better.

At the risk of oversimplifying, it seems to me that during my period of membership of your Lordships' House there have been basically two types of Member participation. First, there is full-time, which is Front-Benchers, Officers of the House et cetera; then there is a group of other Members, who are also engaged in outside activities that inform membership and contributions and are set within the framework of the rules relating to declarations and conflicts of interest.

In my own case, I live 300 miles away in northern England, where I work on my own account and play a part in public life that is really quite relevant to what we are doing here in the Chamber. Travelling to London and spending time there involves an enormous amount of wasted time that is dead time away from home. I believe that it is no incentive for those from the further-flung parts of Britain to come to play a full role in the House's activities if the banks of the Thames are a ball and chain around their ankles. It is a form of London capture. It can, of course, be argued that those like me should, quite simply, retire or take a leave of absence

and go away. It might seem a fair point, but it is very "southist", especially in the days when voices outside London are particularly important.

Obviously, Parliaments cannot work exclusively remotely. Human interaction is extremely important, as numerous noble Lords, following the lead of the noble Earl, Lord Howe, have repeatedly pointed out. It is important and central to political discourse and parliamentary activity that people interact with each other. Whatever is done in the future, there has to be at least some real human contact and involvement between Members—all of them—as part of the whole.

However, what I believe is needed—I am the first to concede that I do not have the answers—is some way to marry two apparently conflicting aspects. For what it is worth, as well as thinking about the use of technology, we ought to think about procedures, timetables and the whole way we work. It is legitimate to think about how changes in technology might affect the way we do our business, which, after all, has been continuously evolving since the Middle Ages. We are now in the 21st century; technology has transformed everything else in life today and it would be rather odd if it did not have the same potential in this context.

I suspect that the implications of some of the points I have touched on may be thought quite radical—possibly far too radical for some—but when we are trying to reduce a London-centric bias in the way this country is organised, I do not think that an excessive metropolitan bias in the character of its Parliament is necessary or, nowadays, desirable, not least when novel approaches for dealing with it are becoming ever more possible day by day. While the purpose of and rationale for Parliament is unchanging, the way we do it can and should change if appropriate.

**The Senior Deputy Speaker (Lord Gardiner of Kimble) (Non-Afl):** The noble Baroness, Lady Greengross, has withdrawn, so I call the noble Lord, Lord Hannan of Kingsclere.

5.44 pm

**Lord Hannan of Kingsclere (Con):** My Lords, I thought long and hard about participating in this debate. I have been here for only five minutes. There is a weight of experience all around me that I am conscious of. I am one of those new Peers mentioned by my noble friend Lord Cormack in his introduction. I have known nothing except empty Benches, taped-off entrances and sterile corridors. None the less, I have been in politics for long enough to be aware of one iron rule: whenever anything is proposed, the opponents are very vocal and the supporters tend to sit back and take it for granted.

So I wanted to come here to lend my enthusiastic support to my noble friend Lord Howe and a number of my noble friends who spoke previously: my noble friends Lord Farmer, Lord Forsyth of Drumlean, Lord Howard of Rising, Lord Dobbs, Lord Trenchard and Lord Taylor of Holbeach, and others. I agree with everything they said, but the intervention on which I really want to focus came from the noble Lord, Lord Kakkar, who quoted the Writ of Summons all of us receive when we are called here. Some of your Lordships have been around for a while and might

have become a bit blasé, but I, being new, was terrifically excited to get a Writ of Summons from my sovereign, demanding my presence at this Parliament to be holden here in “our city of Westminster”. It is worth just for a second dwelling on the words that she used:

“We strictly enjoining Command you upon the faith and allegiance by which you are bound to Us that ... waiving all excuses, you be at the said day and place personally present”.

Parliament has a peculiar centrality in the annals of this country. The biggest events in our history were experienced as parliamentary moments: the Reformation; the arrest of the five Members and the civil war; the Glorious Revolution and the Bill of Rights; the rise of Churchill and the formation of the wartime coalition; the entry into and then the withdrawal from the European Union. Take Parliament out of the equation and our national story becomes meaningless. That is why we must reverse changes brought in on a contingent basis to deal with a specific emergency when that emergency passes. Our meeting again here physically will be the supreme sign that the nightmare has passed, that the sun is in the sky again and that our national story can resume its course.

**The Senior Deputy Speaker (Lord Gardiner of Kimble) (Non-Aff):** The noble Baroness, Lady Goudie, has withdrawn, so I call the noble Lord, Lord Haselhurst.

5.47 pm

**Lord Haselhurst (Con) [V]:** My Lords, I welcome the report from the Select Committee on the Constitution about Covid-19 and Parliament. It presents us with a very balanced summary, offering a clear exposition of the questions we face. I believe that time is needed to give them the fullest consideration.

With all respect to my noble friend Lord Cormack, I suggest that 21 June is too soon a target date to reach conclusions on the very many serious matters raised in the course of this debate. He and I are of similar parliamentary antiquity and I know share a deep attachment to this institution. We know that, whatever technical advances our staff almost miraculously have achieved for us, the essential purpose of a Parliament is missing at the moment: the gathering together of Members to listen, discuss and ultimately advise. The same point was made by my noble friends Lord Forsyth and Lord Taylor of Holbeach, and by the noble Baroness, Lady Brinton.

I prefer a step-by-step approach. We cannot say with total assurance that we know all that we need to about the Covid-19 virus. We are getting some quite serious figures; another spike has been revealed within the last few minutes. I believe that some 15,000 people have passes to access the parliamentary estate. As my noble friend Lord Taylor of Holbeach said, many of them might not have been reached by the office’s offer of a vaccine by 21 June. We ought, therefore, to face the reality that there is no iron curtain between our House and the other place. There is a constant flow of people between the two Houses of Parliament, at many levels and for many purposes. There are several parts of the Palace where it is physically impossible to have effective social distancing. I think that the noble Lord, Lord Hain, was the first to point that out.

Is the new normal for which we strive to be just like the old normal in every respect? I think and hope not. Should we not allow staff the option of part-time home-working in future? Must we require all visitors to the Estate to be tested, let alone vaccinated? Should we repel the new technology in all respects? We have had one or two poignant speeches pointing out that it has been a great help in facilitating some of our Members to participate fully in our deliberations. Dare I suggest that, as we move forward, we should be governed by data, not dates? Safety must surely remain at the forefront of our minds in all the decisions which we now must take.

5.51 pm

**Baroness Smith of Newnham (LD):** My Lords, earlier in the debate it was suggested by the noble Lord, Lord Knight of Weymouth, that we are all on a spectrum of some sort. Nobody has quite said that we should go back overnight to exactly the way Parliament was before March 2020, although the noble Lord, Lord Forsyth, came close to it. Nobody has entirely said that we should be wholly hybrid and, as far as possible, not be present in person in your Lordships’ House. I fall quite a long way along the spectrum towards the speech and Motion of the noble Lord, Lord Cormack. In an ideal world, we should all be back in person on 21 June, without social distancing and without hybridity; this is my personal view. It is noticeable that the Whips on the Liberal Democrat side decided to put me in a graveyard slot this afternoon. Presumably, they thought that I would say something dangerous and controversial.

However much I should like to say that we must get back to being here in person, it is also important to bear in mind that some Members are not able to do so at present, as my noble friend Lady Brinton pointed out. This does not mean that they are not working, nor that they have no value. It does not mean that they should take leave of absence. We need to find a mechanism that allows those Members who physically cannot be here at present to participate, but this must be the exception. Those of us for whom it is simply more comfortable and convenient to stay at, and work from, home need to stop and think again about the purpose of this Chamber.

The noble Baroness, Lady Finlay, pointed out that form followed function in the hybrid proceedings. That was all very well but, at various times, it has felt as if the broadcasters have been in control. We have been told that things cannot happen because it does not suit or is not possible for the broadcasters. We should not make rules that are for the convenience of us as Members. We should make rules that are for the good governance of this country, to enable Parliament to do its duty and for us all to hold the Government to account and scrutinise.

Like many noble Lords, I do not feel that this Chamber has been able to do its job adequately during the last year. The staff and Members have all done a great job, as have the Zoom people who emailed to remind me what a great job they have been doing. That flexibility has been important but to hold Ministers to account, we need to be able to see and make eye contact with them across the Chamber. The noble Earl, Lord Howe, has just looked up at me; had I been speaking remotely, I would have had no idea if he had looked up or not.

[BARONESS SMITH OF NEWNHAM]

To do our jobs, it is crucial that we are able to interact and we cannot do this effectively via a Zoom screen. We should move back to in-person meetings of the Chamber as soon as possible, with the caveat that those who are unable to attend will have some sort of mechanism to enable them to participate, but this should be the exception. The noble Lords, Lord Kakkar and Lord Hannan, pointed out that the Writ of Summons requires us to be here. It was noticeable that Her Majesty the Queen was herself here present last week. If she, at 95, can be here, so can we—and we should be.

My call would be that this House needs to take back control. We should not let the Procedure Committee decide on interventions. We should be able to decide when we intervene on Ministers or in debate. We need to return to ensuring that we are scrutinising and doing our duty. In doing so, I hope we can ensure that the Government do their job effectively as well.

**The Senior Deputy Speaker (Lord Gardiner of Kimble) (Non-Aff):** The noble Lord, Lord Curry of Kirkharle, has withdrawn, so I call the noble Lord, Lord Brooke of Alverthorpe.

5.56 pm

**Lord Brooke of Alverthorpe (Lab) [V]:** My Lords, first, I congratulate the noble Lord, Lord McFall, on his election as Lord Speaker. I hope the House noted that when it was announced, he stated that one of his aims was that the Lords should be taken to the people so that they might better understand what we do, to try to meet some of the criticisms of us which have been made of late.

Secondly, I congratulate the chief clerk, Simon Burton, on his appointment, and his staff on their amazing response and the steps they have taken to ensure that we have continued to do business—perhaps not as well as before, but it has improved as it has gone along. If we continued with the technology, it would get even better. We could facilitate interventions tomorrow if we wished, by simply appointing a chair who intervened and called speakers. We could decide this ourselves.

Thirdly, I congratulate the noble Lord, Lord Anderson of Ipswich, on his thoughtful article he wrote for this week's *House* magazine. His was a gentle move to retain much of what we have and try to build on it. Similarly, we had a wise contribution from my noble friend Lord Knight of Weymouth. As the previous speaker said, he talked about the spectrum on which we might all fall.

Fourthly, I thank our good friend, the noble Lord, Lord Clement-Jones, who set up the user group to which the noble Baroness, Lady Barker, referred earlier. It has been very helpful for those of us who have maintained a continuing interest in how this might develop.

I was rather disappointed with the contribution of the noble Earl, Lord Howe. I agreed with much of it but there was little reflection on the lessons which we should have learned from Covid. It may still be around and we may have even bigger problems facing us in future, with climate change. There was little recognition of the way in which the public out there perceive us as

a House. His colleague, the noble Lord, Lord Dobbs, recounted at great length the different ways in which we are seen and how we need to change.

The truth is that this House has been in decline since the referendum in 2016. While we might have the intelligence, experience, wisdom and stability that we so frequently show, we are increasingly seen as unrepresentative and out of touch with the flow of mainstream society and the changes taking place around us. My party is very much in the same position. We might all benefit from looking at the article written by the previous Prime Minister, Tony Blair, on this topic; he was writing about the Labour Party, but it could equally be applied to the House of Lords.

We have had some brilliant speeches today from people we love who come from Scotland but, with respect, no view is being expressed about what a majority—or near majority—in Scotland feel about the way forward and there are no representatives from the SNP. As for Northern Ireland, we have little representation from Catholics and little talk about those pressing for the unity of the whole of Ireland. To be a representative House, we need those people here with us. How many Brexiteers do we have? I hope that the issue of democracy, representation and wider participation will also be on the agenda when we come to review where we have got to.

I suggest to my noble friend the Lord Speaker that, instead of thinking of taking us around the country, he might start thinking of a means whereby we might forge stronger links with people around the country—for example, by creating a citizens' assembly or jury, or whatever you might prefer to call it, and running an experiment. Why not try one in Glasgow or Edinburgh, to see how we can have a new relationship with people in Scotland and to see how they, the SNP and others might respond to it? We can have Parliament—parley—and we can do it online. We can use the technology that we have for the moment. That might be the biggest contribution that the new Lord Speaker can make towards saving the union, if we ourselves—the Lords—are to take the lead and try something different that involves people over a wider front.

We have the technology, which can be developed, and it would be a crying shame to throw it away and not use it. Yes, we could go back to what we were like before, but we must build on it and extend it. We can have greater democracy linked into this Chamber, which would be all for the better of the House of Lords.

6.01 pm

**Lord Marlesford (Con) [V]:** My Lords, when asked what the House of Lords is for, I explain that we are a diverse group with an amalgam of knowledge, skill, experience, achievement, imagination, altruism and compassion, which can—with the support of our brilliant staff—come together to contribute wise judgment in the analysis and discussion of public policy and legislation.

One of the most ill-conceived changes during the Covid period slipped through with barely 30 minutes of discussion on 3 November last year. It was to make it compulsory for all Peers to attend two-hour Valuing Everyone training. After talking to many colleagues, I believe that it has been a humiliating and expensive failure. To ask the taxpayer to pay over £1,000 for each of us to be subjected to a syllabus more suited to a secondary

school is a rip-off. For example, to try to teach a former Foreign Secretary or Cabinet Secretary how to draft an email is a bad joke. The decree that the failure of any Peer to take the course by 1 April this year would be a breach of conduct, with the threat of expulsion from the House of Lords as a penalty for non-compliance, is a presumptuous absurdity, comparable to Prince Harry telling the Americans that their constitution is “bonkers”. The House was brought into public ridicule, and indeed contempt, when it was revealed that the noble Baroness, Lady Boothroyd—perhaps our most widely revered colleague—was being investigated for not having taken the course. She had in fact been recovering from heart surgery.

My main concern is the composition of the Conduct Committee that produces this nonsense. Our Select Committees are one of the most valuable features of the House—many people have referred to them today. Their reports are highly respected. Thirty of the 31 committees are composed only of Members of Parliament. Committees are brilliantly serviced by our very able clerks and, where necessary, they will employ specialist advisers to provide expertise. The Conduct Committee has nine members, of whom only five are Members of the House; four are outsiders. I understand that the committee advertised for candidates to fill this role of supervising the personal behaviour of your Lordships. I see little that qualifies those four to be advisers in such a role and nothing that justifies their having the great privilege of membership of a Select Committee. I hope that the Commission, or whoever it may be, will review and reverse that innovation. I fear that, along with Covid, the virus of woke has infiltrated Westminster. I call its arrogant intolerance social fascism.

6.06 pm

**Baroness Jones of Moulsecoomb (GP):** My Lords, it is hard for me to disagree with so many eminent noble Lords here today, but I shall do it, because I think that we have heard an awful lot of nonsense. I, too, resent being in a graveyard slot. I guess that I have the Chief Whip to blame for that, so that is something to pick up with him next time.

When people have been talking about “back to normal”, it is almost as if this House were preserved sometime in the past century and that is “normal”. They have all been judging it on an existence that was appropriate then, but possibly is not anymore. Life is not going to go back to what we call “normal” any time soon and offices and workplaces have accepted that. The outside world knows that people do not necessarily want to spend lots of time in crowded, unhealthy Tube trains; they do not want that long and boring commute to work. That normal may not return. When historians look back, I think that they will see that we skipped about 10 years of technological learning and adaptation to get to the point that we are at now. Nowhere is that more apparent than here in your Lordships’ House: we adapted very fast, which is to our credit and that of the team who managed it.

The Minister and others suggested that we are not holding the Government to account in the same way. I would argue that we absolutely are. Because we are

winning more votes, they are having to negotiate with the Opposition, which I think is incredibly healthy. Where that has happened on Bills, they are better. Even the Government accept that.

The noble Lord, Lord Cormack, of whom I am very fond, and others, talked about the lack of spontaneity and cut and thrust. I point out that that sort of rude behaviour benefits men but disadvantages women—not necessarily women like me, because I am prepared to indulge in cut and thrust as well, but many women just are not. Therefore, it is against the interests of women Peers to go ahead with bringing back that sort of spontaneity, which is actually incredible rudeness and aggression. I give notice here that in future I will never give way to an intervention when I am speaking. I will refuse, because I think of it simply as rudeness.

The pile-up of statutory instruments that we heard about is not due to the hybrid House; it is because the Government keep pushing through legislation in a sneaky way. That is why we have those pile-ups. It blurs the difference between legislation and guidance, as the noble Lord, Lord Cormack, said, which causes confusion everywhere—among the public and among the police.

In the past, starting times were for the benefit of people who had outside interests and jobs. I would argue that if we are going to take the House seriously, we should start at a reasonable time—10 o’clock in the morning, Tuesday to Thursday—and perhaps finish at a reasonable time, so that some of us can go home and have a life.

I had to scrap my speech today because I disagreed with so many people and did not want to say what I had been planning to say, which was much more emollient. As for the fiction that all Peers should listen to the debate before voting, what about those texts that go round instructing people how to vote? Most Peers do not listen to the debates. I do—I have to make up my own mind—but most do not.

On voting, why do we not register abstentions? The public have a right to know whether we are abstaining, rather than—I fell asleep recently before a vote, so I was not able to get in on it. We should register abstentions.

Personally, I was eager to return to the physical Chamber because I found that my venom did not come down the wires sufficiently. It was much easier for me to be here in the House and say, “Tut” and “Nonsense!” and so on. But I would hate us to throw away elements of the hybrid House, which have been so innovative and inclusive. Parliament should set an example to the country. We talk about how we should set an example: more of our business can be conducted, and conducted well, digitally. It is a very Green policy to encourage or enable people not to have to travel more: not to have to get their cars out of the garage, to fly, or even to get a train. We would not need as many roads and planes if people, not necessarily stayed at home more but could work from home more.

I accept that personal interactions are very useful but I cannot help but feel that, for all that we have lost in being largely remote, we have gained in flexibility so that more Peers can take part. If this unelected House is justified by its depth of experience, surely that is an argument for us to keep these hybrid ways of working.

[BARONESS JONES OF MOULSECOOMB]

On the question of voting, times have changed and we have to change as well. For example, when we do decant, if we do not have remote voting and our offices are in Millbank and we have to vote in QE2, I might be able to do that sprint, but many noble Lords will not. We have to make sure that our processes are suitable for every occasion. I feel that the digital tide has turned, and I hope that we do not try to roll back all the progress we have made.

6.12 pm

**Lord Shipley (LD) [V]:** My Lords, it is a pleasure to follow the noble Baroness, Lady Jones of Moulsecoomb. She made a number of important points, although I would not agree with all of them. A very wide range of views has been expressed in the debate, which is helpful to our deliberations. If we take the opportunity, this extremely valuable debate can improve the way the House works. The crisis of the last 14 months has been particularly well managed and has reflected some outstanding work by staff of the House.

Since March last year, when I last spoke in the Chamber, I have spoken remotely many times. I have been a group Whip, helping to manage the flow of business, and the processes we have followed as Whips to ensure effective working in the Chamber and in Grand Committee should be continued when we return. I have been a member of Select Committees using Zoom and Teams and I have seen many benefits in remote attendance for witnesses. It is a far more effective use of their time, as travel becomes unnecessary.

I therefore hope that the several benefits acknowledged today in virtual working will not be forgotten. It can increase participation and help attendance at briefings, all-party parliamentary groups and meetings with colleagues. However, there are disadvantages, as we have heard. There is a lack of spontaneity and challenge in our daily business. There is an absence of informal discussion across party groups. I agree entirely with several contributors today that many aspects of House business are far better conducted in person, notably the Committee and Report stages of Bills.

However, perhaps I may suggest that when decisions are made about our return, we bear in mind some principles. First, our primary function is to scrutinise legislation effectively and to hold the Government to account. Secondly, as a House, we have a commitment to equal opportunities and to upholding them. That should apply to Members of the House for whom virtual attendance may need to be an option. Thirdly, we should remember our commitment to the environment. We regularly require environmental impact assessments in legislation. Should we not take account of our own environmental footprint and consider it in every aspect of our work, not least in our travel, and assess how we can reduce that footprint? Fourthly, we should ensure that all the improvements we have seen in our systems can remain in place if Members want them to. I am talking about PeerHub, the length of time allowed for Questions, minimising queues for voting and the earlier daily start time, other than on Mondays.

A number of speakers have reminded us that many other organisations are permanently adapting their ways of working. We can do likewise. The key word is

“adapt”. We can preserve all that is best about the House and adapt at the same time. That, I hope we will do.

6.16 pm

**Lord Anderson of Ipswich (CB) [V]:** My Lords, I have been lucky enough to serve on two Select Committees, one in the year before April 2020 and one in the year afterwards. Entirely to my surprise, the virtual committee worked better than the physical one. Witnesses could be selected and called without a thought for where they were based. Ministers could be questioned if anything more effectively, their reactions more revealing in close-up than they used to be at the far end of a horseshoe. A Teams chat running in the background allowed supplementary questions to be proposed, refined and allocated by the chair. Peers who had never physically met developed a real esprit de corps; and when we reported in March, we most certainly held the Government to account. So I welcome the Constitution Committee’s recommendation on the future functioning of committees, and I share the opinion of my noble and learned friend Lord Hope of Craighead that a wholly virtual committee works much better than a hybrid one.

How effective have we been as a revising Chamber? Judging from the changes made recently to Bills on subjects as diverse as the internal market, overseas operations and domestic abuse, I would say that we have done pretty well. New ways have been found of making Ministers available to us—credit to them for that—and of making possible the “innumerable interactions” that the noble Earl, Lord Howe, rightly said are required for the work of the House behind the scenes. What we have not found are ways to replicate the more subtle pleasures of human contact; and here, I turn to the future.

I have heard nobody suggest that our debates, as opposed to our committees, should become wholly virtual. The issue here is whether the possibility of virtual participation should remain once the pandemic is over, whenever that might be. The Minister said that this would cost £90,000 a month but when the impact of reduced or nil allowances for those not physically present is factored in, I suspect that the net figure may be rather different. Having heard the compelling speeches of the noble Baronesses, Lady Campbell of Surbiton and Lady Brinton, I can only say that this facility at that cost, or anything like it, is surely a reasonable adjustment for those experiencing chronic ill health or disability. If the same facility enables, at no materially greater cost, the useful participation of people with current work that is relevant to the business of the House, people with caring responsibilities or people who live a long way from London—points powerfully made by the noble Lords, Lord Inglewood and Lord Brooke of Alverthorpe, the noble Baroness, Lady Jones of Moulsecoomb, and others—then surely that is a good thing.

From what we have heard so far, it seems unlikely that in normal times the numbers choosing to attend virtually will be anything like as large as they are now. For most of us, the Chamber will remain the place to be if you possibly can. So I doubt that the option of virtual participation will much affect the traditional mood of the Chamber, which some have described as spontaneous, save in desirable respects such as, I hope, the end of the open outcry system at Oral Questions.

However, we can weigh up the pros and cons—this is my key point—only by giving ourselves experience of hybrid proceedings in non-pandemic conditions. For that reason, I agree with those who suggest that we give it to the end of the year, and I will oppose the Motion moved by the noble Lord, Lord Cormack, if he puts it to a vote—which I rather hope he does not, because it simplifies and rushes a decision which this debate has shown to have many complex components and because I think that, given time, we may well find that something of a consensus develops.

Being awarded a peerage—and I have this in common with the noble Lord, Lord Hannan—was the honour of my life. This has been the year in which I have been able to contribute most intensively to our work, for which I am grateful to our hybrid proceedings and the staff who devised and implemented them. But I love the work of the House, feel a duty to participate in it and will continue to do so to the best of my ability under whatever arrangements this House may decide upon.

6.20 pm

**Lord Kirkhope of Harrogate (Con) [V]:** My Lords, on Tuesday 9 February 1988, the House of Commons agreed to set up a Select Committee and an experiment to allow the televising of its proceedings. As a fairly new MP, I voted against it. I have regretted that vote ever since. Many past and present Members of this House participated in the debate, and most voted to support the Motion. Meanwhile, this House had allowed TV cameras to cover its proceedings since 1985—demonstrating even then an independent and progressive approach to reform and innovation, which has been so clearly replicated during the Covid crisis.

Like most other noble Lords, I congratulate all those on our committees and our staff, old and new, on the way they have found new ways to maintain the House's reputation and function during this difficult time. This House must again make up its own mind about the use of the new technology that has been so effectively deployed during this crisis. It should not and must not be led by our friends in the other place, whose approach to the recent pressures has been sometimes misplaced and even unhelpful in the delivery of their role as the elected Chamber of Parliament.

We have been lucky not only in those who serve us but in the 21st century technology that has been available to us. In 1985, or even 1988, we could not have carried out our functions in the situation we have experienced lately. For technology to be of use it must be applied in ways that enhance the functions to which it is attached, and I believe we have achieved that. I have argued for some time that the proceedings of this House and its committees should be fully available to the public not only on our own TV website but on a designated parliamentary channel. The broadcasting authorities have not yet conceded this. My reasoning is that, as was stated in those 1980s debates on televising parliamentary proceedings, the primary emphasis of our work must be on ensuring that the public can see and hear us, rather than on whether this always serves our internal arrangements.

The use of Zoom and Teams has permitted us to keep faith with the public, and to appear before them in debate with our contributions throughout the crisis.

The use of electronic voting has been a great and successful innovation which, when it was rightly enhanced by full explanations of the effect of particular votes, led to more Members knowing more about the subject being voted on that night than sometimes might be the case with physical presence.

A number of international legislatures have been interested in our innovations. I believe that our PeerHub may be copied on a permanent basis elsewhere. The virtual proceedings have reached a level of refinement where I believe any ideas of permanent removal would lose us a most valuable tool. These changes have not diminished the public's respect for this House, but they have permitted many Peers to continue to participate in our proceedings who could not otherwise be present. If we are to retain these advances, they may need adjustment as normality returns, but I hope that all the hard work and achievements that we have brought forward are not lost.

Covid has forced work practice changes on many people. Leading companies, professions, and infrastructure and care providers in the UK are maintaining useful and positive advances. Working from home for at least a proportion of time is not only respectable but a positive benefit to all those involved.

We are a diverse House, more so than the other place, in age, gender, geography, disabilities and our responsibilities for others. Some Peers live nearby, but many live hundreds of miles away. Over more than a year these Covid restrictions, including specific and strong requests to stay away, have forced many Peers to give up their London accommodation or ongoing arrangements with hotels. To re-establish such arrangements would be expensive and complicated for some. Many Peers have invested in the technology needed in their homes, so that they can participate fully in our proceedings. These investments, often from private finance, should not be wasted. Some of the finest speeches in the last year have been from Members' homes—even if the bookcase backdrops have not always displayed a catholic choice of literature.

I regret that I will not be supporting the Motion of my noble friend Lord Cormack. May I gently remind him of his remarks as an MP, in a debate in 1988 in the other place? He said, *inter alia*:

“Our constituents have a right to see us through the medium of the day”.—[*Official Report*, Commons, 9/2/1988; col 270.]

Well, the public may not be our constituents in this House but, if the latest means of communication to the public are in our hands, we should be reluctant to give them up altogether.

6.26 pm

**Lord Patel (CB) [V]:** On 26 January last year, I was surprisingly granted a PNQ to ask the Government about their plans for dealing with a virus that was spreading in China. I did not know at that stage that we would have a pandemic still raging in our country today, with the new variants. I have not been in the Chamber since 11 March last year and I yearn to get back. Physical presence, with all the procedures and business that we run in the Chamber, has a different atmosphere and the ability to scrutinise the Government and hold them to account.

[LORD PATEL]

Before I say more, I thank, most enormously, all the staff, both in the offices and the digital services, who have helped establish our ability to work virtually and in hybrid. I was chosen to be one of the early adopters, so I was a sort of guinea pig to test the system. Therefore, I learned a lot at the beginning and I thank enormously the staff who work in digital services, particularly—I would like to name him—Mr Avi Dussaram who, not surprisingly, was awarded an honour in the last Birthday Honours List. He was brilliant at explaining to us early adopters how the system would work and at developing it so that we could use it. So I thank all the staff.

This has already been a long debate and I see that the Chamber is emptier than it was. At this stage, I cannot tell how many might be listening virtually, so I will be brief. First, I will comment on the working of committees virtually. It is obvious that many noble Lords feel that the committees work well virtually and that it is easier to get witnesses. My experience as the chairman of the Science and Technology Committee is not the same; we have always managed to get witnesses and the interaction physically of the committee with witnesses has been more helpful than doing it virtually. When a witness does not agree with the evidence being given by another witness, you can tell from the body language and are then able to ask a supplementary and get better evidence. I agree that it is easier to get witnesses from overseas and, when we return after Whitsun, my committee will be listening to witnesses from the west coast of America, Germany and the United Kingdom at the same time. So I have a slightly different view of how the committees work, but I accept that the House will have to decide. It may be that a flexible way of working that the committees design will be better.

The list for Questions, and I have taken part in many Questions, does work, except when the Minister gives a 30-second answer to avoid a question being asked. They do that many times. There are times when numbers nine and 10 on the list miss out, and the Leader of the House may well remember when I had to ask a question in 10 seconds, otherwise number 10 would have missed out.

I will comment on the workings of a Grand Committee in which I took part. It worked better due to the Ministers—the noble Lord, Lord Bethell, and the noble Earl, Lord Howe—having several meetings outside the Committee at the time. As a result, not many votes were called on Report. Otherwise, it is very difficult to hold government to account in the way we used to in Grand Committees and at the Committee stage of Bills.

In conclusion, the digital voting system works and I hope we can retain it in some form, but it will have to be for people who are present on the estate. For Questions, having listed questioners works, and I hope we will keep this form.

Lastly, I hope the noble Lord, Lord Cormack—I agree with what he had to say—will not call a vote. Today is a day for discussion and getting opinions, but I agree with him that it should be the House that makes the final decision.

**The Deputy Speaker (Lord Russell of Liverpool) (CB):** The noble Lord, Lord Davies of Brixton, has withdrawn from the list, so I call the noble Baroness, Lady Humphreys.

6.31 pm

**Baroness Humphreys (LD) [V]:** My Lords, I too put on record my thanks to our parliamentary information technology and broadcasting teams for the extraordinary amount of work that has gone into enabling this House to operate remote voting, virtual participation and hybrid proceedings. As one of my party's Whips, I also thank the Government Whips and the clerks for the information provided to us via Chamber Chat and Grand Committee Chat. Both have enabled us to keep our Members informed with updates during debates and have been a vital and useful point of contact. I hope a similar way of communicating with all duty Whips can be taken forward once the Covid restrictions have been lifted.

I know that for many Members of your Lordships' House, this way of working has been at times an unfamiliar and uncomfortable experience. Many obviously feel the need to get back to the way we used to do things, but for many others the hybrid working has been the great equaliser. Throughout the pandemic, those of us in the most vulnerable categories, those with disabilities and those with caring responsibilities have been able to continue with our duties, make speeches, contribute to legislation, take part in debates and vote remotely. In short, we have been able to contribute as fully as possible to the working of this House.

It has often been said that this House is too London-centric. Returning to the way we used to do things has the potential to discriminate against those from outside London who have caring responsibilities or other concerns. Let me examine a couple of practical scenarios. Caring for someone is almost always fraught with difficulties, both emotional and physical, but the most difficult of emotions is that of guilt as we try to balance the demands of work and caring. I know it is felt equally by those in and outside London. For London-based Peers it is possible to arrange cover for a few hours during the day, but for those such as me who live at least four hours away from London and are faced with the prospect of caring responsibilities in the future—which I never expected to have—the situation will be far more difficult if there is no longer a hybrid Parliament.

If we were to dispense with the hybrid House, we would also need to give consideration to those, like me, who house-share in London. I am likely to be sharing with three others in June or July, and I share their concerns over the rules on household mixing. If four households mixing contravened the rules at the time, how would my desire to contribute to debates be accommodated without the hybrid Parliament?

With the permission of my noble friend Lady Pinnock, I cite her concerns. She lives in an area of consistently high incidence of Covid-19 that is now undergoing surge testing for the Indian variant. If she were to be told that movement out of her area was prohibited at some point, how would she and others in a similar situation fulfil their responsibilities to this House if hybrid proceedings were terminated?

Earlier this month the Senedd passed the Local Government and Elections (Wales) Act 2021, which governs the new permanent arrangements for the holding of local authority meetings in Wales. In effect, the Act retains the minimum standards for meetings established under regulations last year at the height of the pandemic. It requires that participants—that is, council members and members of the public and press—are able to join meetings remotely, even if physical meetings are the preferred mode. Councils in Wales are not allowed to resolve that all meetings will be held entirely physically. This ensures that no one is discriminated against because of their circumstances. Their health, distance from the meeting, responsibilities and—dare I say?—age do not bar them from participating in carrying out their democratic duties.

In my case, I now have the flexibility of attending my town council meetings and chairing its planning committee meetings; I refer Members to my register of interests. I can do that from London or anywhere else in the country. It is a flexibility that this House should surely be able to afford its Members too.

6.36 pm

**Lord Borwick (Con):** My Lords, there are so many great and wonderful things about this House that it is hard to identify the changes that have taken place in the last year and their effects. It is a fundamental feature of an engineering project that you should make only one change at a time because otherwise you cannot tell which change caused which effect. We have been forced by this evil virus to change hundreds of things about this great House at the same time. We have expressed our thanks to all those people who have put so much work into achieving those changes, but it is important that when we go back we revert to the last working model rather than developing a brand new type of less than perfect hybrid.

The House has lost many of the great things that make working here such a privilege. Speeches have become assertions rather than arguments. There is no “mood of the House”. There is virtually no gossip, and it seems to me that friendships across the Chamber have become more fragile. We are being watched the whole time by the public whom we serve, as before, but having absolutely none of them present makes all of them more remote. I advocate that we return to the previous way of working in this House of Lords as fast as we reasonably can. We should change back to a self-regulating House from one that follows orders from Public Health England and is then unable to explain or debate those orders.

I feel that there are certain people in the country who have quite enjoyed the lockdown, or perhaps they would say that they disliked it less. We must be careful not to give them the excuse to stay at home if we want the economy to grow and thrive. Certainly, let us learn whatever lessons are available from this extremely expensive virus, but the only way for us to pay off our vast loans is for us to work as hard as possible in our everyday lives.

The country is emerging, perhaps blinking, from these Covid rules, and we should lead it out. The Government have achieved wonderful things, in that there is still an economy to emerge. Some great companies have been

forced to close, and we should not forget that it is often the cash-flow stresses of recovery, not shutdown, that cause enterprises to fail. Certainly, we should watch the other place carefully, as I believe that it is hard for us to justify restrictions that have been released there. It is only when Peers are paid to be present here, not paid for work outside, however worthy, that we can approach normality.

**The Deputy Speaker (Lord Russell of Liverpool) (CB):** Both the noble Baroness, Lady Sheehan, and the noble Lord, Lord Desai, have withdrawn so I call the noble Lord, Lord Lucas.

6.39 pm

**Lord Lucas (Con) [V]:** My Lords, I unstintingly join in the thanks that this House has given to the staff who have looked after us so well during this pandemic, producing a system that has enabled us to continue in business to great effect.

This debate is an interesting and involving demonstration of how successful a hybrid House can be. To my noble friend Lord Borwick, I say, “Yes, change is best made gradually, but sometimes you need a crisis.” Transitioning a black taxi from a petrol to an electric engine is a substantial change, bringing a lot of other changes in its wake. Sometimes, you need to make that sort of change, and a crisis gives you the opportunity to do so because it forces you to change a lot. The right test that we should apply to all the changes that we are looking at is that advocated by my noble friend Lord Norton: does this make us better at our job?

My feeling about Committee stages of Bills is that it does not work. When we get the chance to come in for Committee, most of us will come in because it works much better if you have large-scale public personal interaction. However, I cannot see the problem with some minimal hybrid participation; I do not follow my noble friend Lord Howe down that path. It may be that some future technology will enable a truly hybrid Committee to work, but, for the rest, I find myself alongside the noble Lord, Lord Inglewood, the noble Baroness, Lady Humphreys, and others in thinking that many people who ought to be part of this House have real lives and careers, have caring responsibilities and live long distances away from London. We need those people to be part of this House.

To answer my noble friend Lord Dobbs, the public perception of this House should not be of capital-bound has-beens; we want people who are living in the world and learning from it as well as those with accumulated experience. All of us owe it to this country to do our bit for climate change, which means not requiring travelling when we can avoid it. Travel is one of the really big generators of unnecessary carbon dioxide.

I turn to some of the issues that have been covered. I also like lists for Questions, but I think that it might be an idea to add a golden ticket so that, once or twice a year, Peers can say, “This is my subject—I do not want to miss out.” There has been a suggestion that the hybrid House has reduced access to Ministers. There never was much: you had to hang around in the hope of catching them at the back end of a voting Lobby. If access to Ministers in an informal way is really an important part of what we do, we should take steps to make that true.

[LORD LUCAS]

Others have said that they object to prepared speeches being read out, one after another. That was true before Covid: the House had been heading in that direction for a long time. If that is something that we care about, that is change that we need to make; we need to do something to reverse that.

My noble friend Lord Howe said that, with remote voting, Ministers do not get a “fair hearing”. As others have said, that was the same before as well: there has been a lot of voting in accordance with Whips’ wishes. Very rarely have we all sat down to listen to what the Minister and the proposer are saying before we vote; most of us make our minds up beforehand.

If we want to change that, we need to change our old ways—we should be holding the Government to account—but how useful were the old ways? I remember a Starred Question in 1992, when the House was still full of World War II warriors, asking:

“What preparations are being made to commemorate the battle of El Alamein”—[*Official Report*, 11/5/1992; col. 142.]

on its 50th anniversary. The reply was that there were none:

“It falls to the Germans to lead this year’s ceremonies.”—[*Official Report*, 11/5/1992; col. 144.]

That was a point when you could feel the mood of the House; when has that happened since?

We need to do a lot of thinking about how we can do better, and we should not just turn back to the old ways because they were comfortable.

6.44 pm

**Lord Sikka (Lab) [V]:** My Lords, I thank all noble Lords for their contributions to this vital debate. We are having it at a time when many companies are giving their workers greater flexibility in terms of working from home or other location. It seems that remote working and meetings are now the future. This House cannot call itself progressive if it continues to hark back to the old, archaic ways of operating, which disabled many from discharging their public duty.

A number of noble Lords today have referred to the pre-Covid era and claimed that a physical Parliament was better able to hold the Government to account. Was there really ever such a golden age? In September 2019, the Government prorogued Parliament. Was the House able to hold them to account? Was that better than what might have been done if the House was meeting in a hybrid form? There probably never was a golden age when Ministers always answered the questions actually asked. Holding Governments to account is a vital matter, and failures are connected more to ethics and morality of Ministers and weaknesses in constitution than to the mode of this House’s sitting per se.

The hybrid arrangements give Members flexibility. Those who wish physically to attend can do so; those who are unable to be physically present can still participate in debates. They can network and make informal contacts with others physically and/or virtually, as I have done. Reducing the need to travel from far-flung parts of the country also cuts Parliament’s carbon footprint.

Since joining this House, I have participated in Oral Questions, Private Notice Questions, short debates, debates on statutory instruments and Committee and

Report stages of Bills. My observation is that hybrid proceedings have enabled more noble Lords to speak and provide a diversity of views. That is surely a positive thing.

Some noble Lords have assumed that, just because Members are not present in the House, maybe they are just skiving or loitering around, but of course that does not mean that they are not carrying out their public duties. Unlike the Front-Benchers, we Back-Benchers do not really have any staff support. We have to carry out our own research in order to intervene and speak, and that keeps us busy. Many of us have online meetings with a variety of stakeholders who have an interest in matters being discussed in the House. Insistence on physical presence would severely reduce that interaction, impoverish debates and alienate stakeholders.

I like the advance notice of Questions and listing of speakers. This is far better than just hoping to catch the Lord Speaker’s eye in a crowded House. In any case, the physical space of the House is such that it can accommodate only a limited number of Members. Those unable to find a good seat, or any seat, will never be able to catch the Lord Speaker’s eye and therefore probably not get many opportunities to make a contribution. The remote submission of Questions and remote voting are far better than wasting time in long queues and should be retained.

Some earlier speakers gave the impression that the pandemic, or the worst of it, may soon be over. I would urge caution. New variants are constantly emerging, and the virus will continue to mutate for some time, just like the flu virus continues to mutate. Yesterday, the Health Secretary urged the public to take part in trials to find out whether a third dose of Covid vaccine could protect against new variants. Many experts think that large sections of the population will need an annual booster jab. This is likely particularly for senior and vulnerable citizens, and this House has more than a fair share of that part of our society. Insistence on returning to the pre-Covid arrangements will expose many Members to avoidable risks, especially as they will need to travel on crowded trains and buses. I urge the House to consider all aspects of the debate today.

6.50 pm

**Lord Shinkwin (Con):** My Lords, I welcome this important opportunity to reflect on the lessons of the extraordinary experience of the last 14 months. I sympathise with the sentiment of the Motion in the name of my noble friend Lord Cormack. Like other noble Lords, though, I do wonder whether the House’s normal working practices, in the broadest sense, enable it to be as effective as it could be. Do they protect it from its many critics, or do they simply brush under the carpet an aspect of your Lordships’ House which I fear could yet prove to be its undoing?

Others have made a strong case for reasonable adjustments to be made on grounds of disability. I make an additional suggestion. While some may argue that your Lordships’ House’s Achilles heel is its size, I suggest, as others have in this debate, that it is not so much the number of noble Lords that concerns the public, but the perception that its membership is

unrepresentative. I should make it clear that I infer no criticism of any individual Member, but when we talk about remote proceedings as a technical term, I fear that, as far as the public are concerned, we are remote because we are seen as unrepresentative of those on whose behalf we make the law.

I therefore suggest that we urgently look at how your Lordships' House can become more representative and supportive of its disabled Members, particularly in one specific respect. Each maiden speech is unique and personal, yet every one of us begins our journey in this House with an expression of gratitude and a sense of how privileged we feel to be Members of it, as my noble friend Lady Secombe reminded us. Sadly, my experience of the last 14 months has taught me that we are also a House of privilege, where it is the presumption that each noble Lord will have independent means, in that they will not have to rely on the Lords' attendance allowance, and that they will not have a disability which makes them, on occasion and sometimes without warning, unable to attend your Lordships' House and therefore claim the attendance allowance. In my own case, I gave up a well-paid career in public affairs to serve in your Lordships' House. Quite rightly, a conflict of interest prevents me from continuing that career.

I also have a disability, which in my case means that I could have a fracture later today and be unable to attend your Lordships' House for perhaps several months. In the meantime, I would have nothing with which to pay my mortgage or my bills—in short, to live on. The fact is that some of us could not be here, could not contribute, without the attendance allowance, yet the House of Lords Commission's decision in the first lockdown, about which I have spoken in the past, took no account of either a Member's means or whether they had a disability. Instead, I regret to say that the message was, "I'm all right, Jack; all noble Lords are rich and non-disabled, and we do not need the money." I am afraid that it does not take a genius to realise that, while that may have been acceptable in 1821, it is not a good look in 2021.

In conclusion, if we want this amazing institution to survive and flourish, as I do, we need urgently to look at ways to strengthen it. A key lesson of the last 14 months is that the current attendance allowance system is not fit for purpose. Until it is reformed, whatever our proceedings, your Lordships' House will remain remote and therefore vulnerable to those who will call for its abolition.

6.56 pm

**Lord Bradshaw (LD) [V]:** My Lords, the noble Baroness, Lady McIntosh of Hudnall, in her very fine introduction from the Opposition Front Bench, mentioned efficiency, effectiveness and the duty to participate. During lockdown, I have been working from home and have worked very hard. I usually get to my desk at 8.30 or 9 am, and I am rarely away from it until the evening. I have to keep in contact with a number of people in the transport industries in order that I can contribute properly to the work of the House and be up to date, so that when questions are asked about, for example, hydrogen buses or where on the railway we

should electrify next, I have satisfactory and good answers. Those are not the sort of things you can make up on the hoof.

People talk about not "catching the Minister's eye". If the Ministers I deal with do not answer my questions, I immediately email them, and I do so continuously until I get an answer to the question. It is too feeble to say that you cannot get an answer: you get an answer if you try.

I have listened to debates about diversity and people who are disabled in some way. I have an issue, in that my wife is disabled and therefore it is more difficult to leave home. Remote voting is actually a godsend to me because it enables me to carry out caring duties. I welcome the better arrangements at Question Time: the ballot system is much better than the old queuing-up system, whereby you had to get there early and sit in a queue. The early starts are a bonus because most people can be ready to start at midday. I pay particular tribute not just to the efforts of staff but to their sheer professionalism and courtesy. I am not very good at modern technology and I am probably slow to learn, but I find they are always very helpful.

The noble Lord, Lord Shipley, was absolutely right to say that we should resist the pressure to give up virtual technology. We should be trying to make the best of it and to make it work properly. I also agree with the noble Lord, Lord Lucas, who said the same thing: that this is too valuable a tool just to throw away. We should be continuously making it better, because I rather agree with those who say that this pandemic is more than likely to return. Also, when, for one reason or another, we move out of the present premises, remote working will prove to be a great asset. So, I hope that the noble Lord, Lord Cormack, will not put his Motion to a vote but that a lot of time will be spent on reflection and making the system better.

7 pm

**The Earl of Devon (CB) [V]:** My Lords, I add my voice to the choir lauding the achievements of the House in turning our procedures first virtual and then hybrid in such challenging circumstances. I thank all the staff and contractors who contributed, particularly the tireless broadcast team and the procedural gurus directing them. In 15 months, I have had barely a glitch. My thanks go also to the noble Lord, Lord Clement-Jones, and the IT user group that he has championed. It has been an incredibly helpful forum for providing real-time feedback to the digital team and is one that I recommended to my own employer.

I also applaud your Lordships' own achievements. As we have heard, many were unfamiliar with digital conferencing before last March. The speed and enthusiasm with which we have adapted belies this House's popular reputation. I disagree with those who suggest that we are backward-looking and am proud that we have embraced change with more enthusiasm than the other place.

Many have spoken of the importance of parley in Parliament, of speaking and listening to each other across the Chamber. I agree that nothing can match the cut, thrust and spontaneity of real-time, live debate but if the voices speaking are not truly diverse and

[THE EARL OF DEVON]

representative of the views of the nation we serve, we are not doing our duty. Requiring presence in the Chamber as a precondition of being heard limits the breadth of debate. Those with young families, those with day jobs, those with sick relatives and those who live and work in the further-flung regions of the British Isles—or even overseas at times—were discriminated against by the status quo ante. I note my interest in all those categories, speaking as I am from a garage in California.

As a champion of Devon, I am particularly keen that regional voices be heard. The south-east and those able easily to access Westminster are overrepresented in live debates and we need to do all we can to ensure a broader representation from across the United Kingdom, particularly at this time of such strain on our union. Holding a seat first gained by attending the King in Shrewsbury before St Stephen's Chapel was even built, I am well aware that our practices and procedures can move with the times. We must not be precious about tradition. Just as our nation's administration centralised to Westminster some 700 years ago, so we should use the technological advances engendered by this pandemic to move Parliament back to the regions and those we serve. Remote participation is key to that.

I agree that pure legislative scrutiny should take place in person. The Agriculture Bill was hard work without the ability to see the whites of the Ministers' eyes and the sweat on their brows; I look forward to long hours on the Environment Bill in person. However, remote participation for set-piece debates, such as this and those on the gracious Speech, seems entirely appropriate, particularly if limits keep speeches short and to the point.

PeerHub is excellent. Remote voting must remain and Select Committees are perfectly suited to a hybrid structure, allowing witnesses to attend from far and wide. A properly hybrid House would also make the cost of decamp for restoration and renewal considerably less and for that reason alone should be seriously considered.

Finally, in this year of the environment, we need to consider our impact on the climate, a matter on which surprisingly little has been said, save the notable words of the noble Lords, Lord Shipley and Lord Lucas. The Constitution Committee report makes no mention of the environment, our carbon footprint or the pollution caused by our attendance. It makes only oblique references to hot air. It strikes me as a mistake to make any decision on our future without fully understanding the environmental impact of the various options. I am sure that it is relatively easy to calculate the carbon footprint of an in-person versus a hybrid House and ask that we are provided with that information promptly and before any final decision is taken.

7.05 pm

**Lord Bhatia (Non-Afl) [V]:** My Lords, on 16 November the Leader of the House of Commons announced in response to an Urgent Question that the Government “should seek to do more to support additional virtual participation in the Commons Chamber.”

He said that the Government

“should work with the House authorities to find a solution”—[*Official Report*, Commons, 16/11/20; col. 24.]

to the issues. He announced that he planned to bring a Motion before the House to facilitate additional virtual participation. According to the Procedure Committee:

“Virtual participation in House proceedings, as a means to facilitate participation despite the restrictions imposed by the pandemic, was first authorised by the House on 21 April this year, when it passed a resolution providing for parity of treatment between physical and virtual participation and made a temporary order applying these ‘hybrid’ arrangements to scrutiny proceedings (oral questions, urgent questions and Ministerial statements). The following day the House made a further temporary order applying the arrangements to proceedings on motions and legislation.”

While these resolutions were being made in the Commons, the House of Lords also resolved to be the same, and it has to be used until mid-2021. Having listened to the previous speakers, I have to say that virtual debate and voting should continue to enable those Peers who have physical disabilities to continue to speak and work online.

7.06 pm

**Lord Sterling of Plaistow (Con):** My Lords, last night was the first time I have been back in this House for well over a year. I said that I thought the huge help we have had, particularly from the IT group, was special. I learned two things, which I have not forgotten: first, unmute; and, secondly, remember that it is much more dangerous to leave yourself unmuted. I took that to heart. I support the address made by my noble friend Lord Howe, which he gave in his usual inimitable style.

This House, which I have had the honour to be in for some 31 years, is to serve the people. In practice, one of the main jobs we are going to have when the pandemic is over is for the whole of Parliament to regain the trust of our people. We must regain that trust. This House, as I said last night, is a wonderful “huge reservoir”, both of experience outside the House and parliamentary experience, and most of all—something that we acquire with age, one hopes—judgment.

I think we should remember, and it has not been commented on, that one of the key factors for the future is to make sure that we get to know and help the young Members in the other place, because on many occasions they have no idea what this place is about. I was at an APPG the other day for defence and there was a young MP sat next to me. He said to me, “You know, until I became an MP, I’d never seen the Houses of Parliament.” He had never been here, ever. He said, “Since I’ve been here I’ve never been to see the House of Lords and I wonder whether you might care, when you can, to show me and tell me what it’s all about.” I said to him, “After 30-odd years I still get lost on that front.”

I was on to Washington just before, about 1 pm, speaking to an old friend of mine who used to be the senior partner in one of the biggest law firms. When I asked what happens in the Senate, he said that there was a move at one stage for using the hybrid system, but they very rapidly squashed it. In no way whatsoever can anybody vote in the Senate without being there personally. It does not matter about illness, disability or otherwise. He said that his son-in-law is a member of the Senate and his family interests are in Anchorage, but he still makes certain that he is at the Senate in person.

I would also like to say that, when I came into this House, one of the things you were taught was—in a sense—that you can be as rude as you want, but you

must be polite. I beg of those who will be in charge in the time to come that we must get back to a form of politeness, which I think we all respect.

I finish by saying that I give my total support to my noble friend Lord Cormack, and that when it comes to using new technology, the world has been doing that for years.

7.11 pm

**Baroness Scott of Needham Market (LD) [V]:** My Lords, that the House was able to continue doing its work almost from the start of the pandemic is nothing short of miraculous and is a real tribute to the commitment of a lot of people, including Members, who found themselves having to get comfortable—or at least able—to operate in a way that they would never have dreamt.

As a member of the sponsor body for restoration and renewal, I am well aware of the parlous state of the building and the possibility of some sort of catastrophic failure. If there is a silver lining from the last year, it is that at least we can feel that the Houses could keep going should the worst happen. As the Constitution Committee reported, there is potentially a link between restoration and renewal and new ways of working. The sponsor body is well aware of that, but I assure noble Lords that it believes that these are matters for both Houses, and it is certainly not for the sponsor body to tell the Houses how they should carry out their business.

But we have been genuinely innovative, and the noble and learned Lord, Lord Thomas, set that out very well. We need to think carefully before we go straight back to the old ways of working because, first, the pandemic is not over, as the noble Lord, Lord Haselhurst, and the noble Baroness, Lady Finlay, set out. The Indian variant shows that we are not out of the woods, so we need to take the time to make sure that we and our staff are kept safe.

It strikes me that many of the downsides which noble Lords have reported today and previously are down to the pandemic and not hybrid working per se. It is about the distancing and all the paraphernalia that comes with that. We need mentally to try to sort some of that out, because it is very difficult from this perspective to judge what hybrid working might look like if we were in a House that was operating more normally.

I hope that, for both those reasons, the House will decide soon to remain hybrid until well into the autumn. That would give time for the whole population to be vaccinated and for us to be assured that there was not to be a further wave. Crucially, it could offer a period where Members could make a genuine choice about whether to come in or to work from home. I think many people will come in; a lot of us miss the place. It would give us a chance to feel what hybrid working would look like in a more normal environment, so we could use it as a transitional period. We could choose certain functions, such as legislation, which would be done in the Chamber only, while others, such as committees, could be done virtually or hybrid.

For people like me, who have always believed in an elected House, the argument for the Lords as it is currently configured is that it is a House of experts: people are drawn from all walks of life and bring their

expertise and professional backgrounds. Yet, once Members are appointed, everything about the way we do our business draws us into becoming full-time parliamentarians. For people outside London and the Home Counties, this is a particular issue, as the noble Lord, Lord Inglewood, set out. Someone coming from Cornwall or Cumbria for a vote on a Monday and who perhaps has a Question or a committee on a Wednesday will end up spending the whole week in London for a relatively short period of active contribution.

In a system that awards peerages for life, we do need to think very hard about how the expertise that brings the Members to the House can be kept up to date, because it is difficult, if you are in Westminster all the time. The noble Lord, Lord Bradshaw, made that point really well, that like many noble Lords, he is assiduous in building up these relationships outside. That is what keeps him current, but it is very difficult to do if you are tied up in the Lords. This is not just a matter of hybrid or virtual working; it is about a whole raft of procedures and practices we have established for ourselves that somehow mean you can only be a proper parliamentarian if you are based in Westminster.

The last year has given us a chance to think afresh about that—to have a look at whether or not this is the right way to do things. The noble Lord, Lord Newby, was entirely right: every large organisation is now looking at what it does and how it does it to see whether things should be changed. We will get much more respect for taking a step back and looking at that than we will for going straight back to the old ways we have always done things.

**The Deputy Speaker (Baroness Henig) (Lab):** I understand the noble Lord, Lord Berkeley, is no longer online, so I call the noble Lord, Lord Lilley.

7.16 pm

**Lord Lilley (Con):** My Lords, I pay tribute to the staff and everyone who has made it possible for us to continue to meet, hold Government to account and consider legislation. Whatever the shortcomings of the technology, it is infinitely better than not being able to do anything at all.

But what do we do? What is our function? As a Member of the other place, I used to invite my constituents, street by street, in coach-loads, down to the House and show them around, so that over the years I had literally thousands who came here. Quite frequently, someone would say, “Mr Lilley, wonderful building, but isn’t it just a talking shop and a waste of time?” To which my reply was, “You’re right, it’s a talking shop; you’re wrong it’s a waste of time.” There are only two ways to govern a country. One is for the Government to say, “These are the laws, these are the taxes; obey the laws, pay the taxes. You’ve got no say in the matter and we’ll brook no argument.” The other is the way we have developed in this place over 1,000 years, where no law can be passed, no tax can be imposed, without it first being debated in principle, then line by line, by the elected representatives of the people in that House, which has the ultimate say through its vote, and in this House, where a wider range of expertise can be brought to bear.

[LORD LILLEY]

In this House, the importance of words and debate is even greater than down there, because our only power, ultimately, is to persuade or to send legislation back down to the other end and ask them to think again so we prolong the debate and have further discussion and debate here. Over the years, we have developed ways of doing that which have been thought effective. But we have, as the noble Lord, Lord Kakkar, said, now carried out a controlled experiment of operating in a different fashion, and we have to consider what the results of that experiment are.

Two things have struck me. The first is that debate via Zoom is far less effective than debate in person. I am not against the use of modern technology; I think I was the first Secretary of State who insisted on using Zoom—well, some primitive system of video conferencing—to talk with my officials in further-flung parts of the United Kingdom. It is good for many things. It is good for presentations; it is quite good for simple questions and answers; it is not much use for interrogation. We have seen that reading speeches to the screen is a travesty. Interventions are almost impossible, which makes holding Ministers to account far more difficult. The palpable sense of the mood of the House cannot be expressed if people are dispersed in their drawing rooms or driving their cars or whatever while considering what is going on. We cannot let a hybrid House become the norm in future.

The second thing I learnt is that it is not just words in the Chamber that are important. I have missed, almost equally, words about the place. I decided that, from 1 September, I was going to come back here every day that I could—a decision reinforced by the fact that the builders working in the basement below me were making so much noise that I had to come in. However, I have found that the words I used to be able to exchange with someone next to me on the Benches are impossible to exchange when we are sitting two metres apart. The words in the Corridor, on the way to, or in, the voting Lobbies, not least in the refreshment establishments in this place, were important. We should not be ashamed of that. Just as armies march on their stomachs, legislatures ruminate over their victuals; that rumination is important.

Another my constituents would ask me was, “Mr Lilley, how do you possibly read all the laws, statutory instruments and Select Committee reports before you take part in debates?” I said, “I don’t, always; I read the ones that I know are of specific interest to me.” But then, as I was having tea in the Tea Room, a drink in the Bishops’ Bar or lunch in the Dining Room, someone would say to me, “Hey, Lilley, you’re very keen on public expenditure. Have you seen that statutory instrument? It could cost a fortune.” Or they would say to someone else, “Look, Baroness, here is something which I think is really damaging to women’s rights. Have you looked at it?” That is the way we harness the research and reading of the whole House to direct our efforts and make it more effective. That is impossible if we are not all here, or here in large numbers, to participate in the debate.

I am sure that there will be positive lessons to be learnt. The question is whether we should try to take decisions about what lessons to learn from a mode of

operation which is less effective. Or, should we wait until we are largely all back here and can take decisions effectively, and then decide, from the base of how we used to work before 23 March last year, what changes we should add to it? That is a far better way of doing it and that is why I shall support the Motion in the name of my noble friend Lord Cormack—even if he does not move it.

7.21 pm

**The Earl of Kinnoull (CB) [V]:** My Lords, it is a pleasure to follow the forthright noble Lord, Lord Lilley. I add my thanks to the staff of the House, who made virtual happen. I will speak only about virtual committees this evening, giving a little bit of quantitative analysis, some qualitative analysis and one or two conclusions. For the quantitative analysis, I am grateful to the Committee Office, which has supplied me with a considerable amount of statistics and chatted to me about them.

Attendance for regular committees in the 2017-19 Session was 9.67 Members per meeting. In the virtual world, this has risen to 11.57, an increase of 19.6%. The number of committee meetings has also risen. This is quite difficult to analyse because there were general elections et cetera, but we were agreed that a good way of expressing it was to say that they have risen by about 20%. The number of witnesses who have appeared before committees has risen as well, by about 25%, and the number of reports the committees have prepared for the House has risen commensurately with those numbers. It is therefore reasonable to conclude that the committees of the House have been 20% more active in the virtual world.

I turn to some qualitative remarks, speaking as the chair of the European Affairs Committee and having been intimately involved with the many members of the family of European Union committees before. In private meetings, the increase in attendance that I have just referred to was immensely helpful to the quality of the debate. Committees have adapted to a new rhythm and I pay tribute to all Members who have contributed to that, because it is different from holding a conversation face to face. Meetings take longer; it is simply not as efficient to be on a telephone. Things are slower and conversations do not quite flow in the same way. I find that discussions of difficult areas take significantly longer and that has a significant impact on the effectiveness of committees, although I am not aware of any discussion that did not get there in the end, and with the right answer. Agreement of reports is, of course, a subset of this and that too has been significantly impacted and takes quite a lot longer.

Public evidence sessions have been greatly improved by the extent of witness availability. I was much taken by what the noble Lord, Lord Kerr of Kinlochard, said in his very good speech about being able to take evidence today from witnesses from Sydney and New York at the same time. This is tremendous. However, I think all would feel that the quality of ministerial sessions has gone down. It is simply not possible to put the Minister under the same scrutiny pressure remotely as when he is physically sitting in front of you. It is a less flexible format, and this too can make a difference.

That brings me to my conclusions, the first of which is how very hard the staff of the Committee Office have worked during this period and how they deserve our thanks. The numbers show it: the same number of people have produced 20% more work. Secondly, as the noble Lord, Lord Hain, and others said, we must have regard as we open up to the interests of our staff. Many of our staff are sufficiently young; they have had no jabs so far, so there are also health interests for them. We must have regard to them in deciding how we open up for committees. Thirdly, I very much support the noble and learned Lords, Lord Hope of Craighead and Lord Thomas of Cwmgiedd, and the noble Lord, Lord Anderson of Ipswich, in saying that the virtual format is a very useful tool for any committee to have. I therefore feel that we must retain this option in the way that it is developed today. Fourthly, just for my part, I say that ministerial evidence sessions should be physical, as should those meetings where committee reports are agreed.

There is a general principle in life that an organisation that does not continuously change and adapt is a dinosaur and will become extinct. For that reason and those I have given about committees, I fear that I cannot support the Motion of the noble Lord, Lord Cormack. But I very much welcome the words at the start of this debate from the noble Earl, Lord Howe, which I thought showed great intention to bring the House back to some semblance of normality, albeit improved and adapted.

7.27 pm

**Baroness Bennett of Manor Castle (GP) [V]:** My Lords, it is a pleasure to follow the richly evidenced contribution of the noble Earl, Lord Kinnoull. I thank the noble Baroness the Leader of the House for this debate, and the noble Lord, Lord Cormack, for his contribution to it, which has given me something to react against.

I do agree with the noble Lord, Lord Cormack, however, that perspectives on the issues of the functioning of the House may be influenced by our personal experience. To declare mine, I spent about five months in what the noble Lord calls “normal” and have subsequently been a very regular—I know the Government sometimes think too regular—contributor remotely. I admit that I have found it easier than many; I am not quite a digital native, but I did learn to programme in BASIC in 1987. That gives me a particular perspective on the tremendous innovation and patience of all the staff who have transformed this House; I thank them all. This House has done brilliantly in adapting to circumstances, to general acclaim—and to the envy of MPs; we have done considerably better than the other place, as the noble Lord, Lord Kirkhope of Harrogate, noted.

The noble Lord, Lord Cormack, suggested that there was a risk of the continuation of the current arrangements making the House increasingly irrelevant. My conclusion is the opposite. If we continue to vote more efficiently and allow more open participation for Members than the other place, it highlights the fact that this House is, under our undemocratic electoral system, more representative of the views of voters than the other place. My five months of so-called normal is, I believe, sufficient experience to make a

critical judgment on the perspective of the noble Earl, Lord Howe, and the noble Lord, Lord Cormack, regarding the suggestion that repetition in speeches and reading out contributions that make no reference to what came before them is more common now. I strongly disagree with any suggestion that Ministers more often provided effective answers to questions in 2019 than they do now. Like the noble Lord, Lord Sikka, I do not believe in some past golden age.

My noble friend Lady Jones of Moulsecoomb has already addressed the issue of equality, particularly for our disabled Members and those with caring responsibilities, to which the noble Baroness, Lady Humphreys, and the noble Lord, Lord Bradshaw, provided personal testimony. To exclude those Members from contributing to the full as we go back to a “normal” that forces them to experience extraordinary practical difficulties getting into and around the House would be unconscionable. In an age of the expectation of equality, it would be damaging to the reputation of the House, as would be not considering the environmental impacts of our decision, as the noble Earl, Lord Devon, said.

It is the same with voting. To insist that Members be in the House is to exclude the views of many—and not just those affected by personal circumstances. Those who seek to maintain the union might like to consider how excluding Members based in nations other than England from exercising their vote appears.

The noble Lord, Lord Cormack, spoke slightly of the “ease of contributing remotely”. I call that “efficiency”. I nipped out of this debate for a meeting on animal sentience with the noble Lord, Lord Goldsmith, joining a Teams meeting in seconds. That might not be great for my step count, but it was a lot more efficient than a forced speed-walk through the winding corridors of Westminster. Of course, that is of considerable importance to our small Green group—the two of us trying to represent the 1.25 million people who have just voted for our party in the local elections alone—but it is surely of great relevance too to the many in your Lordships’ House who combine membership with continuing professional or voluntary activities to, sometimes at least, the benefit of the nation.

There is efficiency too in being able to fully share the work of your Lordships’ House through social media. The right reverend Prelate the Bishop of Birmingham commented that, for many:

“If you’re not on Instagram, you don’t exist.”

That is something that Members of your Lordships’ House might want to contemplate in considering their social media presence and how the rest of the nation views us.

Which brings me to the word “normal”. There was little in the procedures of your Lordships’ House of October 2019 that looked normal to the outside world—and I am not talking just about mink and maces. Standing up and seeing who can shout loudest, muscling out others in Oral Questions, is behaviour that is not regarded as normal in preschool, and is clearly discriminatory. Having opaque procedures controlled by the usual channels meets no definition of a democratic normal. That those usual channels exclude several hundred Members of the Chamber is clearly not normal.

[BARONESS BENNETT OF MANOR CASTLE]

The phrase “usual channels” is so normalised as to be part of the furniture but, I suggest that, in thinking about further changes, that furniture should go.

Finally, the noble Earl, Lord Howe, spoke about “a temporary solution to a temporary problem”.

But we are in an age of shocks. We have had massive pandemic threats once every 10 years over the past few decades and, as many Peers have noted, SARS-CoV-2 is far from under control. We have a climate emergency, a dangerously unstable financial system, and a building in the same condition, as the noble Baroness, Lady Scott of Needham Market, said.

In the always useful Cross-Bench meeting, our new Clerk of the Parliaments spoke of the need, whatever decisions we arrive at after this debate, to maintain the ability to return in an emergency to arrangements such as those we have now. How much easier it will be to do that if the systems are kept functioning rather than being mothballed. We have to think about resilience in everything that we do in the future, in this House and in this country.

7.33 pm

**Baroness Noakes (Con):** My Lords, I agree with the Deputy Leader and also support the Motion in the name of my noble friend Lord Cormack: we must get back to normal as soon as possible. I am glad that we were able to continue to operate, after a fashion, during the pandemic, but the various working practices have made us less efficient and effective. And let us be honest: we have become dull, bordering on robotic, at times. I want the vibrancy of our House back.

In general, Ministers have had an easy time of it in the last year, with interventions and challenges being squeezed out by the hybrid working procedures. We need to get back to being a dynamic place, where weak answers are exposed and evasion is punished.

For understandable reasons, when the hybrid working changes were made, we had little or no opportunity to debate them. That is why we must start from where we left off before the pandemic, rather than regard any of the changes that we made in the last year or so as the starting point for our considerations. I am not against changes being made—this House has made many changes to the way in which it works in the 20 or so years that I have been a Member—but each change must be justified on its own merits and set in the context of the role of our House, and not be for the convenience of Members or staff. My firm view is that we should be a physical-only House. Hybrid proceedings have destroyed the ability of the House to self-regulate through demonstrating the mood or will of the House, and that is a great regret.

We have always sought to make possible the active membership of our disabled Members in the way in which we carry out our operations. But those who are ill or otherwise unable to attend for periods of time can take leave of absence, and our retirement arrangements cater for those who cannot or will not, for whatever reason, comply with the Writ of Summons—which, as we have heard, requires our physical presence. There are no good reasons for hybridity in future.

We are in fact very lucky that there has been little media coverage of the fact that some noble Lords have been paid for taking part from exotic locations abroad, or who have voted from their beds. Remote attendance and voting do nothing to enhance the status of our House.

I do not believe that a compelling case has been made for members of committees to take part remotely. Several noble Lords made some important points about the value of physical interactions. While I support a common-sense approach to allowing some witnesses to be Zoomed in, we must insist on Ministers attending in person. As the noble Earl, Lord Kinnoull, pointed out, there is nothing to beat looking a ministerial witness in the eye.

On other matters, I hope we will see an end to scripts read out from the Woolsack, including the calling of speakers. We do not need speakers’ lists for Questions and Statements, and all the new rules around Bills and how they are handled—including speakers’ lists and timetabling—should go. Lists for Oral Questions may well have made them more accessible for some, but the price has been a loss of vitality at Question Time.

Lastly, I am completely with my noble friend Lord Trenchard in hoping that the clerks will return to their traditional dress. This is an august House, with centuries of tradition. The pandemic should not be used as an excuse to abandon those traditions permanently.

7.37 pm

**Lord Addington (LD):** My Lords, I have listened to most of this debate, all bar a few speakers, and what has struck me is that most of us think that personal interaction is very important. Most of us are concentrating on what we are saying, but it is what is listened to that is important.

Ministers give out a great deal of information without saying anything. How many times has a noble Lord here realised that they have made a good point as the Minister shrinks slightly into the Front Bench and those around them start to look slightly embarrassed? That is when you know you have a point. There are minor victories, such as the Minister sprinting to the Box for information and then coming back. That always helps if you are sitting down keeping score during a long Committee stage. We must keep this interaction—the sudden realisation that there is a point that matters, and which has some weight behind it.

How we get to that is fairly irrelevant. Do we have Question Time with a list or do we jump up and down? It depends on who you are and what your experience has been. I have been here a long time. I do not know how many supplementary questions I have asked—it may well be in the thousands. But it was the last thing I learned and got comfortable doing. It is not an easy skill. Is it a skill we need? On occasion, I have even provoked a reaction from the Minister, especially if I have been wise enough to gather information to back up my question. Everything is about getting that reaction.

Can the new technology help us? The answer is yes, if we use it correctly and we adapt it. We are taking our first steps in using this virtual world. It has already been reasonably successful for committees, particularly

for getting witnesses in. Occasionally we can get too many witnesses in and we do not have enough time to examine them correctly or, more importantly, have the committee discuss what it has heard. We will have to develop how we work with this.

Also, as my noble friend Lady Barker said, we have not made the technology work for us in the way we want to use it. Is that possible? Of course it is. I remind the House of some of my interests in assistive technology: voice-to-text and text-to-voice technology, used in different formats for various disability groups, such as the blind, dyslexics and even the deaf. Most of the technology is fairly similar at heart, whether you turn it round to interpret a written or a verbal input. You can change it around and get better stuff out of it, but we have to learn to use it better. I hope that the House will make sure we take it on and integrate it into what we are doing. If it gets good enough to make a Minister cringe then maybe we can use it, but not until then—not until you can get the idea that you are carrying people with you and making those against you occasionally say, “Yes, there is a real point here”, because that is what we are about. We are trying to make sure that we interact.

Everybody else has said something about voting, so I might as well. The Chief Whip will know that I have an occasionally unsuccessful relationship with technology when I have left my phone on silent and put it down, or something. I apologise, but not with any great sincerity. It is convenient, but we have had more votes than we normally would because we have missed out on what I have just talked about: Ministers are not picking up the vibe and do not know what is going on. We do not have a chance to make a serious change. I am absolutely convinced that we are leading to slightly more formalised conflict because we have a more formalised process that does not have the brakes and the ability to interact outside of it.

There is also the social interaction around voting: the conversations that have already been referred to matter. If anybody tells you that they do not, they probably have not been in a situation where they can use them. Everybody else does. Also, something can happen if you actually speak to somebody who knows something about an issue beforehand. We have to try to get the best out of the new technology and be brave enough to work it in with the old idea that we are actually talking to people and changing their minds. It is difficult to change your mind and to listen to what is said to you. Saying yes or no and pressing a button is easy. Until we learn to make that technology serve us well, we will be wasting opportunities.

7.43 pm

**Baroness Tyler of Enfield (LD) [V]:** My Lords, it is always a pleasure to follow my noble friend Lord Addington. It is quite hard to have completely new insights at this point in a debate, so I will focus on those things I feel most strongly about. I have listened very carefully to the debate and there are essentially two camps. I have a very clear and simple view on this issue: the ability to participate remotely through our hybrid proceedings, although developed to deal with the pandemic, should continue in certain specific forms to give everyone in your Lordships’ House an equal chance to participate.

As we have heard, virtual participation has had some important benefits, including enabling Members to participate who might otherwise find it difficult to attend the House in person. This includes Members with disabilities, long-term and sometimes fluctuating health conditions or caring responsibilities, as well as those who are geographically distant from Westminster. It was deeply moving and humbling to hear the contribution from the noble Baroness, Lady Campbell. I totally support her view that remote participation should be classed as a reasonable adjustment—something any decent employer would do and, frankly, is obliged to do. We make the laws of this country; how can we possibly say that they do not apply to us?

The needs of Members with caring responsibilities are something we very rarely talk about, but they are a real constraint for some of them. We heard powerful contributions on this from my noble friends Lady Humphreys and Lord Bradshaw. At a time when we are rightly promoting better support for this in the workplace more generally, we should also apply these considerations to ourselves. Remote participation has contributed to levelling the playing field for parliamentarians with caring responsibilities, many of whom are women.

Unlike other noble Lords, I do not see that retaining some hybridity for those who need it as being in opposition to doing a good job of exercising our scrutiny function and holding the Government to account. As most Members happily return to the House physically over the coming months—and I look forward to doing so when it is safe—the two can happily coexist if there is a will to make it part of a broader modernisation agenda. It will make our representations more representative of the overall population and, frankly, make us seem more relevant to the world at large. As many noble Lords have said—the noble Baroness, Lady Quin, was particularly eloquent on this point—at the moment virtually every organisation is fundamentally reviewing its working practices to retain the benefits of flexible and remote working and we should too; otherwise we will, in the memorable words of the noble Lord, Lord Bourne of Aberystwyth, simply be preserved in aspic.

Speaking personally for a moment, remote participation has been a godsend for me following knee surgery last autumn and a very long recovery period when I simply would not have been able to come in physically because of my restricted mobility. Participating remotely has been my only realistic opportunity to make a contribution to proceedings. I would be very unhappy if that opportunity was not available in future, so I agree with Professor Meg Russell of University College London’s Constitution Unit that decisions about the workings of Parliament need to be underpinned by the fundamental principle of equal participation. That fundamental principle should extend beyond the pandemic and become enshrined in our ways of working.

It is quite wrong for us simply to ape the arrangements in the other place. We have heard the charge many times today that as it is going back to the old normal so we must too, but such an approach fundamentally fails to respect the fact that we are meant to be a different type

[BARONESS TYLER OF ENFIELD]

of House with part-time Members as well as full-time Members. We should take seriously the real benefits of having Members who are still actively engaged in external work, be it paid or voluntary, who are able to bring up-to-date expertise into the Chamber. Part-time Members need to be able to plan their work commitments on a sensible basis, and that requires some flexibility. It is quite different from the Commons and requires a different set of working arrangements, so I respectfully disagree with the noble Lord, Lord Forsyth, on that point.

There is one point I would like us to learn from the Commons. We should review our working hours and try to bring them into at least the 20th century, if not the 21st. The Commons has managed to do this to provide greater certainty about hours and the timing of votes to allow more predictable planning more in line with modern expectations and caring commitments.

On Oral Questions, I strongly support the line that many noble Lords have taken in support of a list. Our old habit of shouting and baying and the bear pit at Question Time frankly often brought this House into disrepute, and the loudest voices too often drowned out those with the most to contribute.

To summarise, I strongly support the views of the noble Baronesses, Lady Finlay and Lady Bennett, my noble friends Lady Bowles and Lady Bakewell, and many others—they do not all begin with “B”—that this is a great opportunity for us to embrace a long-overdue modernisation of our working practices, to get rid of some of our more anachronistic ways, which were designed for a very different age, and to adopt a new normal which appears far more relevant to the outside world.

7.49 pm

**Lord Hunt of Wirral (Con):** My Lords, what an interesting, valuable and enjoyable debate this has been. As the noble Baroness, Lady Hayman, warned us right at the start, we have heard many strong and divergent views, but the overwhelming majority want to restore the normal working practices of the House at the earliest opportunity. I say to my noble friend Lord Cormack that I do not think he is ambitious enough. Many of us would like to see us restore those practices on 21 June. I pay tribute to my noble friend for sitting for over six hours through every one of the 80 or so speeches. That is the hallmark of a true parliamentarian, and we respect him for it.

Like others, I begin by warmly thanking and commending everyone who has risen to the not inconsiderable challenge of enabling this House to carry on with its business in the past 15 months. It has been a herculean task, achieved with the minimum of fuss and the maximum of inventiveness.

However, it was always intended to be a temporary measure for the duration of the pandemic. I am sure that, in advance of this debate, others in the House received a persuasive briefing from Zoom, the designers and providers of a system that has facilitated not only our debates but a great deal of business and artistic endeavour in the world outside during the lockdowns. The briefing is persuasive because it makes the very valid point, as highlighted by a number of speakers, in

particular recently the noble Earl, Lord Kinnoull, that witnesses to Select Committees have been able to give evidence remotely throughout the pandemic—a practice that makes sense and, I agree, should be allowed to continue. It makes sense from the health perspective and for the environment, by reducing unnecessary travel.

However, the business of this House is a very different matter. As some of us have trickled back into physical attendance, we have quite rightly been subject to strict provisions for the prevention of infection. These have been relaxed further, as noble Lords will be aware, but some requirements very sensibly remain in place. No one seriously disputes the need for that common sense and caution. Like regulation, though, such measures must be proportionate to the scale of the danger, risk and need.

When I first entered the House of Commons, 45 years ago, the wartime generation was still a significant presence. That generation may have gone now, even from this House, but surely we can show a tiny fraction of its courage and resolve by leading the way in returning to normality.

I suppose I am in a special position, if not an entirely privileged one, in that I have been doubly vaccinated and have also been infected by Covid-19, with mercifully light and fleeting symptoms. I am well aware that there are others whose immune systems have not had quite so thorough a workout, particularly among our staff here, and their interests are vital.

We have already reached a point—and with fortune at our backs we shall go further on 21 June—at which increasing numbers of our fellow citizens are going back to work. If we expect that of them, they will increasingly expect it of us. It is a long-cherished principle that before voting in this House we should be present to take full account of the arguments presented, so let us at least lead the way. When my noble friend Lord Wakeham and I led the Select Committee on televising the House of Commons, we were playing catch-up because the House of Lords had led the way. Let us do so again.

7.54 pm

**Lord Judge (CB):** My Lords, I thank the Government for making time, in government time, for this debate, which is obviously a very important one. I also personally say thank you to those who have made it possible for us to work during this pandemic. However, I cannot help reflecting that that means that, after six hours, everything has already been said, and I cannot think of anything very new to say. I shall therefore ask myself this question. Have I detected during the course of the hybrid House that too many of us—I had better be careful how I put this—are speaking for far too long and that too many of us are being far too repetitious? I am afraid that the answer to my question is yes. I will give your Lordships this trivial example; it is not meant to be a discourtesy to those who have made maiden speeches in the House in the last few months.

When I was introduced and I made my maiden speech, the noble Baroness, Lady Hayter, made a lovely, charming, welcoming response and said it was terrific and that the House wanted to hear me for ever and ever—but nobody else did. I was very hurt. At least,

I was not hurt until recently. We have suddenly developed the habit that just about everybody who follows a maiden speech congratulates the maiden speaker on his or her speech. We have even reached the stage where people anticipate a maiden speech and say how good it is going to be. That is a misuse of our time, and we have had a misuse of time.

All that said, being present in the House rather than speaking remotely undoubtedly has its own disciplinary impact. We are aware of the mood of the House, as it has been described hundreds of times. I am not worried about Ministers; I am now talking about us. I know when your Lordships have had enough of me—I am sorry; I will not sit down yet. I am a member of the commission and a member of the Procedure Committee. If your Lordships want to know, I am a member of the Liaison Committee; name the committee, I am on it. But the reason I am here and put my name down is that I came to listen, to learn and to reflect, because there are significant opposing views throughout the House.

I want to make two points. One is a commendation of something that I heard the noble Lord, Lord Hain, mention. He was a member of our Covid-19 Committee. We should all read the report produced by that committee, chaired by the noble Baroness, Lady Lane-Fox. It introduces me and, I suspect, most of us to a future world with which we are totally unfamiliar. If your Lordships have read the report, you will see the arguments for and against this or that possible proposal in a much better perspective.

My second point is—I will use words very carefully—that we must return to a fully functioning House. How do we best perform our function? Not, “It was all wonderful before and we must return to it”; there are aspects of the way things ran before that could also usefully be attended to. The noble Lord, Lord Rooker, mentioned Second Readings—do we need them? That question needs to be answered. Do we have to allow speeches to go on for ever if somebody has their name down on an amendment, somebody supports it, somebody else supports it, or four people support it? Do numbers 5, 6, 7 and 8 have to be able to speak for as long as they like? Questions arise from the House as it ran. We have to look at voting, and at committees. I cannot imagine we will ever go back to the possibility that a witness from the United States of America has to fly here. Even in the law courts we had actual meetings on digital machines that enabled us to get expert evidence 20 years ago.

All these need to be subject to something that I feel very strongly about, and it is the only thing I feel very strongly about in my responsibility as a member of the commission. I do not believe that technology is not available that would meet the needs of those who have spoken in the way that the noble Baroness, Lady Campbell, spoke. I simply do not believe that the technology is not there for it to work, not as it does now to create a hybrid House, but to enable her and those like her, with her problems, to be able to make a contribution to the House. I add as a PS that that is not for those of us as we get old. I am on the threshold of my old age. I do not want to be able to use that—that is, the disability

problem—as a way of staying on in the House. When we get too old, we should go. Let us look at all this as a whole and think about it.

7.59 pm

**Lord Stoneham of Droxford (LD):** My Lords, it has been a long debate, which, I have to say, I have enjoyed more than I expected. I too thank all the staff for the work they have done in enabling the amazing facilities that we have used over the past 18 months.

I shall start by making several general observations and conclude by talking about areas where I think there is a broad consensus that we need to look at change. I think that everybody accepts that a “functioning”—the word used by the noble and learned Lord, Lord Judge—Chamber and committees is what we want to get back to; it is not necessarily getting back to how we were, but getting back to where we can have the Chamber and the committees as the focus of our activities. We need to get back to being able to have more personal contacts and meetings—those are all essential characteristics of politics. The noble and learned Lord, Lord Thomas, talked about the “pressure of the room”. That sums up why we need to have more of us back in the Chamber.

It was slightly ironic that one of our new Members quoted from our oath, as did several others, as a reason why we had to be here. It is an oath which I presume has origins in the 13th century, when a boat or a horse were the main means of transport and of facilitating being present, and burning beacons were the main means of mass communication. Incidentally, Parliament met around the country, and there has been lots of change since then, including in how we can be present. The real question—this is my second observation—is how we can use the crisis and experience we have been through to learn anything that can help us improve the work of the House. Every single organisation in the country is doing this. Are we not going to be part of that process, just looking at things we can learn from the experience we have had over the past 18 months?

Looking around this House—I say this it with no disrespect to those who have taken part in the debate—I think the majority of us rather enjoy the old processes. We like the give-and-take, the late nights, the Lobbies, the dining and the gossip. But a lot of people who come into this House, whose experience and skills we want to use, are put off by the “in group” who enjoy these sorts of things and want to see more modern practices. We have to look outwards, to consult widely and to learn from that consultation. In the 21st century, we have to be conscious of our lack of diversity and how we can improve facilities for the disabled. We should always try to improve, as a number of speakers said, how we work and how we make sure we are fully representative of the four nations.

Let us not be sidetracked by the unintended consequences of what we have experienced over the past 18 months. The hurried changes in allowances have led to the pressure on speaking slots and votes. It is not necessarily the processes or the technology that have done this; it was predictable. As the noble Lord, Lord Forsyth, said, the market works and the consequences were warned against—and actually it

[LORD STONEHAM OF DROXFORD]  
has saved us 10 million quid. That needs to be set against the £90,000 a month that the noble Earl said we would have to spend to continue some form of hybrid arrangements.

What changes could we investigate and consult on to get some sort of consensus in the House? The noble and learned Lord, Lord Hope, spoke of the value of the virtual facilities for committee work, so we should not rule it out—we should look at that and decide how we can use it to improve our work. Incidentally, we should continue to invest in virtual facilities, not least for our outreach programme in schools.

We have to recognise that the facilities that we have used in the last 18 months are just the beginning of a huge revolution. Let us remember that television started with black and white, so the facilities will improve, and we should keep a hand in there and watch and develop, using them to our advantage and to improve our work. We will have to keep them for contingencies going forward—they will have to be part of our contingency planning.

As I have said, there remains also the huge issue of inclusion and diversity, and we need to counter the London focus of the House. We want more people with experience of disability in the House. We have discovered a way of encouraging and supporting them; we cannot simply take it away again without seeing how we can use it and experiment with it to help those Members of our existing House and those whom we can encourage in the future.

In my view, the hub is a great reform of wartime. I pressed for it in various committees before the pandemic, because I thought that we should have the annunciator on our phones. Lo and behold, it suddenly emerged in wartime, and we should keep it, as we in this country have done before when we have had the experience of necessary reforms created due to a crisis. We should keep it and continue to develop it. We are already using virtual voting for all our elections now, and we should look at ways that we can help to save time and move us on from the old-fashioned Lobbies. We shall probably—certainly, in fact—need it for R&R. If it has to start with having virtual voting in the House, so be it—we should experiment.

There is another possible reform that we should look at, which we had an example of when the system broke down: deferred voting. It worked rather well, actually, so why do we not look at having a system where we vote at an appropriate, convenient time? We do not have to have votes that are ignored or late at night; we could do them the following day if we agreed that. That would be a more appropriate way of proceeding. We should look at this—we experienced it on a couple of occasions during the breakdown of the systems in the House.

The experience of the last 18 months means that we have looked at a number of things. We have looked at and experienced procedure list issues, but we should look at things such as queuing for Questions and the lists for them. Some of those reforms have been great improvements, and we should seek to experiment with them once we are back to normal, rather than discarding them to go back to misguided norms.

Finally, a number of noble Lords have said that we must be cautious for health reasons and not be too hasty in going back to the old practices. People are coming back, and that is an improvement, but we do not want to abandon the hybrid arrangements totally until we can ensure that all can come back. The transition therefore gives us an opportunity for proper, detailed consultation over the summer, so that we can then return to a functioning House and incorporate some of the changes and improvements that we have used and practiced over the last few months. We should do this by having a wide consultation, encouraging participation in that and fulfilling a number of diversity objectives.

8.08 pm

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, this has been an excellent and necessary debate. I congratulate all noble Lords who have spoken today. I thank my noble friend Lady Taylor of Bolton and the whole of the Constitution Committee for their excellent report; it was timely, clear, knowledgeable, evidence-based and forward-looking. It really helps our debate as we look forward to returning to some form of the House that we knew before.

I pay tribute to my noble friend Lady McIntosh of Hudnall, who clearly demonstrated that she is no one's understudy. She has done excellent work for us as a member of the House of Lords Commission and as a Deputy Speaker. Perhaps she would be tempted to join the Opposition Front Bench; she would be warmly welcomed. I join her in paying tribute to my noble friend Lady Smith of Basildon, the Leader of the Opposition, who undertakes her role effectively and is respected on all sides of the House. She cannot be here today due to a family event.

I agree with the noble Baroness, Lady Hayman, that while there have been strong views expressed on all sides of the House, we would all benefit from listening to positions we might not agree with. We need to ensure that when we move forward, we create the House that we and the country need. We must be honest with ourselves and take the House forward on that basis.

As other noble Lords have done, I pay tribute to all the staff of the House. They have always stepped up and delivered magnificently in every department. I pay tribute also to the police, who have kept us safe during this time. The team that created the virtual House, and then the hybrid House, deserves our praise. We have managed to keep Parliament working in the most challenging circumstances. PeerHub is a fantastic success and its application has proved to be a great advantage since we first went into lockdown in March 2020. We should look at these things carefully.

I contrast that with what is going on in the other place. I remember seeing what became known as the Rees-Mogg conga, with Members of Parliament wandering along all through the Palace. That did not look particularly good, nor did the compromise whereby Whips could vote for hundreds of Members by walking through the Lobbies. I note that, through the electoral integrity Bill, the Government are going to ensure that people cannot cast lots of proxy votes for our citizens—but it

is okay to do that in the other place. I think PeerHub is the solution until it is safe to do otherwise. We should retain PeerHub for voting by moving to a position, when it is safe to do so, that Peers should be present on the estate to vote. I accept that entirely but we should not be crushing into Lobbies any time soon. We need to look at those things carefully.

I am so pleased that, generally, this House is more collegiate, more sensible and more pragmatic in its approach to dealing with the challenges of the Covid-19 pandemic. The noble Earl, Lord Howe, expressed the desire to return the House to sitting in Parliament as soon as practical, and I agree with him on that point. My only caveat is that we must take those decisions only when it is medically and professionally agreed that it is safe to do so.

I have huge respect for the noble Lord, Lord Cormack. He is my friend and I always enjoy our conversations outside the House, but I hope he does not press his Motion to a vote today. The debate today is the start of our discussion about returning to a more normal House. In that sense, his Motion is useful but I do not think he would be wise to divide the House. If he did, I would vote against it and I do not want to do that, but I hope he will not.

I confess to the House that, before March 2020, I had never heard of MS Teams or Zoom. I had no idea what their functions were. I had never spoken to anybody on a computer by using a camera to see them. I now use this technology most days; I have even managed to arrange a few meetings myself. I had a sense of achievement when I actually shared my screen recently and made a presentation—it still makes me feel good. I have enjoyed and agreed with many of the comments of the noble Lord, Lord Forsyth of Drumlean, who I do not believe is in his place. My only concern is that we have a clear road map for the points he raised. We have to make sure that we get that staging point right.

We have, as a House, continued to deliver on our important work and Members should be congratulated on doing that. I have personally been delighted to speak to children and young people; the work of the education centre still goes on and it has been a real privilege to do that. There has undoubtedly been an impact on scrutiny by your Lordships, and I mean no criticism of anyone in saying that. We have done well to come as far as we have in such a short space of time, but the Government must keep at the forefront of their minds their obligation to Parliament and to our democracy, and Ministers' specific obligations under the Ministerial Code. There can be no reason for neglecting this: it may be awkward, but it ensures the Executive are properly scrutinised by Parliament.

I agreed with all the comments made by the noble Lords, Lord Bourne of Aberystwyth and Lord Haselhurst. As I said before, we should be governed by data, not dates. That is the right approach and I very much support it as the way forward. Again, I agreed entirely with the contribution by the noble Lord, Lord Kirkhope of Harrogate: we must have respect for our fellow Members on all Benches as we return to a more normal House. The pace of change should not disadvantage any Member or particular groups of Members.

The Chamber chat on MS Teams is used by the Front Benches, the people on the Woolsack and the clerks. I think that should stay; it is much better than bits of paper flying around the House or people speaking to each other by the Throne or at the Bar of the House. I hope there is agreement that it should stay.

My noble friend Lady Quin and the noble Baroness, Lady Tyler of Enfield, made the powerful point that all the organisations outside this House are looking at how they are going to work in future. The House must do that as well.

The point about Ministers coming to the House and respecting the Ministerial Code is very important. I sometimes get irritated when we have off-the-record briefings to various newspapers; I read them on a Saturday or Sunday and think, "Oh, it's nice that I found it out there". Legislation and statutory instruments are not always clear. I have found myself saying, "I'm actually not sure what the Government's position is on any particular regulations". If I do not know, then how are citizens outside going to know? We should have things mentioned here clearly and accurately for all to understand.

The replies to Written Questions are not always of an acceptable standard. If a department finds itself struggling then more resources should be identified. I entirely accept that the Department of Health in particular had a huge number of questions, but I must say that I was not happy when we got a general three-page note covering hundreds of questions. That was not the way to do it at all. We need to ensure that responses from Ministers in this House to Parliamentary Questions are of a proper standard and what we expect, otherwise it is disrespectful to the House and to Parliament.

There have been challenges along the way but generally I think the House has responded well. Yes, we have lost spontaneity. I have not been able to have conversations with Ministers to make points to them in Committee; we need to go back to that as soon as possible. There have been problems with the numbers of people who have wanted to speak. I agree that being allowed one minute to speak in a debate is not an effective way to proceed. I am always open to discussions about how we can improve that because it is not a good way of working.

In conclusion, what has been achieved is outstanding and deserves our thanks from the whole House to everyone involved. We need to change again, moving safely and carefully to a physical House only when it is safe to do so. Innovations should be looked at carefully and some should be retained, but our constitutional role as a revising Chamber in our bicameral Parliament must be reasserted and enhanced in the road map to our physical House returning. We must ensure that that is done properly in future.

As a member of the Opposition, I have been involved in many defeats of the Government—I have defeated them a few times myself from this Dispatch Box—and it is my job to do that. I do not accept that that is not the right thing to do. What we have lost, more importantly, is the conversation in the Prince's Chamber, the meeting in the Minister's office, the engagement with the

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campaigners and the interaction with the Civil Service that lead to a government concession because you have made your point. As we all know, a government concession is better because you do not then have the problem of it being overturned at the other end and going through ping-pong. I very much want to ensure that that happens as well.

I disagree with the noble Lord, Lord Farmer, that voting is some sort of rebellion by the Opposition. Sorry; sometimes it is our job, if all else fails, to divide the House and even to defeat it. Sometimes the Government are right but sometimes they get it wrong, and then it is our job to ask the other place to think again. I know that is in the context that the other House is elected, and at the end of the day it will get his way, but still it is our job to do that and I will continue to do it, again and again if necessary.

As I said, this has been a good-quality debate. Clearly there is lots that we agree on. I hope the Leader of the House, the party leaders and the Commission will take this debate away and look carefully at what we agree on and what we can move forward on quickly and effectively, while ensuring that we do so only on the basis of data, science and safety, not just dates.

8.19 pm

**The Lord Privy Seal (Baroness Evans of Bowes Park)**

**(Con):** My Lords, this has been an extremely useful debate that has given us all a great deal to think about because, ultimately, it will be for the House as a whole to decide the way forward.

I, too, add my thanks to the staff of the House both for their incredible work developing and then facilitating our hybrid proceedings over the last 13 months and for their quick response this week that has allowed us to further increase the capacity in the Chamber today. While it still does not compare to a bustling Chamber in normal times, our debate has benefited from a greater physical presence. I also add my thanks to the Constitution Committee for its excellent and timely report, one of the main conclusions of which was that our hybrid proceedings have

“resulted in Parliament’s essential scrutiny role becoming less effective”.

I urge any noble Lord who has yet to do so to read the report.

As I think all contributors have recognised, the Hybrid Sitings were a necessary consequence of the pandemic. Decisions had to be made very quickly and often, as my noble friend Lady Noakes said, without perhaps the consultation that we would normally expect, because of the necessity of the situation. We certainly would not have been able to function without them but in no significant way have they been better than what they replaced.

We have heard from noble Lords across the House what our proceedings have lost. The spontaneity and cut and thrust in debate were mentioned by my noble friends Lady Seacombe and Lord Trenchard, the noble Baroness, Lady Quin, and the noble and gallant Lord, Lord Stirrup, among many others. The face-to-face interaction between Members was mentioned by the

noble Lord, Lord Newby, and the right reverend Prelate the Bishop of Birmingham. Effective cross-party working and the ability to get a sense of the mood of the House were mentioned by my noble friend Lord Taylor of Holbeach, the noble Lord, Lord Kennedy, and the noble and learned Lord, Lord Judge. Many other noble Lords, including the noble Lord, Lord Kakkar, and my noble friends Lord Lamont and Lord Caithness, have clearly expressed the view that the scrutiny of legislation and the House’s ability to hold Ministers to account have suffered significantly.

As my noble friend Lord Howe said in his opening remarks, it has also been much harder for Ministers to get a hearing in a relatively empty Chamber and for them to gauge the strength of feeling and mood of the House. I share that view.

In the round, the hybrid system is a pale imitation of what we had before. Noble Lords have raised other frustrations such as the need for speakers’ lists for practically every item of business, a lack of flexibility, and short speaking times in too many of our recent debates. Short speaking times have been a direct consequence of remote participation. Before our switch to hybrid, limits of one to two minutes were very rare. Across the three Sessions before the last one, only 2% of our debates had speaking limits of one or two minutes; in our first hybrid Session, that had risen to more than 30% of debates. Noble Lords have also said that our debates have at times felt stifled and that Members with expertise and experience who we would all want to have heard from have been crowded out.

While we have had near-unanimous agreement on what we have lost under the hybrid arrangements, there has been a range of opinions on what, if anything, we should keep. There does not seem to be a consensus on even some the fundamentals such as parity of treatment for all Members. Many of your Lordships have put forward different suggestions for the elements of hybrid that they would like to keep, while a few speeches later we have heard other Members say how much they dislike those elements. Of course, that is to be expected but I think this debate has shown that reality. Some things—for instance, remote witnesses at Select Committees and the information available on PeerHub—seem to have near-universal support, but many other things have divided opinion. I think we can all agree—and, indeed, many noble Lords have said—that there is still much debate for us all to have.

One thing that we have all learned, as the noble Baroness, Lady Taylor of Bolton, mentioned, is the importance of business continuity plans. We must never lose the ability of this House to continue to meet, whatever the circumstances. This is certainly an issue that we will take forward and focus on in the coming weeks and months. We will continually revisit it and ensure that we can react to events that may hit us going forward.

As such, it seems to me that the real question is not whether we should return but how we should move forward. The political leadership in the House, members of the commission and the Privileges and Procedure Committee have much to reflect on. As I and noble Lords, including my noble friend Lord Forsyth and the noble Lord, Lord Patel, have said, such decisions ultimately lie with your Lordships’ House.

To get to where we are today, there have been 11 iterations of the hybrid House guidance. Each time, we have made piecemeal changes, tweaks and updates, all on the basis of emulating our own processes in a way that was compatible with the public health situation, which I think we all accept fall short.

Any long-term permanent changes need to be carefully thought through and considered in the round, as many noble Lords said. It has taken us 13 months to get to where we are, but it should not take another 13 months to work out what and how to move from here. As my noble friend Lord Howe has said, it is the Government's belief that we should return to normal on all fronts, once, as the noble Lord, Lord Kennedy, rightly said, social distancing rules and national restrictions allow.

While many noble Lords have observed that the world we had before was not perfect, there seems to be agreement that it was better than where we are now. As my noble friends Lady Noakes and Lord Lilley said, we should return to our normal ways of working and use them as the foundation on which to consider permanent changes. If we do not, then it is not clear to me, with so many issues to resolve and so many differing views around the House, what timescale we would actually have for moving back to some sense of normality.

We should not let our primary functions—scrutiny of legislation and holding the Government to account—suffer for any longer than is necessary. The way forward needs serious consideration—this debate has shown that—and the House as a whole needs to engage with that process. There may be some innovations we could make relatively rapidly where there is clear consensus, but others will need time for us to consider fully the implications and opportunity costs that keeping them may result in. Noble Lords should please remember that, if we have learned anything from the past 13 months, it is this: if we have agreement between us, we can move quickly.

A return to normality would also allow those new Members who have only known the hybrid House to compare the old and new ways of working, so that they too can contribute to these debates and perhaps add a new perspective. Of course, any return will not be before social distancing guidelines and national restrictions have been lifted. As so many noble Lords, including the noble Baroness, Lady Brinton, have said, safety is imperative, for both Members and staff. This has always been at the forefront of our minds throughout the pandemic. We will, obviously, continue to follow advice, as we have done up to this point.

Other noble Lords, including the noble Baroness, Lady Campbell of Surbiton, spoke about the accessibility of Parliament. Once we are able to come back to normal, we must of course consider how to address concerns such as those she raised, because this House should be able to accommodate all noble Lords in person.

I share the sentiments of my noble friend Lord Cormack that are behind his Motion, and I recognise his strength of feeling. I hope that what he has heard from this debate is what he wanted—a range of opinions being expressed on the Floor of the House—and, on the basis of this, he will not feel the need to test the opinion of the House. As I have said, and as my noble friend said, we believe we should return to normality and begin any changes from that baseline. But the political leadership, Members of the commission, and

the Procedure and Privileges Committee have been given much food for thought today. We all, I assure noble Lords, take our responsibilities to this House extremely seriously. As Leader of the House and a Member of the commission, I will play my full part in taking this forward.

*Motion agreed.*

## House of Lords: Normal Working Practices

*Motion to Resolve*

8.29 pm

*Tabled by Lord Cormack*

To resolve that, subject to the lifting of the remaining COVID-19 related restrictions on 21 June, the normal working practices of the House shall be restored by 6 September at the latest.

**Lord Cormack (Con):** As my noble friend Lord Hunt of Wirral said, I have listened to every single speech in this debate, and it has been a very instructive one. It is quite clear to me that to divide the House tonight would be premature. We have heard a great deal, and there is a strong feeling throughout the House that we should get back to what has been called “normality” as soon as is safely possible. The resolution that I put before the House made that very point and has just been read to Members.

Although it says on our paper today that the debate is expected to end at 10 pm, I will not test your Lordships' patience. But I would like to make one point. I think we would be unanimous on, among other things, the very moving speech made by the noble Baroness, Lady Campbell of Surbiton. She is someone I am very proud to call a friend. We should remind ourselves that she was very assiduous in her attendance in this House. The House gave her special permission to have a reader to assist her with her speeches. She loves this place, and she does not want to be absent from it any more than is necessary. Of course, we should take account of her special position and that of the noble Baroness, Lady Brinton. But it is the job of a parliamentarian to be in Parliament. That is particularly recognised by my noble friend Lord Shinkwin, who is severely disabled himself but made a very passionate speech tonight.

We should remember those two colleagues—the noble Lord, Lord Kakkar, and my noble friend Lord Hannan—who quoted the Writ of Summons that we all receive. Although it may be couched in somewhat archaic language, it is clear that it is our job to be in this place. I am glad that improvements have been made to the seating arrangements for this debate; so long as it is safe to do so, we need to be here, together, so that the Government are held properly to account, so that we can debate the affairs of the nation and so that we are not sidelined and made to appear obsolete or obsolescent by what happens in the other place.

I am not going to move my Motion to Resolve. We have had a good debate, and I hope we can all go forward in a spirit of some unity to put this House back where it really should be.

*Motion not moved.*

*House adjourned at 8.32 pm.*

