

Vol. 813  
No. 28



Thursday  
1 July 2021

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 1 July 2021

*The House met in a hybrid proceeding.*

Noon

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

## Oaths and Affirmations

12.06 pm

*Lord Altrincham took the oath, following the by-election under Standing Order 9, and signed an undertaking to abide by the Code of Conduct.*

*Lord Londesborough took the oath, following the by-election under Standing Order 9, and signed an undertaking to abide by the Code of Conduct.*

## Arrangement of Business

*Announcement*

12.08 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, others are participating remotely, but all Members will be treated equally. I ask all Members to respect social distancing and to wear face coverings while in the Chamber except when speaking. If the capacity of the Chamber is exceeded, I will immediately adjourn the House.

## Retirement of a Member: Lord Sainsbury of Turville

*Announcement*

12.09 pm

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, I should like to notify the House of the retirement with effect from today of the noble Lord, Lord Sainsbury of Turville, pursuant to Section 1 of the House of Lords Reform Act 2014. On behalf of the House, I thank the noble Lord for his long and much-valued service to the House.

## Arrangement of Business

*Announcement*

12.09 pm

**The Lord Speaker (Lord McFall of Alcluith):** Oral Questions will now commence. Please can those asking supplementary questions keep them to no longer than 30 seconds and confined to two points? I ask that Ministers' answers are also brief.

## Children's Rights: Digital Environment

*Question*

12.10 pm

*Asked by Baroness Kidron*

To ask Her Majesty's Government what steps they plan to take in response to General Comment No. 25 (2021) on children's rights in relation to the digital environment adopted by the United Nation's Committee on the Rights of the Child on 2 March.

**The Parliamentary Under-Secretary of State, Department for Education and Department for International Trade (Baroness Berridge) (Con):** My Lords, I am delighted that the UN committee has formally recognised how children's rights in the convention apply to the digital world. The strongest protections in the Government's landmark online safety Bill are for children and reflect the general comments provisions, such as the new duty of care. The age-appropriate design code informed by the principles in the convention will also provide protection for children's personal data when it comes into force this September.

**Baroness Kidron (CB):** I thank the Minister for her response and declare my interest, particularly as chair of 5Rights and its role as consultant to the Committee on the Rights of the Child in drafting the general comment. As the Minister said, the Convention on the Rights of the Child and its associated protocols provide the international benchmark for all government action regarding children, and the UK has an exceptional record on this question. So will the Minister say whether the Department for Education as the lead reporting department will take note of the general comment when it reports to the committee later this year? Since so many noble Lords wish to see specific reference to children's rights in the online safety Bill, will she agree to convene a meeting between those noble Lords, her department and DCMS Ministers?

**Baroness Berridge (Con):** I am grateful to the noble Baroness for her reference to the exceptional record this country has in protecting and promoting the rights of children, and I am delighted to confirm that a meeting will be arranged for noble Lords, which will be led by my noble friend Lady Barran.

**The Lord Bishop of Gloucester:** My Lords, the online safety Bill talks about protecting "rights to freedom of expression", but nowhere does it refer to children's rights to grow up in a healthy digital environment. Can the Minister give assurance that this will be addressed?

**Baroness Berridge (Con):** My Lords, the key point around the protections we are putting in place and why the strongest protections are for children, reflected in the *Keeping Children Safe in Education* guidance, is that we want children to benefit and flourish using digital technology but to be kept safe online.

**Lord Vaizey of Didcot (Con):** I refer to my entry in the register of Members' interests, particularly my work with Common Sense Media. I gather that last night a US Senator and two Congresspeople recommended that the age-appropriate design code be incorporated into US legislation. That is because the Convention on the Rights of the Child is incorporated within the age-appropriate design code here in the UK, thanks to the work of the noble Baroness, Lady Kidron, and this House. Can the Minister assure us that the convention will appear in the online safety Bill, so that the UK can continue to burnish its well-earned reputation for the protection of children online?

**Baroness Berridge (Con):** My Lords, it is indeed pleasing to note that the age-appropriate design code is seen in such a world-leading manner. The Government's response to the White Paper on online safety has led to draft legislation that will be subject to pre-legislative scrutiny this Session. Noble Lords will have the opportunity then to advocate that the convention should be in the Bill.

**The Earl of Erroll (CB):** My Lords, does the Minister's department agree with DCMS that we should repeal Part 3 of the Digital Economy Act? This goes against the United Nations general comment, which states in paragraph 114:

"Robust age verification systems should be used to prevent children from acquiring access to products and services that are illegal for them to own or use."

**Baroness Berridge (Con):** My Lords, I can confirm to the noble Earl that age-appropriate and age-verification services are part of the structure of the online safety Bill. Providers of services that are a high risk to children will be expected to have significant levels of security, such as age verification. For lower risks, age appropriate will be the provision. I will have to write to the noble Earl in relation to the suggestion of repealing some legislation.

**Baroness Massey of Darwen (Lab) [V]:** My Lords, the Government's digital charter states that rights online must be the same as those offline and that the benefits of new technologies must be "fairly shared". The House of Lords communications committee has called for regulation to ensure that human rights and children's rights are upheld. There have been clear failures in both fairness and the delivery of children's rights during the Covid pandemic. How will these rights be protected and monitored in future?

**Baroness Berridge (Con):** My Lords, after the last review under the UN convention, suggestions and recommendations were taken forward. There is now a children's rights assessment in the development of policy and there has been training of civil servants, as was suggested.

**Lord Jones of Cheltenham (LD) [V]:** This week's *Radio Times* piece by Paul Lewis tells of a 10 year-old boy who racked up substantial debts by playing computer games which had what are called "loot boxes". This is unfair treatment, as mentioned in general comment 25. Following the end of the consultation period on loot boxes, will the Government work with the gaming industry and legislate to eliminate this danger?

**Baroness Berridge (Con):** My Lords, we are consulting on those matters and will report back. It is clear that in the online safety Bill one of the sanctions available to Ofcom, if providers have inappropriate content that children are gaining access to, is to disconnect payment services such as that from their websites and social media services.

**Lord Holmes of Richmond (Con):** My Lords, does my noble friend agree that right-set standards and rightly considered regulation of legislation need be

neither a drain on our economy nor a strain on our society? Rather, they can be part of enabling us to have the economy we need and the society we want, with all the individual and collective well-being that goes with that.

**Baroness Berridge (Con):** My Lords, this is entirely what we are seeking to do through the national online media strategy that we will launch later this year, to empower citizens to use the internet safely and to make wise choices. It is why the draft Bill not only includes protections for children but proposes to entrench in legislation freedom of speech and the right of appeal, should content be removed.

**The Lord Speaker (Lord McFall of Alcluith):** I call the noble Baroness, Lady Barran—sorry, the noble Lord, Lord Watson of Invergowrie.

**Lord Watson of Invergowrie (Lab):** Understandable confusion from the Lord Speaker.

My Lords, The Ofcom *Online Nation 2021 Report* showed that lockdown had highlighted the digital divide and that, with one in 10 households without access to the internet during lockdown, it had been magnified and was clearly a severe socioeconomic problem. Last week the *Times* reported that Amazon was engaged in the mass disposal of unused IT equipment, with 120,000 items marked for destruction in one week alone. I know the Minister will share my anger at that obscene waste, against the backdrop of lost education and damaged life chances caused by the pandemic. So can she tell noble Lords what discussions the Government have had or will have with retailers to maximise the charitable repositioning of devices for schools?

**Baroness Berridge (Con):** My Lords, I am grateful for the expertise of the noble Baroness, Lady Barran, as this question straddles a number of departments.

Obviously, we want to avoid all kinds of waste; food waste has also been on many people's agenda. I can assure the noble Lord that the 1.3 million laptops we have distributed are the property of local authorities and schools, and we would take a very dim view if anything of that nature happened to that property. I will have to write to him in relation to the specific point about the recycling of white goods.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, for sure—Baroness Greenfield.

**Baroness Greenfield (CB) [V]:** As a neuroscientist, I am aware of the growing evidence of reports about the impact of digital technology on the physical brain. I therefore ask the Minister to what extent the Government will be consulting with neuroscientists.

**Baroness Berridge (Con):** My Lords, in this Session there will be a period of pre-legislative scrutiny for the online safety Bill and therefore neuroscientists will be able to put forward their views on the Bill. When we consulted on the White Paper there were 2,400 responses, so those experts have also had the opportunity to respond to that consultation.

**Baroness Redfern (Con) [V]:** My Lords, the digital environment is constantly evolving, reaching further into lives, with a focus concentrated mainly on child protection and education. What further steps do the Government plan to address the general digital experience of children?

**Baroness Berridge (Con):** My Lords, during the pandemic the Government have invested over £400 million in remote technology to assist learning in schools. We anticipate that that will be something for the future and beyond. We are also looking at how we can assist schools in managing cyber risks, which have increased with the use of technology. We want to embed this in our education system.

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

## Channel 4: Funding and Governance *Question*

12.21 pm

*Asked by Baroness Bonham-Carter of Yarnbury*

To ask Her Majesty's Government what plans they have for the future (1) funding, and (2) governance, of Channel 4.

**The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Baroness Barran) (Con):** My Lords, I am tempted to invite the noble Lord, Lord Watson, to respond. As part of their ongoing strategic review of the UK system of public service broadcasting, the Government will be consulting on the future of Channel 4, including its ownership model and remit. A fast-evolving media landscape, increasing competition and changing audience habits pose imminent challenges. Moving Channel 4 into private ownership and changing its remit could help secure its future as a successful and sustainable public service broadcaster.

**Baroness Bonham-Carter of Yarnbury (LD):** Does the Minister accept that for the sale of Channel 4 to bring in the amount of money that the Government are talking about, the remit will have to change? At the very least it would have to be watered down, with disastrous consequences for our public service broadcasting sector and the wider creative economy. No change to the remit means no real profit for the Government, so why do it? Could this be ideologically driven rather than economically—something to do with a melting ice sculpture?

**Baroness Barran (Con):** I do not think it is anything to do with a melting ice sculpture. The Government are committed to having a thriving PSB sector. I know the noble Baroness understands full well what the trends are in advertising revenues for linear television. We are trying to address that and make sure that Channel 4 has a secure, sustainable and thriving future.

**Lord Stevenson of Balmacara (Lab) [V]:** My Lords, in earlier eras, matters of important public policy such as this would have been preceded by Green Papers and

White Papers before Parliament considered any primary legislation that it felt necessary. On broadcasting, this Government take a rather different approach, preferring to set up ad hoc advisory committees, such as the one looking at public service broadcasting. So what is it to be this time? Can the Minister spell out what the Government will do here and explain how Parliament is going to be involved?

**Baroness Barran (Con):** The noble Lord refers to the expert advice that Ministers will receive from the independent PSB panel but he overlooks the digital radio and audio review that we will be publishing this summer, the Ofcom review of PSBs that will be published in mid-July, and the consultation that we are carrying out on Channel 4 and video on demand, which will result in a White Paper and legislative proposals. I do not think that looks like taking decisions in secret.

**Lord Taylor of Warwick (Non-Aff) [V]:** My Lords, the Government are on record as praising the unique public service remit that Channel 4 has, especially for serving underrepresented communities and its strong partnership with our diversity of independent production companies. Channel 4 made its debut in 1982, 39 years ago, with an episode of the excellent "Countdown". Please will the Government not simply "count down" to a rushed sale of Channel 4 to the highest bidder but instead help protect Channel 4 from unfair regulatory competition from the likes of Netflix and Amazon, which operate with less regulation?

**Baroness Barran (Con):** We are addressing the noble Lord's final point through our consultation on regulation for video-on-demand providers. The noble Lord is right that Channel 4 has a strong reputation for its innovative and diverse content, and we think that could mean that it appeals to a number of different purchasers should we decide to pursue a sale.

**Baroness Rawlings (Con) [V]:** My Lords, how long do Her Majesty's Government calculate that Channel 4, in its present public and private independent structure, can survive as a going concern?

**Baroness Barran (Con):** There is no doubt that Channel 4 has performed very well recently but, as I mentioned in an earlier answer, all linear broadcasters are facing significant challenges from developments and disruption in the sector, including from international players. The consultation will give us the time and the information to consider how Channel 4's future is best served.

**Lord McNally (LD):** My Lords, is it not quite clear that the Secretary of State and Mr Whittingdale support public service broadcasting like the rope supports the hanging man? Is it not time that the one-nation Tories stood up for one of the great creations of Willie Whitelaw, an organisation that has fulfilled its remit in spades?

**Baroness Barran (Con):** The noble Lord will be aware that I have often quoted both my right honourable friend the Secretary of State and the Minister for Media and Data, who have both been absolutely clear

[BARONESS BARRAN]

about wanting to see a thriving PSB sector, which is particularly important in a time of misinformation and disinformation.

**Lord McColl of Dulwich (Con) [V]:** My Lords, what means are open to the public and the authorities to encourage Channel 4 to report the news in an accurate and unbiased way and thereby triumph over the present, frequently prejudiced environment of the media?

**Baroness Barran (Con):** If my noble friend or any members of the public have concerns about the accuracy of any broadcaster, including Channel 4, they can send those concerns to Ofcom.

**Viscount Colville of Culross (CB) [V]:** The digital streaming television world depends heavily on access to archive. At the moment Channel 4 has no archives since terms of trade agreements with content suppliers mean that IP is kept by independent production companies and is seen as a crucial means by which they can grow their businesses. Do the Government intend to maintain the present terms of trade agreement between any new owner of Channel 4 and its content suppliers?

**Baroness Barran (Con):** The noble Viscount raises an important issue. There is a tension between ownership by the independents and the PSBs. We will be setting out more on this in the White Paper.

**Lord Bassam of Brighton (Lab) [V]:** My Lords, one of the big fears about privatising Channel 4 is that the current statutory requirement for it to invest profits back into independent programming through commissioning—the very thing that makes it unique—will be dropped in order to make the channel sellable. What guarantees can the Minister give that the requirement to reinvest will be assured and that Channel 4's innovative edginess will not be sacrificed? Will she also list the material restrictions that are allegedly holding Channel 4 back? Does she really believe in this policy?

**Baroness Barran (Con):** I think the policy of consulting and getting an understanding of what would create a strong strategic future for a key public service broadcaster is entirely valid. The noble Lord is right that Channel 4 has been hugely successful in supporting our independent production sector. The Government are committed to seeing that continue, and we will take into account any impacts on that sector as we move forward.

**Lord Moylan (Con):** My Lords, the Reuters Institute for the Study of Journalism at the University of Oxford has found that the UK has the lowest average local news topic access of any of the countries measured in its recent survey. If there were any reason for not privatising Channel 4, it would be to use the platform as the basis of a new local and regional television service. Has my noble friend considered that?

**Baroness Barran (Con):** I agree with my noble friend that locally relevant television and, in particular, local news is a very important part of the UK's public

service broadcasting, which has been highlighted by the pandemic. These are issues which will form part of our strategic review of PSBs.

**Lord Singh of Wimbledon (CB):** Can the Minister inform the House on whether BBC editorial policy trumps the law of the land regarding the legal rights of presenters and contributors? If so, should there not be safeguards in governance against the danger of individual producer prejudices being portrayed as BBC policy?

**Baroness Barran (Con):** It is clear that BBC editorial policy does not trump the law of the land. The noble Lord will be aware that the BBC is undertaking a review of its editorial policy, which will report later this year.

**Lord Flight (Con):** In what specific ways does the Minister think Channel 4 might benefit from private ownership? What changes in its remit, if any, might government propose?

**Baroness Barran (Con):** We hope through the consultation to discern two particular areas among others. One is access to additional capital; Channel 4 is reliant on advertising for 90% of its revenue. The other is potentially greater agility to respond to market developments as we move forward.

**The Lord Speaker (Lord McFall of Alcluth):** My Lords, all supplementary questions have been asked. We now move to the next Question.

## Crown Dependencies: Contributions

### Question

12.31 pm

Asked by **Lord Wallace of Saltaire**

To ask Her Majesty's Government when they next intend to review the adequacy of the contributions made by the Crown dependencies towards the cost of their access to the United Kingdom's (1) public services, (2) provision of security, and (3) international representation.

**The Parliamentary Under-Secretary of State, Ministry of Justice (Lord Wolfson of Tredegar) (Con):** My Lords, the Crown dependencies are responsible for their own domestic affairs, although islanders sometimes make use of UK public services such as health or education, for which payment is made according to bespoke arrangements. The UK is responsible for the Crown dependencies' defence and international relations, in recognition of which they each make a voluntary contribution. The Government are content with the present arrangements.

**Lord Wallace of Saltaire (LD):** My Lords, it is general government policy to recover costs through charges for services provided, particularly for those who do not pay taxes in the UK. It seems odd that the wealthy Crown dependencies are exempt from this,

particularly given that Brexit imposes extra costs, as we have seen in fisheries protection and certainly representation overseas.

I was interested to hear that educational charges are going to be extended. Is the Minister aware that the one announcement made by the Department for Education since January has been the extension of home student fees to all students from the Crown dependencies?

I am amazed that, in his letter to me of 10 May, he repeated the absurd suggestion that Guernsey's contribution to the defence of the UK is

“the cost of maintenance of the breakwater in Alderney.”

Has the Ministry of Defence not told the Ministry of Justice that the Alderney breakwater, which was built in the 1860s to provide an anchorage for the British fleet in the event of a French threat, ceased to be of interest to our defence before the Second World War?

**Lord Wolfson of Tredegar (Con):** My Lords, I hope I would never make an absurd point, either to the noble Lord or anybody else. I am certainly aware that there is no current or perceived future requirement to use the Alderney breakwater for operational military purposes, but it still needs to be maintained to preserve the facilities in Alderney's only serviceable harbour. The Government previously retained responsibility for maintaining the breakwater because it was built by the UK for naval purposes and the Bailiwick of Guernsey could not be expected to subsidise the cost at the time.

When we requested that the Crown dependencies start making contributions towards the cost of defence in 1987, Guernsey assumed responsibility for maintaining the breakwater alongside remitting passport fees for British passports issued in the bailiwick. Irrespective of whether the breakwater serves any defensive purpose, by meeting the maintenance cost that would otherwise fall on the Government, Guernsey contributes to the cost of its defence and international relations.

**Lord McNicol of West Kilbride (Lab):** My Lords, the UK is formally responsible for representing the Crown dependencies in the United Nations Framework Convention on Climate Change, including during the COP negotiations. Given that small islands are particularly vulnerable to the impacts of climate change, can the Minister confirm how Her Majesty's Government are engaging with the Crown dependencies in the lead up to the COP 26 summit?

**Lord Wolfson of Tredegar (Con):** The noble Lord raises an important point. My role in the Ministry of Justice is essentially to be the point Minister for the Crown dependencies regarding the Government. Just as I make sure that the Crown dependencies' relations with, for example, the Department for International Trade, are secure when we talk about international treaties, I also make sure that discussions on environmental and climate issues are close between the Crown dependencies and the relevant government departments.

**Baroness Altmann (Con):** My Lords, I recognise that this is a matter for the Crown rather than Parliament, but can my noble friend tell this House what the actual

costs of defence and international representation for the Crown dependencies have been over the last few years?

**Lord Wolfson of Tredegar (Con):** My Lords, the UK has a constitutional responsibility to represent the Crown dependencies internationally. We discharge that responsibility irrespective of cost. As I said, however, the Crown dependencies have been making voluntary contributions since 1987. As these are general contributions in recognition of our overall responsibilities and it is in our interest to represent the whole British family internationally, they are not intended to reflect the exact costs of defending the Crown dependencies or representing them internationally. We are satisfied with the current arrangements.

**Lord Collins of Highbury (Lab):** My Lords, during the debate on sanctions regulations in February I asked how we would ensure that sanctions apply in full to the Crown dependencies and overseas territories. The Minister's response was that the Government were

“lending technical support to the overseas territories”.—[*Official Report*, 8/2/21; col GC 22.]

What has the outcome of that “technical support” been? Is the Minister in a position to confirm the full application of sanctions within the Crown dependencies?

**Lord Wolfson of Tredegar (Con):** My Lords, as sanctions are a tool of foreign policy, it is government policy for UK sanctions measures to be given effect in the Crown dependencies to make those sanctions as effective as possible. The Crown dependencies apply UK sanctions, including, for example, the Global Human Rights Sanctions Regulations 2020 and the Global Anti-Corruption Sanctions Regulations 2021. The FCDO and Her Majesty's Treasury ensure robust implementation of sanctions. There is considerable sanctions-related engagement with the Crown dependencies, including meetings and webinars, to make sure that all the sanctions legislation is properly applied throughout the Crown dependencies.

**Lord Anderson of Swansea (Lab):** My Lords, a voluntary contribution is unusual and presumably could be withdrawn unilaterally; it depends wholly on good will. Does the Minister agree that transparency is important to allay any UK taxpayer concerns that these overseas tax havens are being treated unfairly? How regularly is there an audit of that financial relationship? Presumably, that also contains any contingent liabilities.

**Lord Wolfson of Tredegar (Con):** My Lords, I take issue with the reference to tax havens. That is a tendentious term and we can perhaps debate it on another occasion. The Crown dependencies have a long-standing relationship with the UK via the Crown; it is not a quid pro quo relationship—using “quid” in both the Latin and the colloquial sense. It is a relationship based on constitutional convention and respect for domestic autonomy. We reiterated in the recent integrated review of security, defence, development and foreign policy that we will continue to defend and represent internationally the three Crown dependencies.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, is it not clear from the answers we have just heard, that the Crown dependencies are getting an increasingly good deal, but it is a bit of a one-way street? Is it not time to discuss with them their constitutional relationship with the United Kingdom?

**Lord Wolfson of Tredegar (Con):** My Lords, the Crown dependencies have a long-standing relationship with the UK via the Crown, and the Government currently have no intention of reviewing their constitutional position. They are self-governing jurisdictions with democratically elected Governments. They are responsible for fiscal matters and set their own policies to support their economies, but they do so within international standards. It is in that context that they determine their own tax rates. They co-operate with us on taxation, fighting financial crime and countering terrorist finance, and they are committed to meeting international standards on tax transparency, illicit finance and anti-money laundering.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, all supplementary questions have been asked, and we now move to the fourth Oral Question.

### Government Departments: Non-Executive Directors Question

12.40 pm

*Asked by Lord Foulkes of Cumnock*

To ask Her Majesty's Government what consideration they have given, if any, to changing the arrangements for the appointment of non-executive directors of Government departments.

**The Minister of State, Cabinet Office (Lord True) (Con):** My Lords, the Committee on Standards in Public Life published an interim report last month, which recommended that the appointment process for non-executive board members of government departments should be regulated. We are grateful for the work being undertaken by the noble Lord, Lord Evans, and his committee, and we will respond formally to its final recommendations when they are published this autumn.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, I am grateful to the Minister for his helpful Answer, but I have here a list of the current non-executive directors. Quite apart from the girlfriend of a former Minister, it includes a number of Tory Peers, former special advisers, people who campaigned to vote leave and other Tory cronies. Since the purpose of non-executive directors is to supervise the work of government departments in an impartial way, could the Minister outline exactly what the arrangements and criteria are for making these appointments?

**Lord True (Con):** My Lords, I will not follow the noble Lord on specifics, but we should bear in mind that a very large number—the overwhelming majority, and probably all—of the people involved are dedicated to the cause of improving public service and have

given good public service. So far as appointments are concerned, vacancies are advertised on the Government's public appointments website, and appointees are subject to a shortlisting panel interview process. However, a Secretary of State can also make direct appointments, which account for a small number of appointments.

**Lord Triesman (Lab) [V]:** My Lords, the Minister will be aware that, aside from the range of people appointed to departments that my noble friend Lord Foulkes has just referred to, there are also a number of other bodies that have non-executive directors within departments. Will the Minister publish a list of all of those people, say what their salaries are and say whether they have been contributors to the Conservative Party's funds? Will he say what advice will be given, even on an interim basis, to those who are supervising government departments, in terms of their relationship with senior Ministers?

**Lord True (Con):** My Lords, the noble Lord makes a point about arm's-length and other bodies; he is right to say that they have board members, and I will take away his point in respect of them. Interests are required to be declared: currently, this is done in departments' annual report, but clearly these matters are always subject to review and consideration.

**Baroness Ludford (LD) [V]:** My Lords, cronyism in public appointments weakens the quality of governance, to the detriment of the public. The problem has got a lot worse under the present Government. The outgoing Commissioner for Public Appointments, Peter Riddell, recently noted the growth in the number of unregulated appointments by Minister and said:

"there is an urgent need to publish a list of these appointments together with how they are appointed. At present, there is a lack of transparency and clarity, and this distrust can affect regulated appointments too."

How are the Government going to clean up the whole system?

**Lord True (Con):** My Lords, as I have said, the number of unregulated appointments in this area is small, but I have told the House that, following the interim report of the noble Lord, Lord Evans, the Government will respond formally and give full consideration to the points that he made, including in relation to the regulation of appointments.

**Lord Lamont of Lerwick (Con):** My Lords, was not the original concept of non-executive directors in government departments meant to be analogous to NEDs in plcs, to assure good corporate governance and to give completely independent advice? That was why people like the noble Lord, Lord Browne, and the CEOs of Centrica, Kingfisher and British Gas, were all appointed NEDs. Have we not departed somewhat from that original concept, and is it not important that non-executive directors of government departments are independent and not sort of super-spads?

**Lord True (Con):** My Lords, I agree with my noble friend that it is important that non-executives who provide advice and bring an external perspective to the business of government departments should be qualified to do so.

**Baroness Meacher (CB):** My Lords, having been a non-executive chair and director in various public bodies and having been very conscious of the importance of independent oversight of the process of appointment, I ask whether, in order to regain public confidence, it would be helpful if an official—not a politician—within No. 10 were to carry the governance responsibility for these non-executive directors for government departments.

**Lord True (Con):** Currently, the position is that the appointments are made by Secretaries of State. I hear what the noble Baroness says, and I repeat to the House that, following the interim report of the Committee on Standards in Public Life, consideration is being given to these matters.

**Baroness Hayter of Kentish Town (Lab):** Non-execs are meant to provide external advice to departments, but, as we know, Mrs Coladangelo, who had known the Secretary of State from university, worked on his leadership campaign and was his political adviser, was personally handed a £1,000-a-day job by Mr Hancock, head of the very organisation to which she was meant to provide that independent advice referred to by the noble Lord, Lord Lamont. Can the Minister assure us that, pending the review and response to the Evans report in the autumn, there will be no more jobs for the boys—or girls—in the meantime? There must be proper scrutiny, including of conflicts of interest.

**Lord True (Con):** I certainly agree with the noble Baroness that conflicts of interest should be clear and prevented. At the time of the appointment of the person to whom she referred, there was no evidence of any conflict of interest. The former Secretary of State, who strived hard to serve the country, recognised that he did wrong and he has left the Government, as has Ms Coladangelo her appointment.

**Baroness Tyler of Enfield (LD) [V]:** My Lords, there is a large variance in the number of non-execs sitting on departmental boards. While some difference is to be expected between smaller and larger departments, the fact that BEIS, which has a policy lead for corporate governance and so should know something about well-functioning boards, has only two while the Home Office has a staggering eight seems extraordinary. Can the Minister explain the rationale for this difference and why the Home Secretary needs so many NEDs, paid for by the public purse? Can he also explain what central guidance exists on this point and who oversees numbers at the centre of government?

**Lord True (Con):** My Lords, I notice that there is a difference in numbers, but I could not comment on the specific motivations in appointments by Secretaries of State. There is corporate governance and a code of conduct for board members of public bodies in relation to their behaviour and their political role or otherwise. I can only repeat that the appointment of non-executive board members, who I think play an important role inside government—I pay tribute to the very large number who contribute every day to the betterment of government—is a matter which is subject to ongoing review.

**Baroness Stowell of Beeston (Non-Aff):** My Lords, transparency and conflicts of interest are important. But it is also important for us to recognise too that Secretaries of State, in the context of analogies to a chairman, need NEDs to help them support driving change and holding the Executive—in this case, the Civil Service—to account in their departments. My question is about the appointment of non-executive directors to the boards of public bodies. Would the Minister consider whether that process could be made swifter and whether the chairs of those public bodies, who have been appointed to drive change and improvement in them, could play a greater role in the appointment process for the rest of their boards?

**Lord True (Con):** My Lords, I shall pay close attention to my noble friend's remarks. I agree that having a balanced and skilled board with a broad range of perspectives and backgrounds is vital in ensuring that public bodies deliver the best possible services. There is an aspiration that appointment campaigns should complete within three months of competitions closing, but I will look into the matter that my noble friend raises.

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

12.51 pm

*Sitting suspended.*

## Deprived Areas

### *Private Notice Question*

1 pm

*Asked by Lord Harries of Pentregarth*

To ask Her Majesty's Government, further to the report by the Institute of Health Equity *Build Back Fairer in Greater Manchester: Health Equity and Dignified Lives*, published on 30 June, what steps they are taking to address the (1) disparities in life-expectancy, and (2) social conditions, in England's most deprived areas compared to the rest of the population.

**Baroness Penn (Con):** My Lords, the Government welcome Professor Marmot's report and his insights into this important area. Reducing health inequalities is a core aim of the new office for health promotion. Under the Chief Medical Officer, the OHP will work with partners across government, the NHS, business and society to systemically tackle preventable risk factors, improve the nation's health and narrow health inequalities.

**Lord Harries of Pentregarth (CB) [V]:** I thank the Minister for her Answer. The main findings of the Marmot report about gross and growing inequalities in life expectancy are sobering. What makes the situation even worse is that awareness of this was heightened by research and documentation more than 20 years ago. In what way do the policies of the present Government differ from the failed policies of previous Governments over the last decades?

**Baroness Penn (Con):** My Lords, the Government have put a renewed emphasis on prevention in their approach to tackling health inequalities. That is taking place over a number of areas—for example, in the new obesity strategy and the smoking cessation strategy—that will help us close this gap, which is too wide and something we should all be concerned about.

**Baroness Lister of Burtersett (Lab) [V]:** My Lords, deepening inequality and poverty, especially child poverty, are key social determinants of the worsening health inequalities identified by Sir Michael Marmot, who argues that they must be central to the Government's levelling-up agenda. How exactly does that agenda address the poverty and inequality that the report shows are damaging health and well-being so badly?

**Baroness Penn (Con):** My Lords, the levelling-up agenda will be about improving life chances across the UK, and the Government's proposals in that area will be set out in a White Paper later this year. The noble Baroness has given me the opportunity to expand on some of the other important government policies that the noble and right reverend Lord asked about, so I say that introducing the national living wage and the pupil premium has focused support on those most in need.

**Baroness Tyler of Enfield (LD) [V]:** My Lords, yesterday's report highlights the need for an ambitious new framework to reduce health inequalities, focusing far more sharply on the wider social determinants of health to make a reality of building back fairer from Covid, which has cruelly exposed and amplified inequalities in life expectancy. Given that mental health problems are the number one cause of death for men under 50, and the leading cause of maternal death in the UK, what immediate steps are the Government taking to improve the mental health of at-risk groups living in deprived areas?

**Baroness Penn (Con):** My Lords, absolutely: as part of the NHS long-term plan, the Government have committed to improving mental health services and increasing the funding that goes to those services, as a proportion of overall funding, in every year of that plan.

**Lord Patel (CB) [V]:** My Lords, inequalities in healthcare have long plagued the NHS. Inequalities exist not only in years spent in ill health and shorter life expectancy but in referrals of care, leading to poor health outcomes for people from deprived communities. With waiting lists running into the millions, dealing with this effectively is a priority. To this end, does the Minister think that NHS plans for clinical validation as a way of tackling waiting lists are likely to worsen inequalities in access to treatments?

**Baroness Penn (Con):** My Lords, clinical validation is, at its heart, about adapting to the need to manage larger and longer waiting lists and tackle those. Patients will be treated in order of clinical priority and then by length of wait to reduce the harm by waiting. But I reassure the noble Lord that his point is very well

made and that, in the NHS recovery plan, there are eight actions to reduce inequalities in the restoration of services, including reporting on providing services to the poorest 20% of neighbourhoods and black and Asian patients.

**Lord Lilley (Con):** Was my noble friend rather surprised that she had to get to page 94 of the summary before there was any mention of obesity as a cause of inequalities in health, given that it is one of the major things that both undermines health over time and has exacerbated susceptibility to mortality from Covid?

**Baroness Penn (Con):** My Lords, being somewhat familiar with Professor Marmot's work, I know it is incredibly wide-ranging and looks at a huge number of the determinants of health. But my noble friend is absolutely right that obesity is a big part of our health agenda, which is why the Government have set out a number of areas where we will take further action to support people to reduce levels of obesity across the country.

**The Lord Bishop of Gloucester:** In the light of Sir Michael Marmot's report, will the Minister commit to providing an early opportunity for this House to debate the impact of Covid-19 on Her Majesty's Government's much-advertised agenda for levelling up, particularly relating to children and young people in those regions with the greatest level of deprivation?

**Baroness Penn (Con):** My Lords, I had the pleasure of sitting in on an excellent debate on a similar subject last week. Unfortunately I do not lead the House's timetable, but I will make the submission on behalf of the right reverend Prelate.

**Baroness Thornton (Lab):** I am very pleased to hear that the Government have noted the report, but I would like the Minister to confirm whether the Government have actually consulted or used Sir Michael Marmot, who is the UK's foremost academic in the field of health equity or lack of it. His research is being used, so I would like to know: when did the Government, or representatives of the Government or the Minister's department, meet Sir Michael Marmot and his team? Are the findings of this research and the research from last year being taken into account with the levelling-up plans?

**Baroness Penn (Con):** My Lords, on the specifics of any meetings, I am happy to write to the noble Baroness. I point to the creation of the new office for health promotion and the fact that the guiding mantra that sits behind it is very much aligned with the agenda Sir Michael Marmot has set out. I know that is a key priority for the Chief Medical Officer as we come out of the pandemic and take this work forwards.

**Lord Scriven (LD):** My Lords, only 5% of total health expenditure is on preventive measures, which has declined in real terms since 2015. How does that help narrow health inequalities?

**Baroness Penn (Con):** My Lords, as part of the Government's long-term plan for the NHS, we want to increase the focus on prevention and, as part of the new office for health promotion, a cross-ministerial board will look not just at the measures within health but at those wider determinants and the government policies on them, which all contribute to narrowing those inequalities in health outcomes.

**Lord Young of Cookham (Con):** My Lords, many of Sir Michael's recommendations, such as on local government finance, housing and universal credit, fall outwith my noble friend's department, and I hope that there will be a comprehensive government response to those. But the recommendations on public health, which has been disproportionately disadvantaged recently, falls within it. In the forthcoming spending review, will the department press for the 0.5% of GDP on public health, as recommended in the report, to address the inequalities that it has identified?

**Baroness Penn (Con):** I hope that my noble friend will forgive me and be understanding from his time in government that I am not in a position to comment on the spending review process. He might take heart from the recent government announcement, or that of a few years ago, of the funding for the National Health Service overall and the accompanying long-term plan. As part of that long-term plan and as a condition of receiving that funding, all major national programmes and every local area across England is required to set out specific measurable goals and mechanisms, by which they will contribute to a narrowing of health inequalities over the next five and 10 years.

**Baroness Cavendish of Little Venice (CB) [V]:** Michael Marmot has demonstrated once again the totally unacceptable chasm in healthy life expectancy in different parts of the country. I welcome the Government's commitment to the obesity strategy, even if it is five years late, and to the smoking cessation strategy. What are the Government's plans to improve physical activity, which is such a vital part of the public health agenda? Will they accept the recommendations of Sir Muir Gray and Sport England?

**Baroness Penn (Con):** My noble friend is absolutely right to highlight the importance of physical activity. That is why the proceeds of the sugar tax went into promoting school sports. It is just one of a number of actions that we are taking to promote physical activity among young people.

**Lord Hendy (Lab) [V]:** My Lords, one cause of the poverty and inequality that led to the health inequities so eloquently revealed in the report is low wages. In Manchester each year between 2010 and 2016, wages dropped by 1.1%. Does the Minister agree with the ILO, the OECD and President Biden that the best way to increase wages and diminish inequality is to extend the coverage of collective bargaining, which in this country fell from around 85% of workers between 1945 and 1979 to a mere 25% today? New Zealand is introducing legislation for sectoral bargaining; should not we?

**Baroness Penn (Con):** This Government's approach to reducing low wages is the introduction of the national living wage. We have also extended the national living wage to apply to younger cohorts of people, and we have a longer-term commitment on the level of that national living wage to try to eliminate low pay altogether.

**Lord Suri (Con) [V]:** My Lords, what are the Government doing to address the lower rates of testing and vaccination among underserved communities at the risk of Covid?

**Baroness Penn (Con):** My noble friend raises an important point. On testing, we have been piloting alternative delivery models based on identifying the trusted individual for people in underserved communities and enabling them to encourage their members or service users to start testing; that has been incredibly effective. For vaccines, we have a community champion scheme which applies a similar logic, and we are taking vaccinations to places and sites where people will access them and improve take-up rates.

**Lord Dubs (Lab) [V]:** My Lords, the Minister has on two or three occasions just now referred to the importance of tackling obesity as a way of evening up inequalities in healthcare and life attainment. Does she agree that local authorities ought to have and are bound to have a key part in tackling those inequalities, whether based on obesity or other matters? How can they do this when they have been subjected to serious cuts in expenditure? Is not the real answer that what we want to tackle these inequalities is more devolution of power from Whitehall to the regions?

**Baroness Penn (Con):** My Lords, a key focus of the Government's and the NHS's plans for reform on health is the introduction of integrated care systems, which will work by putting providers and local authorities in the position where they can join up care and focus on population health and prevention. That will be an incredibly effective way in which to address some of these public health measures, which is why we look forward to introducing our NHS Bill later this year.

**The Deputy Speaker (Lord McNicol of West Kilbride) (Lab):** My Lords, all supplementary questions have been asked.

## Certificate of Loss Bill [HL]

### *First Reading*

*1.15 pm*

*A Bill to make provision for a certificate to be issued to mothers in respect of miscarried and still-born children not eligible for registration under the Births and Deaths Registration Act 1953, to establish a database for archiving the certificate and recording information about the miscarriage or stillbirth, and for connected purposes.*

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

**Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2021**

*Motion to Approve*

1.16 pm

*Moved by Baroness Scott of Bybrook*

That the draft Regulations laid before the House on 27 May be approved.

*Considered in Grand Committee on 29 June.*

*Motion agreed.*

**Social Security (Scotland) Act 2018 (Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance) (Consequential Provision and Modifications) Order 2021**

*Motion to Approve*

1.16 pm

*Moved by Baroness Scott of Bybrook*

That the draft Order laid before the House on 17 May be approved.

*Considered in Grand Committee on 29 June.*

*Motion agreed.*

**Space Industry (Appeals) Regulations 2021**

**Space Industry Regulations 2021**

**Spaceflight Activities (Investigation of Spaceflight Accidents) Regulations 2021**

**Contracting Out (Functions in Relation to Space) Order 2021**

*Motions to Approve*

1.17 pm

*Moved by Baroness Vere of Norbiton*

That the draft Regulations and Order laid before the House on 24 May be approved.

*Relevant document: 4th Report from the Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 29 June.*

*Motions agreed.*

**Covid-19: Education Attendance**

*Commons Urgent Question*

*The following Answer to an Urgent Question was given in the House of Commons on Wednesday 30 June.*

“I am grateful to you, Mr Speaker, for granting this Urgent Question. This Government are absolutely focused on returning society back to normal as soon

as possible, and that includes in our schools, colleges and right across the education sector. As I have made clear throughout the pandemic, my top priority has been to keep children in school. Indeed, as I speak today, millions of children have been back in the classroom since 8 March, learning with their friends and teachers. As I am sure the House will agree, that is exactly where they belong. The vast majority of schools are open—99.8% of state-funded schools were open on 24 June—benefiting children who have given up so much during the pandemic.

Back in February, the Prime Minister set out an extensive road map. We need to continue to be careful to complete this cautious but irreversible road map to freedom. We understand the frustration of parents and pupils who may feel that they are being asked to isolate unnecessarily. As I have said throughout the pandemic, children are best off in school. As we continue with our educational recovery, it is vital that absence is minimised as far as possible, and that children and young people attend school. I am looking carefully every day at how we manage the balance between safeguarding children’s education and reducing transmission of the virus, because I know that too many children are still having their education disrupted, no matter how good the remote education they receive.

The new Health Secretary and I have already discussed these matters, and I am working with him across my department, as well as with scientists and public health experts, to take the next steps. However, as the House is aware, some restrictions remain in place in schools. I want to see those restrictions, including bubbles, removed as quickly as possible, along with wider restrictions in society. I do not think that it is acceptable for children to face restrictions over and above those on wider society, especially as they have given up so much to keep older generations safe over the past 18 months. Further steps will be taken to reduce the number of children who have to self-isolate, including looking at the outcomes of the daily contact testing trial, as we consider a new model for keeping children in schools and colleges. We constantly assess all available data, and we expect to be able to confirm plans to lift restrictions and bubbles as part of step 4. Once that decision has been made, we will issue guidance immediately to schools.

I would like once again to put on the record this Government’s sincere thanks to all teachers for their dedication and work at this time. My commitment to the House and to the children of Britain is that, as we open up wider society, we will stick to the principle that children’s education and freedom comes first.”

1.18 pm

**Lord Watson of Invergowrie (Lab):** My Lords, according to the Department for Education’s own figures, last week one in 20 children in state schools in England were absent due to confirmed coronavirus infections. I hope that the Minister can explain why secondary school pupils were no longer required to wear masks in classrooms from mid-May, when cases were rising and masks still had to be worn in shops and other indoor spaces. Parents, pupils and teachers need to know what is to happen in September with bubbles. Can the Minister confirm that school leaders will be

told well before the end of this term, allowing time for plans to be put in place and to give their staff a desperately needed break over the summer?

**The Parliamentary Under-Secretary of State, Department for Education and Department for International Trade (Baroness Berridge) (Con):** My Lords, the four tests were met for step 3 of the road map at that point, so that is why, on the advice of Public Health England, masks and other restrictions were lifted at that stage for secondary school pupils. We expect to confirm plans to lift restrictions and bubbles in line with step 4 of the wider road map. Obviously, there will be an announcement in advance of that, which should be within term time for the vast majority of pupils, though there are one or two areas where state-funded schools begin to break up on Friday 9 July.

**Lord Storey (LD) [V]:** My Lords, in the decisions that are made—and made, as the noble Lord, Lord Watson, said, so that schools know well in advance of their return in September—how much of the scientific data has been taken into account?

**Baroness Berridge (Con):** My Lords, the Department for Education is obviously guided by the advice from the Department of Health and the Education Secretary is working closely with his counterparts in health and social care and on the advice of Public Health England. On Monday, Minister Keegan and Minister Gibb wrote to schools and colleges to outline the situation at the moment and to give instructions about the pause on testing during the summer but the requirement to still test if children are in school for summer school. They have as up to date a position as we can provide them with at the moment.

**Lord Berkeley of Knighton (CB) [V]:** My Lords, obviously all children have been adversely affected in their education by the pandemic, but may I commend to the Minister and her department the importance of addressing and recovering lost ground in those subjects and extras, such as gymnastics and PE and the playing of musical instruments, where the plasticity of the brain and its co-ordination with muscles is so impressionable in children and their mental welfare, especially those with special needs?

**Baroness Berridge (Con):** My Lords, much of the specialist tuition that the noble Lord outlined takes place in out-of-school settings. They have been able to offer provision without restrictions for reasons of attendance. Also, instrument tuition was one area where Zoom was particularly used by teachers. Of course, the pupil recovery premium—£650 million of which is in the bank of the schools at the moment—can be used if additional tuition of that nature is needed.

**Lord Moynihan (Con):** My Lords, given that almost a third of children are classed as inactive as a result of lockdown restrictions—not even doing 30 minutes of exercise a day—does my noble friend accept that it is essential to formulate an urgent plan to improve the physical and mental health of all children, one that tackles obesity and prioritises the reopening of youth activities now and throughout the summer? Does she

recognise that this can be done only if we tear down the walls of departmental silos so that all relevant departments—health, education, sport and local authorities, to name just some—take up the challenge together to address the fact that we may face the most unfit generation of British children ever?

**Baroness Berridge (Con):** My Lords, I hope that the noble Lord will be aware that within the guidance we gave to schools when they returned, we gave prominence to the need for children to be physically active and to recover their agility. There was also the childhood obesity strategy. It is precisely for this reason that we have also funded £200 million for summer schools for year 6 transition; well over 80% of secondary schools have applied to the department for that. The holiday activity fund, which is £220 million, will also now be run in every local authority area; it will provide nutritious food and activities during the summer.

**Baroness Primarolo (Lab) [V]:** My Lords, on Monday, the Secretary of State for Health and Social Care told the House of Commons that we are going to have to “learn to live with” the virus. Can the Minister tell us what this means for schools? Where is the plan for improved ventilation and classrooms where children can socially distance within school? When does the Minister think a decision will be taken on vaccinating all 12 to 17 year-olds?

**Baroness Berridge (Con):** My Lords, on the noble Baroness’s last point, we do not have medical advice at the moment to say that we should vaccinate young people of that age, except those who have serious neurological conditions. We are waiting for the JCVI to give that advice. We will look at the data. Government departments are obviously working closely together and we will provide an update on step 4 in the near future.

**Baroness Fox of Buckley (Non-Affl):** What advice would the Minister give to parents if their child says that he or she has a tummy ache and does not want to go to school? Parents would usually reply, “You’ll be fine, darling, remember that education is so important”. Now, after months of forcing hundreds of thousands of pupils to stay isolated at home, even though they are well, surely the lesson is that school is not so important. Does she also have any advice for teachers in the future, chasing homework or confronting truancy after so long socialising pupils to think that school attendance is provisional?

**Baroness Berridge (Con):** My Lords, current attendance levels—despite those who are self-isolating—are at around 87%. One feature of the pandemic has been the appreciation for teachers and the workforce. On the importance of school, many young people now report that they appreciate it more than they did in the past. We have been clear that we wanted education settings to be the last to close and the first to reopen.

**Lord Laming (CB) [V]:** My Lords, may I ask about the children not attending school and not in contact with any other services? What are the Government doing to ensure that these missing children and safe and being well cared for?

**Baroness Berridge (Con):** My Lords, there has been increased reporting of children being electively home educated through surveys from directors of children's social care. But there is this other group of children missing an education—those not on the school roll and not being electively home educated. There are specific officers in every local authority who should make inquiries to track down those children and make sure that they have appeared on the school roll in another local authority area in England or one of the other three devolved nations.

**The Lord Bishop of Gloucester:** Throughout the pandemic there has been a noticeable lack of briefings aimed specifically at children and a great absence of their voices. I was glad to host an event for MPs and key leaders in Gloucestershire where all the input came from young people. Can the Minister give an assurance that, in looking at the impact of Covid on the lives of children, it is they who will be asked and heard?

**Baroness Berridge (Con):** My Lords, one interesting feature of the consultation that we recently conducted on exams was that over 50% of the responses were indeed from students. We have been pleased to hear their voices throughout this and have sought to communicate directly with them. I also draw attention to the very successful Big Ask, run by the Children's Commissioner, to which over 500,000 children and young people responded.

**Baroness Morris of Yardley (Lab) [V]:** My Lords, the Minister has talked about plans for when schools return for the September term, but in many areas there are two to three weeks of this term left and over 300,000 children a day not attending. What action is being taken to increase the number of children attending school this term?

**Baroness Berridge (Con):** My Lords, the REACT teams from the Department for Education, working alongside local authorities, have an attendance strategy. They are working closely with schools, particularly for those young people with special educational needs and vulnerable children, to ensure that as many as possible are in schools. In relation to the bubbles, they are one way that schools can limit the number of contacts but, even if a child within a bubble tests positive, that does not necessarily mean that all children in the bubble have to go home; it is still only those who qualify as close contacts in line with the risk assessment by the school.

**Baroness Andrews (Lab) [V]:** My Lords, is the Minister aware that, during the first two weeks of June, the number of Covid cases in early years settings doubled? Can she tell me how many nurseries have closed because pre-school children are isolating? If the Government withdraw the requirement for schoolchildren to isolate, will this also apply to pre-school settings? This is, as she knows, an area under huge strain and challenge at the moment and it would be good to have as much clarity as possible on this point.

**Baroness Berridge (Con):** My Lords, I can tell the noble Baroness that the latest figures we have are for 24 June this year, when 55,000 early years settings

were open. That represents 82% of all settings, and we estimate that that means that 937,000 children were in an early years setting on that day. When we are able to confirm step 4, the advice will obviously relate to all education settings.

**The Deputy Speaker (Lord McNicol of West Kilbride) (Lab):** My Lords, all supplementary questions have been asked.

## Emergency Covid Contracts

### *Commons Urgent Question*

*The following Answer to an Urgent Question was given in the House of Commons on Tuesday 29 June.*

"I am grateful for the chance to address the House about the Government's use of emergency Covid contracts. I have previously responded to debates on this issue with as much detail and candour as I have been able to provide as someone who came to this brief last June and who has tried subsequently to understand what happened in the early months of the pandemic.

The right honourable Member for Ross, Skye and Lochaber (Ian Blackford) will know that all corners of our country have worked together to tackle Covid. The public have all too often seen division between different regional authorities but, in truth, close collaboration with the devolved Administrations has been at the heart of our pandemic response, enabling swift policy action such as the rollout of the vaccine programme UK-wide, the furlough scheme and a rapid increase in testing capacity.

At the beginning of the pandemic, over 13 million items of personal protective equipment were distributed to the devolved Administrations. Throughout the pandemic, the UK Government and the devolved Administrations have worked side by side on sourcing and supply of PPE such as FFP3 masks, and they continue to work together on meeting future demands on frontline staff. The existing procurement rules rightly allow the Government to procure at speed at times of emergency under the Public Contracts Regulations 2015. The rules predate Covid-19, and there was no need for suspension or relaxation in order for them to be used. None the less, I understand and welcome questions that right honourable and honourable Members have about Covid contracts, because how we spend taxpayers' money matters very deeply to public trust.

It is true to say that the Government faced a number of challenges at the height of the pandemic, and we should be open about those. It is incumbent on all of us to understand not only the kinds of pressures that were on the system, but some of the shortcomings that desperately need to be addressed. That being the case, the Government are already adapting their commercial guidance and work. Following the first, independent Boardman review of procurement processes, looking at a small number of contracts in the Government Communication Service, 24 out of 28 recommendations have already been implemented, and the remainder will be met by the end of the calendar year. Following the second, wider Boardman review, which looked at PPE, ventilators, test and trace, vaccines and food

parcels across Government, 28 further recommended improvements were identified, and progress on those is under way. Our Green Paper on transforming public procurement also sets out proposals to update the rules on procuring in times of extreme emergency or crisis.

Let me also briefly address the issue of government polling during the pandemic. The Government regularly undertake research to support policy development, which includes work related to the impact of Covid in areas across the UK. It is the sign of a responsible Government to understand the public's views on how best to keep people safe to recover from the pandemic and to ensure that we will continue to deliver for all parts of the United Kingdom."

1.30 pm

**The Deputy Speaker (Lord McNicol of West Kilbride) (Lab):** The noble Lord, Lord Moynihan, and the noble Baroness, Lady Wheatcroft, have withdrawn, so after the noble Baroness, Lady Hayter, the noble Baroness, Lady Brinton, will be followed by the noble Lord, Lord Brooke.

**Baroness Hayter of Kentish Town (Lab):** My Lords, we are learning more day by day, are we not? In addition to a VIP fast lane for contracts, we know that Health Ministers had at least 27 undeclared meetings, including with potential contractors, some of whom then went on to win handsome contracts. Why did these meetings take place without civil servants being present, both to advise and to minute? How much did the Permanent Secretary know about this and what advice was given? Most importantly, has this practice now stopped?

**The Minister of State, Cabinet Office (Lord True) (Con):** My Lords, I believe the noble Baroness is referring to meetings that took place within the Department of Health and Social Care. I am advised that those meetings were not declared or reported simply because of an administrative error, which has been corrected. Therefore, the implication that this was something intended to hide meetings which were obviously involved in seeking to respond to the Covid crisis and to encourage people, as I understand it, to be involved with assisting the national effort is wrong. Those meetings were regular meetings that took place within the department; they simply were not reported, through an administrative error. As to the specific details of the meetings, although I acknowledge the responsibility to answer on behalf of the Government, I would have to refer to the Department of Health and Social Care for details of their content.

**Baroness Brinton (LD) [V]:** My Lords, to paraphrase Oscar Wilde: to make one error with a Covid contract is unfortunate; two looks like carelessness but four is suspicious. Can the Minister explain why the meeting of the noble Lord, Lord Bethell, with David Meller, a £60,000 donor to the Conservative Party, was not published on time in his ministerial meetings schedule? Why was that meeting incorrectly marked as being about testing materials, when in fact it was about the supply of PPE? Why was Meller Designs, which has no background in PPE supply, awarded an £86 million

contract without any competition? And why was that contract not published on time? This is far from an isolated example. Surely these repeated breaches of ministerial and procurement rules need urgent and independent investigation now.

**Lord True (Con):** My Lords, I said in my previous answer that I am not equipped, at this notice, to answer specific questions on specific meetings in another department about which allegations are being made. What I will say to the noble Baroness, and to everyone, is that an extraordinary effort was made, and was required of government by the country—and by opposition parties, as a matter of fact—to procure material that was needed to address the Covid crisis. While criticism is made of the alleged fast-track process of urgent procurement procedures, the absolute priority was to save lives, and those procedures were in line with procurement policy. There was extreme urgency, and indeed the Government's case that emergency procurement regulations could be used because of the extreme urgency of the Covid-19 pandemic was upheld by a judge in the High Court in a recent case.

**Lord Brooke of Alverthorpe (Lab) [V]:** My Lords, I hope that the Government will seek to establish why there have been these administrative errors and give a full report to both Houses. I recognise that the Government had to act urgently in the circumstances in which they found themselves, but I see no reason why they needed to break existing rules. The previous Secretary of State used a personal mobile in a way that was in contravention of all the guidance given to him. There is no reason why he should not have used the official mobile. Can the Minister tell me whether the noble Lord, Lord Bethell, has been having private conversations on his mobile? Has this been investigated? If not, why not? The public need to know what is going on. If there is nothing to be worried about, let us bring it out into the open and the Government will be cleared—there will be a smell continuing if they will not investigate these issues.

**Lord True (Con):** My Lords, the matter of the letting of contracts has been reviewed by many people and many reviews. The Boardman first review covered communications contracts, and 28 of its recommendations are complete, as of today. The Boardman second review covered areas of PPE, ventilators, vaccines, et cetera. Work is under way to implement those recommendations. The NAO found no irregularities or potential conflicts of interest involving Ministers in its report up to 31 July. I think the background is a little less perfervid than is described. As far as email is concerned, of course Ministers should have a care. All Ministers are aware of the guidance around email use. Government guidance is that official devices, email accounts and communication applications should be used for communicating classified information, but Ministers have other lives—parliamentary lives and so on—and other forms of communication may be used in conducting government business. As for my noble friend Lord Bethell, he spoke on this matter in the House on Tuesday, so I refer the noble Lord to his comments; obviously, he is best equipped to answer those kinds of charges.

**Lord Balfre (Con):** My Lords, I think that, when the final inquest on this affair is ended, we will find that the Civil Service also was not up to it in certain areas when it came to commissioning contracts. Ministers undoubtedly cut corners. I listened to the noble Lord, Lord Bethell, the other day when he was here, and he said he had obeyed the Nolan principles. I want to ask the Minister whether the Nolan principles specifically forbid the use of private emails, because I am not sure that they do. If they do not, will he try to ensure that the Nolan principles are brought up to date, to reflect where we are and modern technology?

**Lord True (Con):** My Lords, the Nolan principles arise from outside government. I was there at the start of the Nolan process and recall that it arose from recommendations that were requested by the then Prime Minister. I do not believe the principles necessarily cover emails—I may be wrong—but there are other areas of guidance to Ministers; there are duties under the Ministerial Code and so on. Obviously, Ministers must have an eye to all of those in their daily work.

**Baroness Donaghy (Lab):** I think the Minister was quite correct that an extraordinary effort was made. My concern is that that effort was focused on political friends and actual friends. It has been confirmed, as the Minister said, that a VIP lane, or high-priority route, existed for PPE offers referred by Ministers, MPs or officials. Will the Minister confirm that there was also a fast track for test and trace offers if they came from a Minister/private office? What percentage of those politically connected offers were successful in the triage process?

**Lord True (Con):** My Lords, I am advised that the claims that have been made in this respect are completely false and that there was in fact no high-priority lane for testing suppliers. All offers of testing went through the same robust assurance checks, and there was no separate so-called fast-track process—that is the clear advice that I have been given. Any discussions relating to government business were fed back to officials in the usual way. It does not matter what I think, but I assure the House that we as a Government take the impartiality and integrity of government procurement processes extremely seriously. When I say it does not matter what I think, I am saying that I think that and the whole Government think that, so I think I can set the noble Baroness's fears at ease on that score.

**The Deputy Speaker (Lord McNicol of West Kilbride) (Lab):** My Lords, the time allocated for this Question has elapsed, and I apologise to the noble Lord, Lord Mackenzie.

## International Travel

### *Commons Urgent Question*

*The following Answer to an Urgent Question was given in the House of Commons on Tuesday 29 June.*

“After 15 months of restrictions and lockdowns, I know that everybody in the House is determined to get this pandemic behind us, so that we might finally begin to think about returning to some sort of normality. Decisions over how to control our borders during

these unprecedented times are of course never easy. In everything we do, the overwhelming priority is to protect the public and the hard-won gains that have been made.

Last week, in recognition of the hugely successfully vaccination programme, we were able to confirm that in the future, when I will certainly return to the House, fully vaccinated people will be able to avoid quarantine when they return from countries on the amber list.

I want to be realistic with the House: this is a complicated policy that requires time to work through. First, the Joint Committee on Vaccination and Immunisation has yet to opine on whether children should be part of a vaccination programme. They are not at present, and we must resolve how children would therefore be treated under a programme that enabled people to travel without vaccinations.

Next is the question of what to do for people who cannot be vaccinated for medical reasons or are perhaps on one of the non-standard vaccine trials. That accounts for around half a million people and we need to work out what to do in that respect.

There is also the question of how to recognise vaccine status at ports and airports. That is easier for people who have been vaccinated in the UK, because the main NHS app—I should stress that I am not talking about the test and trace app—can already display a person's vaccine status, but it is less easy to prove for someone coming from overseas, particularly if their country has a paper-based system.

As a result of all this work, we will announce to the House when we are ready to make these decisions in order to bring this system into place. It will most likely be phased in for UK residents first.

As has been said, we have confirmed changes to the traffic light system, which take place tonight, at 4 am. That will change the countries that are on the red and the green lists. There are some complications with establishing the list on a UK-wide basis, including with the devolved Administrations. Once the decisions have been made, it is also very difficult not to have them escape from the various different Administrations, so I apologise to the House for not always being able to get here first before I start to read of them in the newspapers. In this particular case, I heard them instantaneously—or within an hour or so, I should say—from the devolved Administrations elsewhere in the UK, meaning that the story was already out there. Malta, Madeira, the Balearic islands and several UK overseas territories and Caribbean islands will be added to the green list, while a further six countries will move to the red category, as we continue to adapt our system.

Our border regime is one of the toughest in the world and I know, from chairing meetings of the G7 Transport Ministers, that it is closely tracked and in some cases followed by other countries. We are now focused on the long-term issue of how to keep our country safe while getting international travel back up and running. These decisions are not easy and will not be enhanced by simplistic calls to stick countries on either a red list or a green list without providing the level of detail that the amber list helps to provide. In comparison, this Government are taking a cautious, evidence-based approach. I will return to the House with more information once we are aware of the details.”

1.40 pm

**Lord Rosser (Lab) [V]:** Tourism and other transport industries need a clear plan and clarity now over timings for easing restrictions on international travel, and the Government failed to provide that in the Commons on Tuesday. Passenger numbers for UK aviation are down by nearly 90% compared to 2019—far more than in our major European competitors. UK airlines have announced over 30,000 job cuts so far, without taking account of the impact on the wider supply chain. ABTA has said that 44% of its members expect further redundancies as furlough tapers off. The aviation and tourism industries need help now. All the Government do is repeat figures from the general schemes from which they have received support, but the aviation industry—the hardest-hit sector—was promised sector-specific support. When are the Government going to deliver what they promised?

**The Parliamentary Under-Secretary of State, Department for Transport (Baroness Vere of Norbiton) (Con):** My Lords, the Government are working extremely closely with all parts of the travel sector, and we recognise that it has been a very difficult time for it. Significant support has already been given to the sector, and indeed there has been sector-specific support for airports. We will, of course, continue to work closely with them in the medium term.

**Lord Bradshaw (LD) [V]:** International travellers all have to pass through the border security at airports. This has not had a good reputation for efficiency in the past, so can the Minister give us some reassurance that matters are improving?

**Baroness Vere of Norbiton (Con):** I hope that I can provide some reassurance, although we accept and have been very clear that wait times at the border may be extended due to biosecurity checks. However, the PLF system—the passenger locator form—has now been further automated such that you cannot submit it until you have fully completed it, which makes it easier for carriers and Border Force. Secondly, we are rolling out an upgrade to the e-gates; they will be able to recognise the PLF once it is completed. We reckon that 51% of e-gates will be updated by the end of July.

**Lord Udny-Lister (Con):** My Lords, we have witnessed the chaos of the red, amber and green light system, with the lights changing quicker than any set of traffic lights ever has. We know that there will be variants. We know that, as we and the rest of the world vaccinate more, there will be even more variants coming through, so at some point we have to trust the vaccines. Will the Minister assure the House that she is going to get some stability into the system so that both tourists and, perhaps more importantly, businessmen can plan? Having seen what has happened in Malta in the last few days, will she also ensure that we can get something that is recognised as a vaccine certificate around the world?

**Baroness Vere of Norbiton (Con):** I am delighted to tell my noble friend that Malta is now accepting the NHS app via a verification system, so it has gone digital. Therefore, I hope that people will look forward

to travelling to Malta. As the Roads Minister, I know that what he says is not quite true—traffic lights do change quite quickly—but he does have a point: we need to provide stability. This is what we have done with the traffic light system, because we have to recognise that, like it or not, things will change. Things will change in other countries; they are beyond our control. They will also have their own issues with vaccination, whether it is successful or not, and they will have their own categories for the types of people that can arrive. I believe that our traffic light system is absolutely appropriate. It provides clarity, although I accept that it may change over time.

**Lord Hastings of Scarisbrick (CB):** My Lords, could the Minister please assist the House to understand what the Secretary of State for Transport attempted to say the other day about travel to the United States? Could she clarify precisely when travel to our so-called closest ally will be available, given that we are both equally vaccinated countries? Why is it possible to fly to Mexico from London and then go to the United States, but not to go from London to the United States when, in theory, Mexico does not have the same level of vaccination and has a higher level of coronavirus cases? Could the Minister please explain exactly what the situation is and, for goodness' sake, when we can go?

**Baroness Vere of Norbiton (Con):** Well, we know that the Prime Minister and President Biden are very keen to return to safe transatlantic travel as soon as possible. The UK-US experts working group is up and running, and it is looking through all the technology and protocols that would need to be in place. However, the US is slightly different to the UK, and it has 50 different states with 50 different systems that register whether someone has been vaccinated or not, so there is a little work to be done. Obviously, I cannot give the noble Lord a timeline, but we are very keen to reopen our borders to the US, and we will do so when it is safe.

**Baroness Foster of Oxtton (Con):** My Lords, you can transit through Italy, remain for 36 hours and not quarantine—but, sadly, not if you are an England fan. From abroad, you can come here, stay longer and not quarantine if you are a politician, VIP, official or sponsor. This confirms that, whatever the variant, the vaccines work. Can my noble friend inform the Department of Health that, until this incessant scaremongering stops, our airline and tourism sectors will continue to haemorrhage jobs and will never recover?

**Baroness Vere of Norbiton (Con):** As I have set out previously—I agree with my noble friend—the travel industry is having a very difficult time, but we can see a light at the end of the tunnel. We have to make sure that we act with public health as our priority. We must have a cautious approach, because we cannot risk everything that we have been able to do with the vaccine programme by importing variants of concern from overseas.

**Lord Berkeley (Lab):** My Lords, in the *Financial Times* yesterday, Ministers are quoted as saying that any businessman coming into this country who could

[LORD BERKELEY]  
offer £300 million—I think that was the figure—of investment in the country could be exempted from quarantine. Can I ask the Minister whether that would have applied to Mr Greensill and Mr Gupta, who have been saving the British steel industry for decades? How does this work, in terms of the medical reasons for doing it? Is this not a case of double standards for those that Ministers like?

**Baroness Vere of Norbiton (Con):** Let me explain to the noble Lord exactly what is going on here. There is an exemption from the requirement to quarantine, and it applies to a very limited number of specific business activities where these cannot be undertaken remotely or by anyone other than the exempt executive and would serve to create or preserve very large numbers of UK jobs—500 plus. So, that is potentially where his number came from. This exemption has been very significantly tightened since a version of it was in force in December. The qualifying threshold has been increased tenfold, and its scope has been reduced to permit only the most critical activities.

**Lord Lansley (Con):** My Lords, I draw attention to my interests as recorded in the register. The traffic light system is only one side of the coin; the other side is the restrictions that may be imposed by other countries. My noble friend will be aware that the EU has brought in its digital Covid certificates, starting today. Can I ask my noble friend whether the Government intend—and may succeed—to align our vaccination passports with the digital Covid certificate in the EU?

**Baroness Vere of Norbiton (Con):** My noble friend makes a really important point, and that is why it is so important that countries are able to go digital where they are going to accept travellers. That is why we are so delighted that Malta has done that in accepting the UK NHS app. Of course, we are working with all our key destination countries to try to align the digital certification for Covid vaccination, and we will continue to do so. There are other considerations as to whether the countries want us there at all, but certainly it is worth building that relationship on digitisation ahead of any change in entry requirements.

**Viscount Waverley (CB):** My Lords, why does the GOV.UK website inform residents living abroad that they can travel to their country, but as you click through to links within the same website it states that you should not travel to amber countries. Which is it? When doing so, why do PCR tests in many destination countries cost a fraction of the cost in the UK when presumably they must use the same broad technique to arrive at the same result?

**Baroness Vere of Norbiton (Con):** I do not know where the noble Viscount's confusion has come from, but it is made very clear that when it comes to amber and red countries, the advice is not to travel. Of course, there will be people who will have personal reasons to travel, such as for a funeral, et cetera, but the advice is not to travel and the Government are very clear on that. With regard to PCR tests, in the UK it

costs £85 for a two-test package or under £50 for a single-test package. If I look at comparisons, for example, the median cost of just one PCR test in the US is £90 and the average cost for a PCR for travel abroad in Spain is between €130 and €240, so we compare quite well to that. Whatever the cost of the PCR test, it is important that we bear down on those costs and that we take the advantage of economies of scale as more people are able to travel in the future.

**The Deputy Speaker (Lord McNicol of West Kilbride) (Lab):** My Lords, the time allocated for this Question has elapsed. I apologise to the noble Lord, Lord Bourne, who did not get in.

## EU Settlement Scheme

### *Commons Urgent Question*

*The following Answer to an Urgent Question was given in the House of Commons on Tuesday 29 June.*

“I am delighted to have this opportunity to mark, and update the House on, the huge success of the EU settlement scheme. As of the end of last month, more than 5.6 million applications had been received by the scheme, with more than 5.2 million concluded. As these numbers demonstrate, the dire warnings about our willingness to deliver an effective scheme to safeguard the position of millions of our friends and neighbours have proven totally unfounded.

Today, I invite all honourable and right honourable Members to play their part in communicating tomorrow's deadline and encouraging those who are eligible, but who have yet to apply, to do so now. The Government have mounted a massive public information campaign to raise awareness about the scheme, investing almost £8 million in communications encouraging eligible EU citizens and their family members to apply by the deadline. We have also made extensive support available to applicants who need it, including providing £22 million in grant funding to organisations that have so far helped more than 300,000 vulnerable people to apply for the status that they deserve.

While the deadline is tomorrow, we will take a pragmatic and flexible approach to considering late applications made after the deadline. Our priority will remain to encourage those eligible to secure their status, and the examples of reasonable grounds given in the guidance that we have published are non-exhaustive. Each case will be considered based on its unique circumstances.

To confirm: a person's existing rights will continue to be legally protected pending the outcome of an application made by the deadline of tomorrow, plus any appeal process that may follow. In the meantime, they will be able to rely on their certificate of application as proof of their right to work or rent when that is verified by the Home Office employer and landlord checking services.

We also expect the EU to uphold its obligations on citizens' rights. We are aware that some UK nationals in the EU have faced difficulties in securing and exercising their rights. We are engaging with the EU through the specialised committee on citizens' rights to address this.

The people of the United Kingdom voted to leave the European Union in June 2016. We opened the EU settlement scheme in March 2019 on a basis much more generous than the withdrawal agreement requires. By contrast, most EU countries have an application window of around 12 months. Our position has remained clear throughout: EU citizens are our colleagues, neighbours, friends and family. We want them to stay and to get the status that they deserve under the EU settlement scheme. The fact that so many have already chosen to do so is something to celebrate, and I encourage anyone who is eligible, but yet to apply, to join the millions who have already secured their rights through our scheme, with support available online, on the phone and through our fantastic grant-funded organisations.”

1.51 pm

**Lord Rosser (Lab) [V]:** Some 30,000 people in receipt of benefits have yet to apply for settled status. Applications have not been made for more than 2,000 children in care or care leavers. The Government have no clear idea of the total number of EU citizens still to apply and said in the Commons on Tuesday that “literally thousands” of applications

“are still coming in every day”.—[*Official Report*, Commons, 29/6/21; col. 163.]

To keep the rights they had, those still to apply have to hope that the Government of Windrush and the hostile environment deem that they have reasonable grounds for a late application being made.

First, we have called for an extension of the European Union settlement scheme for three months to the end of September. Why will the Government not agree to it? Secondly, will they commit to providing updates to Parliament, at least every month, of the number of late applications received and the number of such applications accepted, the number rejected and the number still outstanding of decision?

**The Minister of State, Home Office (Baroness Williams of Trafford) (Con):** I thank the noble Lord for his questions. On a September extension, the scheme has been open now for over two years, which is a reasonable time, in our estimation. The noble Lord talked about children in particular, and I agree that they may be a particularly vulnerable cohort. Of course, with children or children in care, whatever their circumstances, if there are reasonable excuses beyond midnight of last night, they will be able to apply and that scheme will be open indefinitely so as not to disadvantage them. On benefits, we are working very hard with the DWP to ensure that all those who are entitled to benefits will keep them.

**Lord Paddick (LD) [V]:** My Lords, why set an arbitrary deadline for people to claim rights they are already entitled to?

**Baroness Williams of Trafford (Con):** My Lords, it was not arbitrary; these things have to come to an end at some point. As I say, the deadline has come over two years since the scheme opened, which was incredibly generous. That is evidenced by the fact that now over 5.2 million people have had their applications processed for either settled or pre-settled status.

**Lord Cormack (Con):** My Lords, the figures given in the Answer appear very satisfactory. However, can my noble friend first of all confirm that “concluded” means accepted, and if not, can she please say how many people have been accepted? Can she also give the House an assurance that those who are accepted will be able to have a physical document that proves that they are indeed entitled to permanent residence in this country?

**Baroness Williams of Trafford (Con):** I can confirm to my noble friend that not all applications concluded are accepted. There will be some specific cohorts of people who will not have their applications accepted; for example, for various reasons to do with offending or for reasons of national concern. However, as regards the physical document, the EU settlement scheme was designed precisely to avoid a Windrush-type event, where immigration status was automatically conferred on people by an Act of Parliament but with no record made of it. Successful applicants under the EU settlement scheme receive a digital immigration status that provides that secure evidence of their status.

**Lord Dubs (Lab) [V]:** My Lords, will the Minister confirm that the original estimates made by the Home Office represent about half the number of people eligible under the scheme? Will she further confirm that when the figures were last produced, at least 300 children had not been identified? Given that, it is likely that there will be many more than 300. Therefore, while I welcome the Minister’s commitment that the scheme for children will be open indefinitely, is there not a concern that there will be a large number of children whom the Home Office have not identified and who may still not be aware of their position in the years to come?

**Baroness Williams of Trafford (Con):** I totally acknowledge the noble Lord’s point about children who in years to come might not have that status and therefore will need to apply for it. That is why the scheme, which accepts reasonable excuses for why somebody has not applied, will remain open indefinitely. I hope the noble Lord will be happy that 67% of children in care have applied. That is a great figure but support will be ongoing to encourage those children to apply. The noble Lord’s point about the Home Office underestimating the number of people who might apply for settled status is absolutely right. So did the 3million, hence its name. We now have 5.6 million applications, which is a very encouraging figure.

**The Earl of Clancarty (CB):** To follow on from the question from the noble Lord, Lord Cormack, a main concern of EU citizens resident here is for those without smartphones or internet access to have printable proof of their status. Will the Government consider the use of a secure, QR code-based system to achieve this? It is a technology the Government approve of and many of us are now familiar with it. If it has been done for vaccination status, why not for settled status?

**Baroness Williams of Trafford (Con):** I thank the noble Earl for that question. To update him, Home Office officials recently met the 3million to discuss

[BARONESS WILLIAMS OF TRAFFORD]

those proposals in more detail. The use of QR codes is something that we will consider. There will of course be a number of issues to work through to assess the feasibility of the solution, including that end users' data is absolutely secure.

**Baroness Donaghy (Lab):** My Lords, the Minister will agree that online support, telephone helplines and grant-funded organisations have done a tremendous job so far. What help will be available to those who have missed the deadline? How do we ensure, as the Minister hopes, that we do not have another Windrush scandal? Many do not trust the state or politicians, and many will not believe that the new rules apply to them because they have been here for decades. How will the Minister's statement that the scheme will be open indefinitely be manifested?

**Baroness Williams of Trafford (Con):** I think what the noble Baroness asks is: beyond the deadline, what support will be available? The Settlement Resolution Centre will certainly be open after the deadline, and the grant-funded organisations will be funded into June. On her point about our intention up to September, we will scope out what the needs will be beyond September, because we do not want a hard stop preventing anyone who can apply to the scheme from doing so.

**Viscount Waverley (CB):** My Lords, Portuguese is a difficult language to get one's head around at the best of times, and vice versa with English, which leads to my question. Many in the East Timorese community resident in the UK apparently have no idea of the necessity to register post Brexit. Is the Minister concerned about that? If so, what has been or can be done, and do the Government suspect that other communities with English-language issues are similarly placed?

**Baroness Williams of Trafford (Con):** The East Timor issue has been drawn to my attention, and we will continue to encourage those who are eligible to apply as soon as possible. The noble Viscount will, I hope, know that we have granted £22 million-worth of funding until September of this year, and, as I just said to the noble Baroness, we will be scoping whether that support needs to continue. We have an organisation in Oxfordshire working specifically with the East Timor community.

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, I understand that, under the EU settlement scheme, there are no exemptions for seasonal workers in the fish processing industry, although there are exemptions in the edible horticulture sector. In view of that, will the Minister meet me to discuss how the issue will impact on the fishing sector in Northern Ireland and how this situation can be remedied?

**Baroness Williams of Trafford (Con):** I am very happy to meet the noble Baroness to discuss both the horticultural and fishing industries. She will know that a pilot is currently under way for seasonal agricultural workers, but I am very happy to listen to her thoughts on it.

**The Deputy Speaker (Lord Palmer of Childs Hill) (LD):** My Lords, all supplementary questions have been asked.

## Military Personnel Overseas: Vaccinations Question

*The following Answer to an Urgent Question was given in the House of Commons on Wednesday 23 June.*

"As soon as our hugely successful Covid vaccination programme was launched, I wanted to ensure that our Armed Forces would have access to vaccines as quickly as possible, so we tasked the department with ensuring that nobody would be disadvantaged by serving our country abroad. This means people would be offered vaccinations no later than they would have at home, and that those who needed to would be vaccinated before they left the UK.

Our critical outputs, including the continuous-at-sea deterrent crew and the quick reaction alert air crew, have rightly been prioritised. We have also in recent days completed 100% vaccination for our carrier strike group. I can confirm today that sufficient vaccines for all of our people in all overseas locations have now been dispatched. We are in the process of getting the few remaining people who are awaiting their vaccines their jabs. For those on active operations overseas, we have administered first doses of vaccine to 95% of those eligible and 61% of them have had their second dose. I can assure the House that every single eligible person across defence, at home or abroad, will have been offered at least their first vaccine dose by 19 July, in line with the national programme."

2.02 pm

**Lord Coaker (Lab):** My Lords, the first priority of government is the protection of and support for our Armed Forces. As the chair of the Defence Select Committee in the other place said, if we vaccinate our Armed Forces personnel for malaria, yellow fever, typhoid and a host of other diseases prior to deployment, why on earth did we not do so for Covid? How many UK military personnel deployed abroad in areas such as Mali contracted Covid, and have operations been affected? Further, the Minister now tells us that 61% of our troops have been fully vaccinated. When will the rest of them—one in three—receive their second dose, and is it not now extremely urgent that they do so?

**The Minister of State, Ministry of Defence (Baroness Goldie) (Con):** The noble Lord is absolutely right that the safety and well-being of our Armed Forces personnel is paramount. Indeed, that was recognised from the start of the pandemic, when the priority was to keep our Armed Forces safe. There were robust safety measures and regimes in place, and that included isolation prior to deployment.

I reassure the noble Lord that when the commencement of the impressively successful vaccination programme began in December 2020, it allowed the MoD to plan and work in tandem with our domestic vaccination programme. Sometimes we were ahead of that, for good operational reasons. The priority for government has been to save the lives of those most at risk. It is right that we followed the advice of the Joint Committee

on Vaccination and Immunisation, which was to prioritise those older age groups and the most at risk first, rather than prioritise by occupation.

The noble Lord asked me about Covid cases among UK Armed Forces on operations. The figures I have been given are current as at 28 June this year, and are that the percentage of UK Armed Forces registering positive for Covid is: in the Persian Gulf, 0.4%; in Iraq, 0.3%; in Mali, 1.4%; in Afghanistan, 1%; and in Estonia, 13.2%. He will be aware that there was a higher case rate in Estonia due to a significant changeover of personnel at the time.

I reassure the noble Lord that second doses will be offered in line with clinical advice and the exact circumstances of the deployment. Our target within defence is four to eight weeks after the first dose, although, where there is an operational requirement, such as overseas deployment, we may accelerate second doses, subject to clinical guidance on the recommended gaps between doses. The only prioritisation that was effected was, as he will be aware, in respect of the nuclear deterrent, the carrier strike group and the rapid response Typhoon force.

**Baroness Smith of Newnham (LD) [V]:** My Lords, this Urgent Question repeat goes back to 23 June. Can the Minister update the House on the figures? We were told that 61% of those on overseas operations had had a second dose of vaccine. What is the percentage now, eight days later? Noting that the Minister for the Armed Forces stated in the other place that by 19 July every member of personnel across defence would have been vaccinated, can she reassure us that that includes junior soldiers at the Army Foundation College in Harrogate, who will be under 18?

**Baroness Goldie (Con):** To come to the noble Baroness's last question first, my understanding is that the Ministry of Defence will ensure that every adult is offered their first dose of a Covid-19 vaccine by 19 July, in line with HMG's accelerated vaccination timelines. Indeed, by that date, many will have completed both doses. I am unaware of the situation in relation to the cohort to which she refers. I undertake to inquire into that and, if I can ascertain further information, I shall write to her.

The noble Baroness asked an important question about percentages of vaccinations given. The figures I have—again, these are as at 28 June 2021—are that: for UK Armed Forces personnel on active operations, 95% have received the first dose, 74% have received the second dose and 2% have refused a dose. As at 28 June for Armed Forces personnel based overseas, excluding operations, my information is that 73% have had a first dose and 35% have had a second dose.

**Lord Houghton of Richmond (CB):** I ask the Minister a related question regarding proof of vaccination for military personnel. As a former CDS whose medical data is still held by the Defence Medical Services, I declare a personal interest. The Minister will be aware that the medical data of defence personnel, including proof of vaccination, is held in a way that is inaccessible via the NHS app. I accept that a highly complex work-around is available, but only to those who are extremely technically gifted. When will this significant disadvantage be resolved?

**Baroness Goldie (Con):** The noble and gallant Lord raises an important issue. It is complex, but I hope I can provide some further information and perhaps some reassurance. The interchange of vaccination data between NHS systems and defence medical systems is already fully operational for the vast majority of personnel, but for security reasons and to ensure that a greater proportion of defence personnel can access their vaccination status, all defence personnel must use the NHS website rather than the mobile phone application. I think that he will be sympathetic to the security nuances of that situation. I reassure him that that information has been widely communicated to all personnel and we have, just in the past day, reissued communications on this topic, including by text message and by guidance on our intranet.

**Baroness Wilcox of Newport (Lab) [V]:** I listened carefully to the Minister's reply to my noble friend Lord Coaker, but press her a little further on this area. I am sure she would agree that it is government's first duty to our Armed Forces to ensure they are properly trained, equipped and protected when they are deployed in service. Was it therefore a mistake to follow the age-related criteria and not to fully vaccinate our front-line troops at the beginning of the vaccination programme?

**Baroness Goldie (Con):** I say to the noble Baroness that it was not a mistake. She will understand that judgments have to be made on these issues. She will also be aware that the unfolding of the vaccination programme was innovative and new territory for government—indeed, new territory for many countries across the world. As I said to the noble Lord, Lord Coaker, the MoD took a view that it was right to follow the advice of the Joint Committee on Vaccination and Immunisation that it was preferable to prioritise those in the older age groups and those most at risk, rather than by occupation. However, as I also indicated to her colleague, the noble Lord, Lord Coaker, on occasions we, in fact, vaccinated prior to deployment if there was no opportunity for vaccination during deployment. Specifically, we made sure that regarding our critical outputs, which I have already described, we prioritised vaccination of those groups of persons.

**Viscount Waverley (CB):** My Lords, while it is not the Minister's bag, in addition to the question of UK military personnel serving overseas, is she aware what provision has been made for serving diplomats posted overseas, which we should be offering to reciprocate in London anyway?

**Baroness Goldie (Con):** The noble Viscount is absolutely right; it is not my bag and I do not want to get into hot water with my colleagues in the Foreign, Commonwealth and Development Office. In fact, from speaking to my defence attaché colleagues in one part of the globe this morning, I understand that our Diplomatic Service has been protected but I hesitate to give any further specific information because I do not possess it. I suggest that the noble Viscount might want to direct his question to my colleague, my noble friend Lord Ahmad.

**The Deputy Speaker (Lord Palmer of Childs Hill) (LD):** My Lords, all supplementary questions have been asked.

## Arrangement of Business

### Announcement

2.11 pm

**The Earl of Courtown (Con):** My Lords, with the leave of the House, I remind noble Lords that Back-Bench speakers in this next important debate have only two minutes. When two minutes have been used up, I will ask the broadcasters to move on to the next speaker.

## UK Foreign Aid Programme

### Motion to Take Note

2.12 pm

Moved by **Lord Fowler**

That this House takes note of the importance of the UK foreign aid programme.

**Lord Fowler (CB):** My Lords, I thank my Cross-Bench colleagues for the opportunity of this debate. I also declare my interest as an ambassador for UNAIDS.

In 2015, Parliament passed a Bill that placed a duty on Governments to devote 0.7% of national income to overseas aid. It was approved overwhelmingly in both Houses. My comment at Second Reading in this House was that it was

“what I would expect from a civilised and outward-looking country that recognises it has responsibilities to try to help the poorest people in other parts of the world”.—[*Official Report*, 23/1/15; col. 1530.]

I would suggest that our responsibilities remain the same today. I also suggest that in spite of the examples of corruption in the use of aid money, which I deplore as the lowest form of crime, the effort of the world through the help of Governments and the United Nations, together with the wonderful support of charitable organisations, volunteers, doctors and nurses, and countless others, has led to major steps forward.

No one pretends that the battle is remotely over. We have edged forward but there is still a mountain to climb. Take, for example, HIV/AIDS. The latest figures show that almost 700,000 men, women and children around the world died from AIDS-related illnesses last year. There are 38 million people around the world living with HIV. In sub-Saharan Africa, women and girls account for 60% of all new infections and we know that if girls leave school early before the secondary stage, their chances of having HIV are doubled.

However, that terrible toll is not remotely an isolated case. It is extraordinarily difficult to express in a few words the magnitude of the full challenge or to grasp the full implication of the cut from 0.7% that the Government have ordered. There are the problems concerned with the Global Fund to End Modern Slavery, raised in the other place by the former Prime Minister Mrs May, which include programmes to end the commercial exploitation of children. Our funding there is being cut by 80%. Incidentally, together with Mrs May, three other former Prime Ministers have condemned the cuts in foreign aid.

The present Prime Minister declares a personal priority for aid in girls' education but that aid has been cut while aid to UNICEF, the United Nations Children's

Fund, has been cut by 60%. Among the multitude of other programmes suffering cuts in UK aid, which are sometimes total, are a project to provide healthcare in deprived areas of Bangladesh, help for clean water projects in Africa and, my own particular cause, UNAIDS, which has had its grant cut by 83%. Even funding for Yemen, which has the world's worst humanitarian emergency, has been cut back, and we will doubtless hear from the noble Lord, Lord Herbert, on the position with TB, perhaps the world's biggest killer.

It is for reasons such as those that every country, bar one, inside the G7 group of the most prosperous nations in the world has decided not to cut back their aid programmes. The one exception is, of course, Britain, which until now has taken pride in its efforts to help the poorest and the sick, and rightly so. However, the Treasury says now that the financial circumstances of the country explain the cut. I would find that argument easier to accept if I did not remember that back in 2015, long before Covid, it was the Treasury that was most passionately opposed to this international Act. Its argument then was that it was wrong to ring-fence this small part of its budget and that the matter should be left to the discretion of the Chancellor—exactly what the Treasury is now achieving. Back in 2015, its objection was debated and, crucially, in Parliament it was decisively rejected.

What makes these cuts so objectionable, even to those who might have supported the economic case, is that Parliament today has had no opportunity to vote on the issue at all. An Act of Parliament has been changed by ministerial decree. There is a gigantic issue of principle here that no true parliamentarian can ignore. In the other place, Andrew Mitchell, the MP for Sutton Coldfield, made a brave attempt to force the matter to a vote and I pay tribute to him. I am tempted to say that Sutton Coldfield does well in electing its MPs to the House of Commons. Today in this House, we have a debate with more than 40 speakers who, as we have heard, are confined to a strict two minutes each. It shows the strength of opinion but, again, there is no prospect of a vote.

That fundamental criticism was immensely strengthened by none other than Mr Speaker in the other place. He said that he shared “the House's frustration” at its failure to be able to make an effective decision on the Government's action. It was not just Parliament, he said, but the country as a whole that,

“needs this matter to be debated and aired, and an effective decision to be taken”.—[*Official Report*, Commons, 7/6/21; col. 668.]

Frankly, the parliamentary process has so far proved to be ineffective. It is for that reason that many of us are now looking at other remedies. That remedy may lie in the law itself and an examination of a basic question: whether the action taken by Ministers is fundamentally lawful.

Let us remember that the Government agreed with the advice that they needed legislation to change the position. On 25 November last year, the Chancellor of the Exchequer said that from the Dispatch Box, and the Foreign Secretary said the same thing the very next day, 26 November. They spelled out the reduction from 0.7% but forgot to mention, perhaps, the reduction provided for in the Bill itself automatically with the reduction in national income.

On the promise of legislation, all that changed some months later when the Government announced that, after further reflection—which is their way of saying that the Chief Whips had told them that they were in danger of being defeated—they did not actually need legislation at all. They said that all they had to do was make a statement—a point raised in this House by my noble and learned friend Lord Judge and the noble Lord, Lord Purvis of Tweed. The form of statement is, to put it mildly, unclear. A Written Answer might suffice, or perhaps just a letter. Parliamentary accountability has come to this.

Another fundamental question and criticism has come from the former Solicitor-General, the noble and learned Lord, Lord Garnier, who will also speak in this debate. He argued that, until Parliament changes the law, there is a statutory duty to meet the 0.7% target. The Government can say that they intend to change the law but, until that is done, they are subject to it. They cannot legitimise their failure to hit a target by announcing in advance their intention to fail.

In short, there are legal options open to us to challenge these cuts. The difficulty, of course, is that they will take time. In my view, the best outcome is for this to be settled in Parliament. The Government should recognise that aid organisations today face unique and urgent problems, partly because of Covid. How much better it would be for the Government to recognise that reality and change course. The issues of poverty and lack of health provision remain the same; the difference is that, with the onset of Covid, they have become even more acute.

One of the most powerful letters I have received during this crisis came from a young British doctor who had been working for several years in Sierra Leone. He quoted the experience of his successor. She had said to him:

“Pretty much every one of our funding sources has been cut entirely overnight with no notice. It is hard to overstate how catastrophic this will be to our patients in Sierra Leone, the Democratic Republic of the Congo and Somaliland. From the infectious diseases unit we built with UK funding as a first line of defence against pandemics to the oxygen factory we built to provide life-saving treatment for Covid, we will have to pull out all of our volunteers and support, and these facilities may well have to close completely.”

Lastly, let me say this: I do not believe that this is a “red-wall” or “blue-wall” issue. It is not, and should not be, a matter of party politics at all. It is a matter of judgment and, in my view, common humanity. For millions of men, women and, in particular, children around the world, aid is their lifeblood. I do not pretend that UK aid can do it all, but it can make a substantial contribution, as we have seen over the past few years.

In short, I believe that we should keep to the course that we set in 2015. Above all, we should at least have the opportunity to reject these damaging cuts by the Government, obeying the usual parliamentary rules and allowing a vote in both the Commons and the Lords.

2.24 pm

**Lord McConnell of Glenscorrodale (Lab):** My Lords, please note my entry in the Lords’ register. We are all extremely grateful to the noble Lord, Lord Fowler, for

choosing this topic for his first debate following his retirement as Lord Speaker and for the very thoughtful and comprehensive introduction that he has provided for us today.

In a world of instability, inequality and extreme shocks, the UK has to be a force for good, in the interests of our own citizens and of the planet that we inhabit. We have a duty to right the wrongs of the past and protect our citizens today. UK aid prevents conflict, liberates people through education, fights global disease and provides hope at home for those who would otherwise take terrifying journeys to try to find a better life. So the speed and severity of these additional cuts—“additional” cuts, on top of those that would have happened because of the low levels of growth in the economy—shame our Chancellor and our Prime Minister. Shame on them. The political choice they have made—to pick on the poorest in the world and avoid a democratic vote in Parliament—shames this country too. However, as we come out of the worst of the pandemic and into the final preparations for COP 26, surely the Government can still, even at this last stage, rethink their decision and decide to go with the law and implement the proper arrangements for 0.7% of GNI to be spent on UK aid.

In the meantime, however, those of us who care about this issue must resolve with humility, persuasion and passion to build back public support for UK aid, and to ensure that, in future, we have better aid programming that liberates people through an end to dependency and a real chance, through lifelong partnerships with this country and others, to grow for themselves.

2.26 pm

**Baroness Northover (LD):** My Lords, I thank the noble Lord, Lord Fowler, for his extraordinary record in this field. The noble Lord, Lord Parkinson, has once more drawn the short straw. Where is the noble Lord, Lord Ahmad?

We all know that assisting in development is both right and in our interest. The pandemic has shown how globally interlinked we are. Clearly the integrated review was written before these cuts were suddenly announced—so much for “global Britain” and Britain as a soft power. So much for the UK as a trusted partner.

I was privileged to be the DfID Minister when my noble friend Lord Purvis took his Private Member’s Bill through this House to enshrine in law the commitment to 0.7% of GNI for aid. There was, and is, cross-party support for this—and rightly so. We were recognised as a development superpower and ODA went beyond DfID, for example to City of London enforcement agencies to counter corruption and to our universities for R&D. The Jenner Institute’s work on the Ebola vaccine translated into the Covid vaccine. The right hand clearly did not know what the left hand was doing when the Government decided to cut aid. Do we indeed wish to balance our books on the backs of the poor—as if this small commitment would even balance those books?

The PM says that girls’ education is important to him, yet these cuts will have a disproportionate effect on women and girls, who are the poorest globally. Reproductive healthcare is down 48%; education down

[BARONESS NORTHOVER]

30%; water and sanitation down 39%; and aid to the worst conflict in the world, in Yemen, is down 80%. I hope that the Minister will strike out from his speech the phrase “restoring when possible”. This cut should not have happened and needs to be reversed now. At the very least, the Government must obey the law—and is it not extraordinary that we should even need to say such a thing?

2.28 pm

**Lord Judge (CB):** My Lords, my daughter works in overseas development, so I declare that as an interest. I passionately follow her great passion for mankind.

I want to touch on one aspect of this, which is the way the Executive have treated Parliament. Even if this move by the Executive is lawful, they have approached it as an insult to the institution that is supposed to be sovereign. The Bill was carried by an overwhelming majority, as the noble Lord, Lord Fowler, indicated. I remind the House that a mere five votes—five—opposed it in the other place in 2014.

Here we are, a few short years later, and the Executive were purporting to deny that House the opportunity even to discuss—not to vote, but to discuss and express views about—a ministerial Statement that, by mere assertion, purported to legalise non-compliance with a statutory obligation. One needs to think of what was involved in that refusal to have a debate. Absurdly, it is the wording of that Act. That unchallengeable Statement is described as “accountability”—what extraordinary legislation.

The Glorious Revolution did away with the pretended power to suspend or dispense with statute, and that is precisely what we have here. Noble Lords all know about me whinging on about our thralldom and about how Henry VIII holds us in thrall, and that last year I complained that the Government spent more time addressing the media than they did the House of Commons. I will just say it again: the way this proposal has been advanced to the House has been negligible. The sovereignty of Parliament is treated as a mere adjunct of Executive authority.

2.30 pm

**Baroness Sugg (Con) [V]:** My Lords, I am very grateful to the noble Lord, Lord Fowler, for securing this debate and I am delighted that he will be fighting so strongly for this cause, now he has left the Speaker’s chair. Of course, two minutes is not sufficient to do justice to the incredible impact of UK aid, so I will just give one example—on sexual and reproductive health and rights.

In 2018-19 alone, the UK provided 23.5 million women and girls with modern methods of family planning. That means 23.5 million women and girls have more control over their bodies, lives and futures. However, sexual and reproductive health and rights have suffered disproportionately in the cuts to UK aid, and those cuts are bringing real-life consequences: midwives will have to leave areas where they are caring for pregnant women; women travelling to healthcare clinics to have their contraceptive implant changed will find the clinics closed; and girls will not complete their education because of adolescent pregnancy.

This is just one example of the real-world impact these cuts are having, and enough of a reason to return to spending 0.7% immediately, but it is not the only reason. Cutting our aid programme in the midst of a global pandemic is simply the wrong thing to do. We are the only country in the G7 to do so. The amount we spend on aid is already falling because of the contraction in our economy. The amount saved is less than 1% of what we are rightly spending on our domestic response to the pandemic. We are undermining our global Britain ambitions and our efforts to resolve some of the world’s biggest challenges.

The noble Lord, Lord Fowler, and the noble and learned Lord, Lord Judge, have set out clearly the issues for Parliament. The Government may well soon be challenged in the courts over acting unlawfully, and, in the court of public opinion, since January we have seen a 9% increase in support from the British public for UK aid, bringing the total to 53% support. I strongly encourage the Government to announce an immediate return to spending 0.7% of GNI on aid. If not, they surely must allow a democratic vote in Parliament.

2.32 pm

**The Lord Bishop of Gloucester:** My Lords, I have spoken before about the challenges faced by girls and women throughout the world, and I am therefore dismayed, along with others, by what we hear of the impact of the aid cuts on them. As the noble Baroness, Lady Sugg, said so eloquently, women and girls will suffer disproportionately as a result of these cuts. I understand that Her Majesty’s Government have undertaken a central equalities impact assessment. However, I believe this is yet to be published and I would be grateful for an update from the Minister.

My turbulence regarding the cuts is about not only the direct impact on the most vulnerable and those at risk of exploitation and discrimination but the failure to honour our promises to the world’s poorest. Archbishop Desmond Tutu once said,

“A promise to the poor is particularly sacred.”

Broken trust and moral failure are not insignificant issues. If we are to pull out of the programmes we have begun, it is not only devastating for recipients but the trust forged through partnership and relationship will be broken.

That leads me to highlight the good done by faith-based organisations throughout the world, which often work in partnership with others. That good work is now in jeopardy as a result of cuts to foreign aid. For example, in South Sudan, where Christian Aid has long worked with partners, termination of funding for the South Sudan Council of Churches is likely to affect the country’s very delicate peace process. Time is up, and I look forward to hearing contributions from other noble Lords.

2.34 pm

**Baroness Donaghy (Lab):** On an occasion such as this, my noble friend the late Lord Judd is more missed than ever. He stood for international solidarity and long-term commitment to building trust and support for those in need. I will deal with the importance of

international research, particularly development research. I thank SOAS and the Development Studies Association for their briefing.

If the £120 million cut in research goes ahead, it will cause huge damage, out of all proportion to the amount saved. It undermines the world-leading role that UK-led research plays in tackling global challenges. Our reputation as a trusted partner will be severely damaged. Will the Minister give a commitment that no existing contractual research projects will be chopped? Is he prepared to authorise officials to meet the Development Studies Association to learn more about the impact of these cuts on higher education and research in general?

2.36 pm

**Lord Oates (LD) [V]:** My Lords, I declare my interest as co-chair of the All-Party Parliamentary Group for Zimbabwe.

“We will proudly maintain our commitment to spend 0.7 per cent of GNI on development, and do more to help countries receiving aid become self-sufficient”—

that was the unequivocal manifesto commitment of a Government elected less than two years ago. It was the commitment of a Government who regularly tell us that, despite the dramatic impacts of the pandemic, they cannot possibly raise personal taxes or alter pension uprating because to do so would breach their manifesto pledges. But when it comes to the most vulnerable people on earth, in the hour of their greatest need, they have no such misgivings.

Shamefully, the Government are not only breaking their commitment to 0.7% but doing so at the same time as imposing travel restrictions on developing countries in Africa and across the world, which are having a catastrophic impact on the tourist trade on which so many rely and, hence, their ability to be self-sufficient. At a time when our allies are stepping up to the plate, FCDO officials are being forced by Ministers to scuttle around Africa, informing people in the most desperate circumstances not only that we will not meet the additional needs arising from Covid but that we will slash the support we were giving anyway, including cutting all bilateral aid to 35 countries in Africa.

The immorality of acting in such a manner does not need expanding upon, but even if the Government do not care about that—and they patently do not—have they considered the impact on the foreign policy interests of our country? Do the Government think that our friends will forget how we betrayed our promises to them, at such a critical time, or that it was other nations that stepped into the breach? Do the Government understand that, as a result of their approach, which is as unethical as it is unlawful, countless lives will be lost, huge amounts of good will will be squandered and any UK claim to global leadership will have been abandoned?

2.38 pm

**Baroness Hayman (CB) [V]:** My Lords, I draw the attention of the House to my interests in the register. I congratulate my noble friend Lord Fowler on the debate and the way in which he opened it. I endorse everything he said and the comments of my noble and

learned friend Lord Judge on the totally unacceptable way in which the decision to renege on the commitment in the manifesto on aid spending was taken and how Parliament was completely bypassed.

This was not the only commitment on overseas development in the manifesto. It also contained a commitment to end preventable child deaths by 2030 and to lead the eradication of malaria. I have spoken before in the House about the benefits of investment in malaria, not only to save literally hundreds and thousands of lives but for this country's standing internationally and for the respect of our aid programmes and the contributions of our academic institutions. Now, just as those programmes are, international institutions such as the Liverpool and London schools are suffering from the cuts to UKRI.

I very much hope that the Government do not further inhibit work on AIDS, malaria and TB when it comes to the next replenishment of the Global Fund, and that we will see the right level of investment in that. I hope the Minister will give me some assurance on that point.

2.40 pm

**Lord Bates (Con):** My Lords, it is true that the UK was the first major economy to meet its 0.7% aid commitment. It did so in 2013 and sustained it for seven years. That is a record of which British taxpayers can be proud, and it added immeasurably to our reputation around the world. It is true that the scale of the economic catastrophe hitting the UK public finances is the worst we have seen in 300 years and requires action. Meeting 0.7% would require an additional £4 billion, but this is out of total government expenditure of £908 billion. It is also true that the Charities Aid Foundation reported that British charitable giving had risen by 20% during the pandemic crisis, so I would be cautious about claiming that there is public support for this move.

It is also true that many of our closest friends and allies do not meet the 0.5% target, never mind the 0.7% target, for overseas development assistance. The United States gives 0.17% of GNI, Japan, Canada and Ireland 0.31%, New Zealand 0.27% and Australia 0.19%. Could others be encouraged to do more to fill the gap at this time?

It is also true that the number of people living in extreme poverty is estimated to have risen by 150 million over the past year due to the pandemic. At the same time, the world's richest have seen their fortunes increase by 27%—around £8 trillion—so there is a need, but there are also the resources to meet that need.

Finally, it is true that the British aid budget has saved millions of lives. It follows that a cut in the aid budget of around one-third will cost many lives. We do not know how many; I think we should. Will my noble friend consider preparing an impact statement illustrating how many lives will be lost as a result of the decision to reduce the aid budget—or, even better, will he just restore it?

2.42 pm

**Lord Griffiths of Burry Port (Lab):** My Lords, we are indebted to the noble Lord, Lord Fowler, for this debate. He stands like Prometheus after defying the

[LORD GRIFFITHS OF BURRY PORT]

gods and surviving the Woolsack. Unbound, he has come to bring fire to humankind, and we are in his debt. The successes in the field of our aid and development programme have been well rehearsed in the course of this debate. They are incontestable, and we can and should be proud of them—but those very successes stand as a reproach to those who are now trying to cut them back. Global Britain should show what being global really means, but the Government's rhetoric in so many ways leaves much to be desired, and logic is frequently absent.

We should also enter this debate against the background of Black Lives Matter. We can leave the statues—Colston, Rhodes and all the rest of them—exactly where they are, just as long as we have an educational programme that teaches our children how the statues stand for a world where a small number of wealthy nations sucked the souls and asset-stripped the economies of poorer countries in our recent history. Our aid and development programme, where we get rid of the idea of donors and recipients, should be seen as a way of servicing the debt we owe to the poorer nations of this world. We should make it a priority at all times.

2.44 pm

**Baroness Cox (CB) [V]:** My Lords, I refer to my interests in the register and declare an interest as the founder of the Humanitarian Aid Relief Trust—HART—which works with local partners abroad, all of whom experience acute suffering but are largely unhelped by the FCDO.

Time allows only three examples. In Nigeria, tens of thousands of civilians have been killed and hundreds of thousands have been displaced by violence in the Middle Belt. Our local partner there, Reverend Canon Hassan John, told us that, for more than 10 years, “I am not aware of any assistance from the British Government in this central region.”

In Sudan, civilians in Blue Nile state face a risk of famine and a devastating lack of teachers and educational materials. Our local partner, Benjamin Banaba, told us, “Apart from HART in Blue Nile state there is no other indigenous, international or UN agency providing any educational or scholastic material. Your project is the only project that exists on the ground and everyone relies on it.”

Finally, it is eight months since the UK sent £1 million in aid to Nagorno-Karabakh—for all victims, I understand, not just Armenians. I have not seen any commitment from HMG to extend those funds, despite the ongoing suffering of ethnic Armenians, with mass displacement, kidnappings, killings and the destruction of their homes and vital infrastructure. HART's partner, Vardan Tadevosyan, who directs the disability rehabilitation centre in Karabakh, has had to expand his work to help injured soldiers in the recent war, while many of his staff have been displaced and the number of patients is expected to double.

These situations sadly reflect the evidence-based concerns identified in the important book by Jonathan Foreman *Aiding and Abetting: Foreign Aid Failures and the 0.7% Deception*. Therefore, while I strongly oppose the reduction in the scale of foreign aid, I urge

the FCDO to give greater priority to the problems I have identified, and to many others suffering in similar situations.

2.46 pm

**Lord Garnier (Con):** My Lords, I thank the noble Lord, Lord Fowler, for opening this debate, and I agree with every word he said. The 2015 Act to which he refers places the Foreign Secretary under a statutory duty to ensure that the United Kingdom hits the target of 0.7% of gross national income for official development assistance every year. By law, he must make an annual statement to Parliament reporting on the previous year's performance. If the 0.7% target has been undershot, he must explain why. Until Parliament changes that law, the Government must aim to hit the target of 0.7% of GNI. They cannot deliberately aim off, fire blanks or dissemble. They can say that they intend to amend the law or substitute another target, but, until the statute is amended or repealed, Ministers are subject to that law.

As I told the House of Commons International Development Select Committee earlier this year, Ministers cannot legitimise a failure to hit the target by announcing in advance their intention to fail. The Government of course know this. As the noble Lord, Lord Fowler, pointed out, Ministers in your Lordships' House and the other place have admitted that they know this. Do the Government not understand that the expenditure defined by 0.7% figure is dependent on the size of the economy? If, as now, the economy shrinks, the absolute number shrinks with it. A politically and intellectually self-confident Government would comply with the law and permit Parliament to vote on any repeal or amendment, rather than ignore the law and Parliament.

I asked the House of Lords Library to provide me with a list of occasions when this Government may have broken either domestic or international law or have been accused of being indifferent to whether they were breaking the law or of being negligent in that regard, or have been accused of being untruthful to Parliament or the wider public. Time does not permit me to read out the lengthy list sent to me, but it is expressly described as “non-exhaustive”. The Conservative Party used to stand for the rule of law. In my view it still should. It is time that this Conservative Government either complied with at least one of the laws the Conservative Party recently voted for and enacted, or placed their policy before Parliament for a vote.

2.48 pm

**Lord Patel (CB) [V]:** My Lords, I thank my noble friend Lord Fowler for this debate and fully align myself with the comments made by him and others regarding the loss of UK support for global health, particularly reproductive and sexual health. Today I shall confine my remarks to another important area. Building scientific capacity around the world benefits everyone. Global challenges such as Covid-19 and climate change require global co-operation. Overseas development assistance for R&D has played a valuable role in building science capacity, science champions and the UK's reputation but, with more than 70% cuts in budgets, hundreds of projects in leadership development, life sciences, engineering, veterinary science,

zoonosis research, vaccines, drug development, health research and many more have seen thousands of job losses and projects around the world stopped mid-term.

The Prime Minister wants the UK to be a science superpower and to sustain strategic advantage through science and technology, as outlined in the integrated review. For this to happen, the UK must build a strong and varied network of international science and technology partnerships with emerging future science and technology powers. The long-term relationships built through ODA-supported scientific partnerships and the UK's reputation as a reliable partner will be lost. We run the risk of ceding ground to other countries in an area in which we have been global leaders.

How does the Minister think we will repair the damage done and regain the confidence of our partners that the UK is a reliable partner in their R&D ambitions?

2.50 pm

**Lord Cashman (Non-Aff)** [V]: My Lords, as a member of the APPG on HIV/AIDS, I will focus on this critical issue among so many critical issues. The UK has provided £15 million a year for the past five years to the joint United Nations programme on HIV/AIDS but now plans to cut this, by more than 83%, to £2.5 million this year. These cuts to UNAIDS risk jeopardising work supporting some of the most marginalised people. They will damage work to promote girls' education and empowerment and lessen the ability to help countries, including the United Kingdom, to end HIV and AIDS.

The UN Population Fund has seen an 85% reduction in support from the UK, which has cut a flagship supplies programme from £154 million to £23 million and core funding from £20 million to £8 million. Analysis has indicated that this funding would have helped prevent 250,000 child and maternal deaths, 14.6 million unintended pregnancies and 4.3 million unsafe abortions. The Government have also decimated their funding for HIV bilateral programmes, which has forced the closure of a number of vital HIV services and cancelled several funds supporting small and medium-sized civil society organisations.

The ODA budget had already been reduced because, as has been said, it is a percentage of our gross national income. This additional cut, during a global pandemic, will inflict damage that will take decades to undo. The facts speak for themselves, but they will not be heard by this Government. Like others, I am left feeling ashamed of this shameful Government.

2.52 pm

**Baroness Sheehan (LD)**: My Lords, I too thank the noble Lord, Lord Fowler, for tabling this really important debate. It seems that the cut to the aid budget is a hot potato passed to whichever Minister cannot move out of its way fast enough, yet it is an important topic going to the heart of who we are as a nation. It defines us on the global stage. It deserves the respect of the focus and attention of a single Minister, and it would be preferable if that Minister were from the FCDO.

In last week's short debate on this same issue, in the name of my noble friend Lord Campbell of Pittenweem, I posed a question to the Minister at the Dispatch Box, the noble Earl, Lord Howe. I regret that my

question was not answered on that occasion, so I put it to the Minister standing in his place today. The largest allocation of IMF special drawing rights in history, \$650 billion, will likely take place in August. The UK share of this windfall, which does not come from the UK taxpayer, will amount to about £19 billion. These funds are designed to add additionality to our aid and development programmes. What are the Government's intentions with respect to this unexpected windfall? A written reply will do if the Minister is unable to answer today.

I end by asking a question on what the Government are doing to help poorer countries get access to Covid vaccines—a question not about the TRIPS waiver proposal this time but about C-TAP, the Covid-19 Technology Access Pool. Why have our Government not come out in public support? Why have they not endorsed the WHO's solidarity call to action?

2.54 pm

**Lord Haskel (Lab)** [V]: The noble Lord, Lord Fowler, has been a champion of foreign aid for many years, and the pandemic has proved him right once again. We are all interdependent, and the fact that Covid is flourishing elsewhere will make living with it here yet more difficult—one more reason why cutting overseas aid is a mistake.

I agree with the committee in the other place, which said:

“UK aid extends the UK's influence on the international stage, creating soft power.”

Cutting aid to projects that we particularly support will have the opposite effect. The WHO has drawn our attention to the fact that there is no alternative to the funds we provide for the sustainable control and elimination of tropical diseases. Saying that we have helped those affected to adapt is a poor and inadequate response. As others have argued, cutting the allocation is not only illegal but another example of this Government's propensity to close down debate on difficult matters.

I welcome the strategy outlined in the integrated review, particularly directing aid towards achieving the UN sustainable development goals. Building resilience here will benefit us all. It is right that we adapt the focus of our aid to changing circumstances, but we must ensure that it is properly spent. As others have said, if we are to be a force for good in shaping the world order, cutting foreign aid makes us less effective. The cut should be reversed.

2.56 pm

**Lord Hannay of Chiswick (CB)** [V]: My Lords, my noble friend Lord Fowler is providing a necessary opportunity to review the issues at stake when the Government decided to override, unilaterally and without parliamentary approval, the obligation in our domestic law to allocate 0.7% of our GNI each year to overseas aid. I will register five points.

First, this is not a debate between cuts and no cuts to our aid budget. The 0.7% commitment is a self-correcting mechanism that automatically reduces our annual spend for any year in which our economy shrinks, as the pandemic caused it to do.

[LORD HANNAY OF CHISWICK]

Secondly, this is not about figures on spreadsheets—0.5% versus 0.7%. It is about inflicting cuts on many of the poorest countries in the world, just when they were suffering grievously from the impact of Covid-19, and on multiannual programmes to which we had given advance commitment. It is about hunger, girls' education, health programmes and much else.

Thirdly, these cuts are clearly inconsistent with our previous support for attaining the UN's sustainable development goals by 2030. That attainment is already slipping out of reach. Our cuts will make that more certain.

Fourthly, this autumn's crucial COP 26 meeting on climate change will have no chance of succeeding if the developed world is not ready to honour and add to the commitments made in Paris for assistance to developing countries. Our cuts make that harder to achieve and are inconsistent with our playing a leadership role, as we should be doing.

Fifthly, these cuts are inflicting damage on Britain's influence and soft power right around the world and will continue to do so as long as they are sustained—some advertisement for global Britain.

2.58 pm

**Lord Herbert of South Downs (Con):** My Lords, I draw attention to my entries in the register as co-chair of the All-Party Parliamentary Group on Global Tuberculosis and chair of the Global TB Caucus.

After Covid, tuberculosis will still be here as the greatest killer among infectious diseases, as my noble friend Lord Fowler—whom I congratulate on securing this debate—said. It still kills 1.5 million people a year, quite unnecessarily. The sustainable development goal target 3.3 says that TB should be beaten by the year 2030, in just nine years' time. On the current trajectory, it will be beaten in a century, over which period millions more people will lose their lives at huge economic cost to the world.

There are insufficient tools to beat tuberculosis. It should be capable of being beaten, since the accidental discovery of antibiotics over half a century ago, but in fact the resurgence of AIDS—TB is the single biggest killer of people with AIDS—has meant that it has flared up.

No epidemic in human history has been beaten without a vaccine. There is no effective adult vaccine for TB. The reason that the vaccine and the drugs have not been developed is that there is insufficient commercial incentive to do so. That means that public funding for these new tools is absolutely critical if we are to beat this disease. I regret that a consequence of the ODA cut has been that crucial funding directed to these new tools and the product development partnerships has been scaled back.

The next infection that comes along after Covid is likely to be airborne—a lung infection. We must have the resources to beat these diseases in future. That is why it is so important that we invest in the tools to beat these diseases, including tuberculosis. I hope that funding for these vital measures will be restored as soon as possible.

3 pm

**The Lord Bishop of St Albans [V]:** My Lords, these cuts raise profound ethical questions as the world faces the worst pandemic in over a century. Despite all the talk of global Britain, these cuts shout out that we are withdrawing from the world stage. Here we are, planning booster vaccinations in the UK this autumn, while only 0.9% of people in low-income countries have received even one dose. Covid is a global problem, and it is made worse when essentials such as clean water and basic health programmes, often provided by British aid, are cut.

Yesterday, I met the ambassador of Ethiopia, who spoke with grave concern about the cut in aid to Ethiopia, which is likely to be by more than 50%. Currently, less than 2% of its population is vaccinated, and it faces a third wave while simultaneously managing the fallout from the conflict in Tigray and famine due partly to war and partly to the swarms of locusts.

One of my diocesan colleagues has been in close contact this week with the Bishop of Lusaka, who reports overflowing hospitals and mortuaries running out of spaces. Similar accounts are coming out of Namibia and Uganda, as they struggle to contain the latest wave of Covid-19. Simply to cut aid will make those problems even worse.

Despite the recent hardships, we remain a wealthy country, with a healthcare system that the majority of the world's population can only dream of. Surely it is unconscionable that, during a global health crisis, we are even discussing reductions in aid. These cuts must be reversed.

3.02 pm

**Lord Hastings of Scarisbrick (CB):** My Lords, we are all grateful to the noble Lord, Lord Fowler, for allowing us to express our anguish and our fury at the contempt in which the Government have held Parliament and the abuse of their responsibilities to the poor. As a member of the Global Partnership for Education ambassadorial group, let me commend the Government on the £460 million announced at the G7 summit. I hope that they will take seriously the opportunity of the replenishment at the end of July, with the Government of Kenya, to get to \$5 billion.

However, despite more money being added for girls' education in that fund, many millions of children will continue to die, year in, year out, from dirty water. Are the Government aware of the tweet issued this week by the Republican, conservative former governor of North Carolina, now the director of the World Food Programme, David Beasley? He pointed out that an extra 41 million people will die and starve this year as a result of the impact of Covid and the lack of additional aid resources. The cost, he points out, is just \$6 billion, or roughly £4 billion—in other words, roughly equivalent to the Government's cuts. In that case, are the Government happy to see 41 million supplementary deaths on the back of their attempts to supply more money to drive ships around Ukraine to irritate the Russians or to show how strong we can be in the South China Sea? Let us not pretend that being global Britain means that we show off our strength elsewhere while we allow others to die on the back of our attempts to look strong.

3.03 pm

**Baroness Blackstone (Ind Lab):** My Lords, the decision to ignore the law recently passed that 0.7% of GNI should be spent on ODA has led to billions being cut from spending commitments, which has disastrous consequences for millions of poor people all over the world. It is a shocking dereliction of our duty to play a leading role, as one of the richest countries in the world, in supporting the social and economic development of the poorest. It also damages our global reputation. We can no longer be seen as a reliable partner who keeps to commitments, and it leads to questions about our claims to attach importance to moral responsibilities. In various respects, it also jeopardises our security and reduces our prospects, as well as the prospects of others, for increased economic growth. The decision to renege on our commitments and ignore what the law requires also makes a mockery of the objectives on development set out in the integrated review.

How soon will the Government return to 0.7%? Moreover, do they realise that stopping programmes and then restarting them leads to inefficiency and poor value for money for NGOs struggling to rebuild and restaff abandoned programmes and reacquire the trust of local partners?

I draw attention to the dire effect of these cuts on children. The Government do not appear to have a development strategy with any clear priorities about which areas it should shelter from cuts. Why are huge cuts being imposed on UNICEF, Yemen and Syria, and the Rohingya refugee camps in Bangladesh—to give just a few examples—where already traumatised and hungry children will now have reduced access to the schooling, the health services and the clean water they desperately need?

3.05 pm

**The Earl of Sandwich (CB) [V]:** First, I warmly welcome my noble friend to a long career on the Cross Benches.

We are lucky in the aid business to have the advantage of several scrutiny committees. I would single out ICAI as a highly effective watchdog, whose close links with Parliament give it an extra advantage. Its rapid review of the aid cuts last month included some trades in flexibility for the FCDO in adjusting to the pandemic and its internal reorganisation, but it also criticised the Government for cutting aid unnecessarily. Aid cuts have hurt the poorest and most vulnerable, when they are already on the ground. We have already heard of the drastic cuts of 30% to 40% for humanitarian and water supply programmes, among others.

We lose as many lives as we saved in conflict countries as vulnerable as Nepal, Yemen and South Sudan. In areas of South Sudan, there are children who have not been vaccinated against measles for at least two years. They would have died but for an emergency health unit set up by Save the Children with funds from DfID. Had this unit been cut today, those children would have had no chance of survival—there were no other services.

The Foreign Secretary was scathing about NGOs recently. He was asked how many jobs had been lost in the UK in the cuts. He replied that he was less concerned by losses in the UK among NGOs than the effect on

the poorest, but then he had to admit that, without the partnership of NGOs, he would not be able to reach the poorest at all—but the noble Baroness, Lady Chalker, could tell him that. Perhaps the Minister could say how many jobs have been lost, both among NGOs and in the FCDO itself. Aid NGOs have suffered from their own cuts, and the Government's cuts have come as a crushing blow. I am at a loss for words.

3.08 pm

**Lord Hussain (LD):** My Lords, I am a great admirer of our foreign aid, which helps make a huge difference to millions of lives around the world. Whether people are affected by floods, earthquakes, famine, wars or conflict, our aid plays a pivotal role in many people's lives. In many countries, native Governments simply do not have enough resources to provide their population with basic health education, clean drinking water and other necessities. The international aid that we are part of helps to provide that.

During parliamentary visits to several countries, including South Sudan, Ethiopia and Sierra Leone, I have witnessed how British aid plays a significant role in saving and improving lives in those countries. The UK's sudden rollback on its commitments, and the way in which the cuts have been managed, appear to have been rushed, with little consideration or assessment of their impact on recipients of aid, let alone on the UK's reputation and credibility. The decision has strongly damaged long-term collaborative partnerships and trust between the UK Government, multilateral agencies and other Governments, built up over many years.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** I am not able to call the noble Baroness, Lady Chalker of Wallasey, so I call the noble Lord, Lord Alton of Liverpool.

3.09 pm

**Lord Alton of Liverpool (CB):** My Lords, in thanking my noble friend Lord Fowler for initiating today's debate, I draw attention to my non-financial interests in the register. Given that the cuts will have a disproportionate impact on fragile and conflict-affected states, what impact assessment was made of the consequences for places such as Syria, Yemen and Tigray, prior to cutting the Conflict, Stability and Security Fund by half a billion pounds—£492 million? Will the Minister confirm that, against these cuts and a 40% increase in humanitarian need, a staggering 80 million people, many of them victims of conflict of course, are now displaced—more than ever before?

How much money has been left in the crisis reserve fund, compared with previous years? Only this morning, reports from Tigray state that patients in Ayder hospital in Mekelle are dying because there is no electricity or medical supplies. The army looted everything, including the UN compounds, when it left the city. What resources from the crisis reserve fund are being used to help them and the 350 million people facing famine in Tigray, where, as the UN's Mark Lowcock says, starvation is being used as a "weapon of war". In 1985, Mrs Thatcher ordered Operation Bushel and told the RAF to drop aid into the remotest areas of Ethiopia. Will the cuts to the crisis reserve fund enable us to do the same?

[LORD ALTON OF LIVERPOOL]

I return to the issue of health, raised by my noble friend. What has happened to the 770 million medicines donated by pharmaceutical companies that we are told will not now be delivered because of the cuts? How can the Government say that

“it is not possible to assess the impact on the number of donated medicines distributed”,

when others have been able to do so? As the noble Baroness, Lady Hayman, asked, what will happen to the malaria eradication programme? This country's word should be its bond. We should reverse these decisions to prove that that is so.

3.11 pm

**Viscount Chandos (Lab):** My Lords, in thanking and congratulating the noble Lord, Lord Fowler, on his hugely welcome initiation of today's debate, I declare an interest and a connection. As disclosed in the register, I chair the Thomson Foundation, which trains journalists and develops sustainable media, principally in countries scoring poorly in the World Press Freedom Index. Some of our projects receive funding from the aid programme, though rather more from FCDO funds. The noble Lord, Lord Fowler, was the transformational chair preceding me.

While I recognise the many pressing demands on the aid budget in all circumstances, I urge the Government at least to maintain sustainable media development funding from the FCDO budgets as a whole. Sustainable free media can be critical in leveraging the effectiveness of other development programmes.

I strongly endorse the calls of so many noble Lords to allow Parliament to vote on the proposed cut—I am confident that such a vote would reverse it. The noble Lord, Lord Fowler, rightly said that this is not a red-wall or a blue-wall issue, but the Government, no doubt playing to polling and focus group findings, have been disingenuous in the reasons that they have given for the cut. “The pandemic means that cuts have to be made”, they say, without acknowledging that the linkage to GNI does that automatically, without any change to the percentage.

Support for Covid vaccination programmes in low-income countries is, as Sir Jeremy Farrar has repeatedly emphasised, not just principled and fair but in our urgent national interest, in defeating the global pandemic. That principle surely applies to aid spending generally: it is enlightened long-term self-interest, not just altruism.

3.13 pm

**Lord Balfe (Con):** My Lords, I first thank the noble Lord, Lord Fowler, for initiating this important debate. I am the 28th speaker, and not a single speaker has supported the Government so far, and I do not see many on the list who are likely to. I cannot do better than to echo the statement of my noble friend Lady Sugg, who is a good friend, who said that it is “fundamentally wrong” to do this. You cannot better that.

I draw attention to the biblical story of the widow's mite. We do not seem to get across that these cuts impact far more heavily on the people they are imposed on than the donors in the UK, who are giving a tiny proportion of their tax income to overseas aid. What we are doing is truly appalling.

I ask the Government, who are very fond of making things up as they go along: what would you be saying if the Labour Party was in government and saying, “We will not obey the law and we won't let Parliament vote on it”. We would be appalled. My noble and learned friend Lord Garnier is quite right: if a country believes in the rule of law, the first place that it should be tested is in the Parliament of that country. That is the base position, I am afraid.

We have said many times that overseas aid is about soft power. It is not about giving money away but about sensible investment in the future of humanity. I ask the Government to remember that and get this aid reinstated. It is a tiny proportion of government expenditure—almost irrelevant but relevant to the people who are suffering.

3.15 pm

**Lord McDonald of Salford (CB) [V]:** Today, all noble Lords have made clear their support for the UK's aid programme and their dismay at the cut in aid spending to 0.5% of GNI. I understand that, faced with the tightest economic contraction in 300 years, the Government had to make cuts, but they must understand the consequences of hitting aid disproportionately. Reaching 0.7% was an achievement of international importance—yet it was set aside without even a parliamentary vote.

Partners notice when we do not keep our promises, and they trust us less. Right now, as the UK prepares, with Italy, to host COP 26, we need their trust. In 2010, \$100 billion per year was promised for climate adaptation by 2020, but the international community is falling short. The chair needs to be trusted if the gap is to be plugged in the run-up to Glasgow. Without that trust, COP 26 may fail.

The UK's second most consequential meeting of the year was the G7 summit. In Cornwall, leaders agreed to donate 1 billion Covid vaccine doses. Just three weeks later, the world sees that the pledge is inadequate. Under UK chairmanship, the G7 needs to revisit the decision. The International Monetary Fund has proposed a \$50 billion plan to vaccinate 60% of the world's population. Usually, the UK's share of such programmes is 5%. If the UK provided \$2.5 billion, it could all be directed at countries eligible for aid. By improving the outcome of the G7 summit, the UK would make its Covid policy more effective. One thing that every commentator agrees on is that no one is safe until everyone is safe. I urge the Government to reconsider.

3.17 pm

**Lord Sikka (Lab):** My Lords, I thank the noble Lord, Lord Fowler, for facilitating this debate, and I support the passionate pleas of all noble Lords. I will use my two minutes to question the Government's much-banded figure of £10 billion, which I believe is grossly exaggerated and needs to be adjusted to take account of the wealth extracted from poorer countries.

I will give three examples in the time available. First, in 2019, Africa alone lost \$88.6 billion through illicit financial flows related to corporate tax avoidance, deliberate mispricing of import and export invoices and corruption. The destination of these illicit flows is often western countries, including the UK and its Crown dependencies and overseas territories.

Secondly, developing countries spend large amounts of money to produce doctors, nurses and engineers, but they never see the full benefit because the UK poaches skilled persons from poorer countries. No compensation has ever been paid.

Thirdly, money stolen by dictators, whether they are from Nigeria, Libya, Belarus or elsewhere, ends up in British banks and property. The full extent of such theft is not known because the Government refuse to investigate. In January this year, the Nigerian Government told the BBC that they are still awaiting repatriation from the UK of all the money stolen by General Abacha—nearly 40 years after the events.

I ask the Minister to publish a revised figure for foreign aid that takes account of wealth extracted by UK entities from poorer countries so that we can then really discuss whether Britain is making a positive contribution or, as it appears, a negative one.

3.20 pm

**Lord Bhatia (Non-Afl) [V]:** My Lords, [*Inaudible.*] The UK is one of the countries to completely untie aid, meaning that it is provided without being tied to any policy considerations. It created a government department responsible for administering—[*Inaudible*]—provided for by the International Development Act 2002. This is because DfID has public money, money that cannot be spent without parliamentary authorisation regarding the manner and purpose of its use.

As a policy, DfID decided that the following eight goals should be achieved through its budget: first, eradicate extreme poverty and hunger; secondly, achieve universal primary education; thirdly, promote gender equality and empower women; fourthly, reduce child mortality; fifthly, improve maternal health; sixthly, combat HIV, malaria and other diseases; seventhly, ensure environmental sustainability; and, eighthly, develop a global partnership for development.

Many years ago, as a trustee of Oxfam, I saw the effects of poverty. One of the researchers often told me that to understand what poverty means, you have to not only pour money but smell poverty. I underscore the need to protect women and their needs.

3.22 pm

**Baroness Helic (Con) [V]:** My Lords, I declare my interests as per the register. I shall focus on preventing violence against women, an area where the UK has done important work but where I fear we are now falling short.

The aid cuts are compounding an already difficult situation in this area. I shall point to just three examples: in Malawi, a violence against women and girls prevention programme has been cancelled; in Sierra Leone, a programme working to empower adolescent girls has had its funding slashed; and in Rwanda, Action Aid has been forced to close seven shelters that gave safety to girls fleeing abuse. Seven shelters—seven lifelines—have closed because of our actions.

I recognise that we find ourselves in difficult circumstances but the manner in which these cuts have been handled has not been to our credit. More than six months after the reduction was announced, many providers are still hamstrung by uncertainty. Tearing

up multiyear funding plans leaves the beneficiaries entirely in the lurch. It will undermine trust in aid providers on the ground and in the British Government.

Even if the aid cuts were reversed today, much damage would already have been done. I hope, though, that the Government will commit to returning to 0.7% next year at the very latest, that they will ensure that multiyear funding arrangements are honoured, and that they will not reduce their political and diplomatic focus on combating violence against women.

Sexual violence has not gone away. Horrific stories of sexual assault have come out of Tigray, with men, women and children as young as eight raped. The UN has warned repeatedly of a “shadow pandemic” of violence against women and girls. This is not a time to reduce our programming, allowing our knowledge and experience to wither away even as the need increases—it is a time to double down.

3.25 pm

**Lord Trees (CB):** My Lords, imagine if next week the Government announced an immediate cut in the budget for Covid vaccines by 60% with no consultation, no warning and no attempt to mitigate the effect. It would be brutal, would it not? It would result in considerable disease and deaths.

Well, that is the equivalent of the consequences for the health of millions in some of the most deprived communities in the world when at the end of last year the Government resiled on their legal commitment to contribute 0.7% GNI to official development assistance. Health research and interventions in low- and middle-income countries have suddenly lost 50% to 60% or more of funding for projects already under way involving partner organisations in Africa and Asia. Those projects addressed priorities identified in the integrated review of 2021, including strengthening global health security and bolstering pandemic preparedness through a One Health approach.

However, it is not just those grand visions that are threatened. The UK’s flagship programme, Ascend, to support the control of neglected tropical diseases across 19 countries, has been so suddenly and severely cut that millions of people are now at risk of horrible diseases such as infectious blindness, elephantiasis, leprosy, chronic diseases that increase the risk of HIV, and many others. These diseases are largely preventable by specific drugs that have already been donated but can no longer be used—a wasted drug resource estimated at over 275 million treatments.

We owe it to those that we have put in harm’s way to say precisely when we will restore our commitment to help safeguard their health. The money saved is far outweighed by the human health cost created and the damage to our international reputation. The gift of health is the most valuable gift that we can give. Will the Minister tell the House when our legal commitment will be restored?

3.27 pm

**Lord Young of Norwood Green (Lab) [V]:** My Lords, I too congratulate the noble Lord, Lord Fowler, on creating the opportunity for this debate. However, I have some concern that the failure to meet the 0.7% target is portrayed as an abandonment of overseas

[LORD YOUNG OF NORWOOD GREEN] aid. So far only one noble Lord, the noble Lord, Lord Bates, has demonstrated that we will still be among the top contributors of foreign aid in developed countries. As my noble friend Lord Haskel said, we need to ensure that aid is effectively targeted. Regrettably, there are examples of waste and corruption. However, I have listened to many noble Lords' descriptions of the impact on programmes where overseas aid is involved, and I am concerned about the impact of the cuts and the lack of opportunity for Parliament to decide. I look forward to the Minister's response.

3.28 pm

**Baroness Deech (CB) [V]:** As one of the biggest donors in the world, it is right for us to make a fresh start in assessing how we spend. We hear that funds are hastily disbursed at the end of the accounting year and that some countries, Pakistan in particular, doubt the effect of the aid; or it has been spent on wrong and unnecessary aims. This is a time to make aid more accountable and impactful and ensure that it meets the standards and foreign policy objectives of the UK.

Support for the United Nations Relief and Works Agency, at £67 million, achieves none of those aims at present. UNRWA's resourcing of educational materials, which have been found to incite violence and are replete with anti-Semitic references, is contrary to the UK Government's activities in support of a two-state solution, violate the basic values of the UN itself and are contrary to international covenants to which the UK and Palestine are both signatories. Additionally, UNRWA is not held accountable to the same standards or through the same mechanisms as other UK and international aid bodies, such as Publish What You Fund. Although they have re-established funding to UNRWA, the Biden Administration have nevertheless conditioned that aid on reform, including of educational materials and of transparency. At this time of renewed focus on the UK's aid programme, will the Government assure us that they will do the same?

What we should do instead of that money is to select some worthy, appropriate and feasible targets every year, fund them and monitor them, put in the infrastructure and measure the impacts at the finish. Right now it is Covid vaccines, and Oxford researchers are developing a vaccine that is much easier to transport and store. Will the Government ensure that our aid, whatever the amount, is spent on the right objects?

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** The noble Baroness, Lady Bennett of Manor Castle, has withdrawn so I call the noble Lord, Lord Lansley.

3.30 pm

**Lord Lansley (Con):** My Lords, I was a member of the Government who achieved 0.7% of GNI for our aid budget in 2013. I do not remember, as a member of that Government and as Health Secretary at that time, our being awash with money. I do not remember us thinking that we could cut the aid budget and it would enable me, for example, to avoid the smallest increase in NHS budgets since the mid-1970s. We took the view that we had both moral imperatives and global ambitions that could be achieved only by reaching 0.7% of GNI.

What has changed since then? It is not that humanitarian or other needs across the globe have diminished. On the contrary, what has changed is that we are now facing two crises: the pandemic and the climate crisis. We know, as the noble Lord, Lord McDonald of Salford, said, that none of us is safe from the pandemic until all of us are safe. With the climate crisis, avoiding carbon emissions in developing countries is equally as valuable as reducing carbon emissions in the United Kingdom. On both crises, we are supposed to be in a leadership position, as the noble Lord, Lord McDonald, rightly said: by making vaccines available for the pandemic, and by doubling our support for climate adaptations in developing countries in the next five years.

The only other thing that has changed is that we have left the European Union and we are supposed to forge our own path as global Britain. To reduce our overseas development aid budget is completely contrary to that. We should reverse the cuts and restore the 0.7%.

3.32 pm

**Baroness Masham of Ilton (CB) [V]:** My Lords, my noble friend Lord Fowler's debate is extremely timely as the Government's announcement has had a disturbing impact on R&D funding for global health. This includes critical research into microbial resistance. Not only would a significant or total cut to global health R&D funding be catastrophic for progress against major global health issues like tuberculosis, it would mean that previous investments in global health R&D projects would be wasted. The UK is an important contributor to immunisation for polio, measles and rubella, and to training health workers. Now the world is facing the coronavirus, and nobody is safe until everyone is safe.

My noble friend Lord Fowler was Secretary of State for Health when HIV/AIDS developed. I was a founder member of the All-Party Group on HIV & AIDS in 1984. My noble friend Lord Fowler's campaign should always be remembered, and people today should realise that preventing infections is of utmost importance. Many developing countries have looked to the UK as an honest and reliable country which gives them leadership in so many ways. Covid-19 has caused insecurity and uncertainty throughout the world. Now, added to that, comes an unexpected cut from the UK. I hope the Government will think again.

3.34 pm

**Lord Walney (Non-Aff) [V]:** My Lords, this debate has of course focused on the impact of the cuts. Many noble Lords have given powerful examples of the damage done to communities and vital programmes by these sudden and forced reductions. If the Government still accept the basic case that development spending remains in our own national interests, and apparently they do, then logic dictates that this cut hurts our own national security and must be reversed as soon as possible. The damage, as so many have set out, could be all the greater in this uncertain and fragile period as we recover from the pandemic.

However, concern over the need to restore the level of spending must not divert attention from the importance of the forthcoming review into how the UK's development assistance should be allocated. The direction of reform indicated by the Government is significant. The integrated

review of defence and security has shown that this Administration understand the scale of the threat to all nations posed by the rise of powers that are fundamentally changing and challenging the liberal rules-based order in which we had assumed our commitment on aid would be made.

Given how much has changed and what is at stake, the Government's objective to secure a greater level of strategic alignment of the country's foreign policy objectives is laudable. But there is a great deal riding on getting the changes to culture, processes and priorities right. As well as returning to 0.7% immediately, I hope that Ministers will set out as soon as possible a transparent and inclusive path to a new strategy for how we support other nations with that investment.

3.36 pm

**Lord Wharton of Yarm (Con):** My Lords, I had the good fortune to serve as a Minister in DfID in a previous incarnation of my political life. I saw at first hand the impact and value of much of the work that is done and funded by our foreign aid programmes. I have listened carefully to a number of the contributions today and many noble Lords have spoken of their experience and knowledge of individual programmes and their impacts on some of the world's poorest communities. They are to be commended for the breadth of examples and experiences that they have brought to this debate.

I want to focus a little more on why we should be concerned about the impact of this cut on the UK. I do not just mean thinking about our children and grandchildren, who we want to be able to see elephants and rhinos for real and not just in the pages of history books; of course, our international wildlife funding goes through our ODA budget. I also mean thinking about terrorism, which can be effectively countered by investing at the source and stopping those push factors.

For those concerned by the levels of immigration, the best way to tackle those concerns is by addressing the push factors and the problems driving people to take great risks to come here. For those concerned about drugs on our streets, one of the best ways to stop them getting here is at source, before they ever reach the ports and borders of this country. For those concerned about Britain's place in the world as a trading nation and global leader, teaching English, our values and good practice strengthens our position just as it strengthens those communities we support. For those who may be concerned—particularly in the current climate—about the spread of global disease, Ebola gives an example of a disease where our overseas aid spending successfully combated it where it was prevalent and stopped it from ever reaching these shores.

I commend the work of my right honourable friend Andrew Mitchell and his campaign on 0.7%. I hope the Government will listen. It is not the right time to cut from 0.7% to 0.5% and the way we are doing it, given the particularly disproportionate impact on bilateral programmes, is not the right way.

3.38 pm

**Baroness Ritchie of Downpatrick (Non-Aff) [V]:** My Lords, I congratulate the noble Lord, Lord Fowler, on securing this important debate on overseas aid and its

budget. I come from a firm belief that there is a moral imperative to retain that budget level at 0.7% of GNI because if you are to help people get properly vaccinated and stay in their own countries, the best way is to have a properly functional overseas aid budget. It is totally undemocratic for this Government to deny both Houses of Parliament the right to vote on its reduction. It would be much better if the overseas aid budget was retained at 0.7% of GNI.

We have to ask ourselves whether this Government want to help the Rohingya refugees; the children of Syria traumatised by the recent conflict; countries that lack a formalised health service; the people of north-eastern Nigeria, who are subject to a serious conflict in which 10 million people are in serious need of help; and the women and girls around the world who have been subjected to, and survived, a lot of violence. I ask this simple question of the Minister today: are the Government serious about rebuilding the lives of all these people? If they are serious about doing that, and about ensuring a global vaccination programme, why will they not reinstate this important budget?

3.41 pm

**Baroness Greengross (CB) [V]:** My Lords, the decision to reduce development aid funding is a grave mistake. While it is understood that the pressure on government finance has been considerable during the pandemic, cutting funding to development aid by 0.2 percentage points will do little to improve the situation. Further, it undermines Britain's global reputation and cuts funds to important health, humanitarian and sustainable development programmes, which ultimately will impact on us all.

In 2020, overseas development funding was £14.5 billion, and in the coming year it is expected to be £10 billion. How will the Government use this £4 billion, which is being taken out of the overseas development budget? According to Age International, the cuts will result in a 40% decline in global health spending. How do the Government justify this while, at the same time, spending £2.6 million on a new briefing room in No. 10 Downing Street and intending to spend £120 million on a festival of Brexit event in 2022? What message does that send, when the Government prioritise those projects over global health programmes?

While supporting international development aid, I was surprised to learn that the Foreign, Commonwealth & Development Office gives overseas development funding to China, the country with the second highest gross domestic product on the planet. That overseas development funding to China is now being cut by 95%. Can the Government explain how the funds have been used for that purpose until now?

Overseas development aid funding supports crucial projects throughout the world. Rather than reducing our contribution, the Government should redirect funds to where they are most needed, as has been the case in the past.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** The noble Baroness, Lady Gardner of Parkes, is having technical issues, so we shall go on to the noble Lord, Lord Sheikh.

3.43 pm

**Lord Sheikh (Con) [V]:** My Lords, I was born and raised in east Africa, and over the years I have travelled to a number of countries in Africa and Asia on business and in the course of my parliamentary duties. Whenever I have been abroad, I have endeavoured, if possible, to see the high commissioner or the ambassador and to meet representatives of DfID, the British Council and the DIT. I have been pleased to note that we have played a vital role in providing help in many ways, which include acting on diseases, eliminating poverty and providing humanitarian assistance and support towards the achievement of the UN sustainable development goals. On my visits overseas, I have found that we are held in high esteem because of our activities and our balanced foreign policy. Furthermore, with some countries we have important historical connections.

I am actively involved in promoting world trade between UK and overseas countries and I have spoken at numerous trade conferences. During the pandemic, we held virtual trade conferences and, when the situation returns to normality, I hope to take part in organising trade delegations overseas. In providing foreign aid, we help to build better trade links; it is imperative that we use those links to provide adequate training to help people to undertake business ventures. The foreign aid programme gives us the means to support our friends and partners—more so as they emerge from the awful consequences of the coronavirus.

The OECD forecasts that the UK's growth will be at 7.2% this year and not the 5.1% predicted in March. It is therefore imperative that we restore our aid to 0.7% of GNI as a matter of urgency, particularly in view of the pandemic.

**The Deputy Speaker (Lord Faulkner of Worcester) (Lab):** The noble Baroness, Lady Gardner of Parkes, is still having technical issues, so I shall move on to the noble Lord, Lord Purvis of Tweed.

3.46 pm

**Lord Purvis of Tweed (LD):** My Lords, we have all been indebted to the noble Lord, Lord Fowler, for bringing this debate to the House. He said in opening his remarks that it was hard to express in a few words the scale and magnitude of the cuts, but he and other noble Lords have demonstrated eloquently, and in many cases movingly, the sheer breadth and depth of the impact and devastation. Out of 43 speakers who have taken part in this debate, we await the only defence of the Government, from the Minister in his speech—so I hope it is a good one.

A year ago last week in the House of Commons, Boris Johnson described the world's most effective and respected development body as a

“giant cashpoint in the sky”.—[*Official Report*, Commons, 16/6/20; col. 670.]

From the moment when I watched that with a sinking heart, I knew that a consensus had ended—a consensus in UK politics that has been so hard to secure in a decade of disruption, with periods of financial crash, austerity and hardship, as the noble Lord, Lord Lansley, said, divisive referenda about our internal relationship and that with our near neighbours, and four general

elections. At a time of turmoil, one area kept consensus throughout all this: the UK should finally meet its obligation to the world's most disadvantaged and we should maintain it.

That consensus of all parties and none in 2015 allowed the Private Member's Bill to pass Parliament, enshrining the long-held UN target of 0.7% of GNI into law. In 2015, debt as a proportion to GDP was nearly 85%; now it is 95%. In 2015, the global goals were agreed, and now they are likely to be missed, because of one of the greatest health crises in the world. These cuts, beyond what would have been lawfully permitted under the 2015 Act with a fall in GNI have been made, as the noble and learned Lord, Lord Judge, said, as a result of ministerial assertion of non-compliance with a statutory duty.

There is no provision in law to set a new target. Parliament specifically rejected amendments for differing targets. Indeed, an amendment in this House tabled by four former Permanent Secretaries of the Treasury was rejected by this House, as the noble Lord, Lord Fowler, said. Those who spoke most powerfully against that amendment were those who headed up our Armed Forces and had been Permanent Secretaries at the Foreign Office, because they knew how our global reputation would be enhanced by this legislation.

Now, in 2021, United Nations appeals for humanitarian assistance have increased by 27% over the last year. Developed country contributions have reduced by 1.2% overall. The German and US contributions increased from their lower base by 6% and 27% respectively. UK contributions to global humanitarian assistance fell by 31%, and this has meant that in the worst humanitarian challenge of our lifetime, the response has been cut. What a scar on the world, and what a shameful response by this Government.

Even more shameful is that on the first of four occasions when we hosted the world's richest nations, the UK made no mention at all of the 0.7% target. I asked the Leader of the House, in responding to the Statement on the G7 summit, whether she would recommend and encourage other countries to meet the 0.7% target, and she refused. I recently asked the Deputy Leader whether he would, and he did not answer—our moral leadership washed away in the sands of Carbis Bay.

As the noble Lord, Lord Oates, said, by withdrawing bilateral assistance to scores of countries in Africa at a time when their people need it most—and from existing programmes—we will be able to see the impact on lives. As the noble Lord, Lord Trees, indicated, on complex and neglected tropical diseases, which kill, blind, disfigure and maim, causing considerable and largely untold suffering to millions of people worldwide, the World Health Organization's submission to the International Development Committee in the Commons said that

“as a consequence of the aid cuts, 20,000-30,000 individuals are likely to die”,

and, horrifically,

“the withdrawal of UK funding makes it likely that an estimated in-country inventory of 276,802,004 tablets donated by British and international pharmaceutical companies will expire and need to be incinerated”.

Can we just reflect for one moment on the image of cases of UK-branded medication being incinerated in 2021? I asked the noble Earl, Lord Howe, in the debate of the noble Lord, Lord Campbell, recently, whether the Government would commit to UK medication not being destroyed. If he responds on anything I say today, will the Minister, on behalf of the Government, say that no British-funded medication will be destroyed as a result of these cuts?

How are the Government doing it? On 29 August, the Foreign Secretary, Dominic Raab, promised new levels of “transparency and accountability” in his Statement, but the ICAI report of May 2021 said:

“However, as it turned out, the approach adopted by central government at mid-year resulted in more drastic aid cuts than were needed ... The criteria used for reprioritisation were open to broad interpretation and inconsistently applied ... Budget reductions were concentrated in ... countries considered most vulnerable to COVID-19.”

This was partly due to their scale, as only sizeable programmes could make a contribution to the cuts. One of these was to one of the poorest countries on earth, suffering a malaria crisis unparalleled in our lifetime—Yemen.

The Minister for the Middle East, James Cleverly, told Parliament on 2 March that the UK

“will feed an additional 240,000 of the most vulnerable Yemenis every month.”—[*Official Report*, Commons, 2/3/21; col. 117.]

This was down from 500,000 a month, which he promised on 22 January. Just last week, the FCDO ended funding to the Yemen multisector humanitarian response programme, which could see a further 213,000 women and children losing financial assistance for their food baskets. We know, through CARE International and others, that in Yemen, 73% of the impact of this will be on women and children. The UNFPA warned in March this year that lack of funding could lead to 100,000 women dying from complications in pregnancy and childbirth. The UK response was to reduce its contribution to UNFPA by 85% and its overall funding to Yemen by 59%.

The noble Lord, Lord Fowler, reflected on his remarks in the House in 2015, and that prompted me to reflect on what I said six years ago at Second Reading of the 2015 Bill. I concluded by saying that

“the UK has less than 1% of the world’s population. Our global footprint is massively disproportionate to the size of our tiny islands. If the UK is a citizen of the world, what kind of citizen must we be? I say we are one that comes to the assistance of others who are in need ... We establish our place and our identity as a citizen of the world if we uphold our obligations and encourage others to do likewise. This Bill is one major way in which we demonstrate our citizenship of the world.”—[*Official Report*, 23/1/15; col. 1520.]

But this Government are renegeing on these obligations. Even after I challenged the Leader and Deputy Leader, they could not even bring themselves to encourage others to meet the UN target. The Government cut support by half to some of the poorest and most vulnerable women and children in the world and do not think a humanitarian impact assessment is worth while before they do so.

We are not just cutting aid but reducing partnerships. We are not just cutting aid but undermining trust. In doing so, the Government breach the law and equivocate on conditions for a return, and, when we have heard

for years of bringing back parliamentary sovereignty, they fail to bring a vote to Parliament. What kind of citizen is this?

3.56 pm

**Lord Collins of Highbury (Lab):** My Lords, this is one of the few debates where the number of speakers really does matter. I hope the Government will listen to all sides of the House on this issue.

It is 51 years ago that the UN adopted Resolution 2626. The simple principle of the resolution was that every advanced economy should spend a minimum of 0.7% of GNI on overseas development assistance. As a nation’s economy grew, stagnated or slumped, the proportion it spent on overseas aid would remain the same. The UK Government first accepted that target in 1974. It was many decades before the target was realised, but the ambition remained the official policy of each and every major political party. In the Conservative manifesto at the last election, it was there. So, the consensus the noble Lord, Lord Fowler, mentioned has been long-standing and cross-party; it is not a party-political issue, as he said.

As my noble friend Lord McConnell said, everyone accepts that during this unprecedented economic downturn, the amount of money spent on ODA would have fallen, and difficult decisions would have needed to be made. But the scale, speed and extent of this cut is causing huge, long-term damage not only to the projects that will disappear but to the UK’s reputation, as Theresa May said yesterday in the other place. Refusing to publish full information on the cuts, or any kind of impact assessment, illustrates how recklessly this decision was made—another point emphasised by Sarah Champion, chair of the IDC in the other place, who repeatedly said the lack of information from the Government is absolutely appalling, not enabling Parliament to do its job of scrutiny.

The right reverend Prelate the Bishop of Gloucester drew attention to the fact that the Government had carried out a central equalities impact assessment on these cuts, which showed no evidence that programmes targeting those with protected characteristics were more likely to be reduced. But, as the noble Baroness, Lady Sugg, said, with huge cuts of up to 85% to family planning and contraceptive programmes, alongside no similar cuts to male-focused programmes, it is difficult to see how these cuts are not worse for women and girls. So, will the Minister tell us when this assessment will be published? We need to see it; we need to see the evidence.

The pandemic has shown us how interconnected our lives are. Just as the virus is a threat to us all if it persists anywhere, the same applies to so much else. If poverty, hunger and a lack of basic services are creating suffering anywhere in the world, that suffering can manifest itself in the exact destabilising conditions that endanger us all. My noble friend Lady Donaghy reminded us that, if Lord Judd had been here, he would have said quite clearly that supporting global development reflects the values of solidarity, compassion and kindness that are integral to who we are as a country but, as the noble Lord, Lord Walney, said, we must also recognise the risks to our security and well-being if we abandon such support.

[LORD COLLINS OF HIGHBURY]

Unfortunately, there is still huge uncertainty about exactly how much will be cut, since we do not know whether the donation of surplus Covid vaccines will be counted as ODA and used to meet the new 0.5% target. The Prime Minister has confirmed that the value of donated doses will be additional to the £10 billion ODA budget in both 2021 and 2022, but with the economy expected to rebound, it is possible that a 0.5% ODA budget will exceed £10 billion, so will we see programmes restored? I doubt it. What we will see is these vaccines counted to ensure that the cuts are not restored. I hope that the Minister will today resolve this question and tell us that they will be offered in addition to the 0.5% of GNI. The announcement of 100 million doses, as we have heard in this debate, to be sent to low-income countries is a welcome first step, but it should not distract from the fact that COVAX is still struggling to source vaccines. Do the Government have plans to consider accelerating the timeline for sharing to address the current global shortage?

In much of the world, humanitarian crises are leaving millions of people on the brink of famine. In Ethiopia, the UN humanitarian chief has warned of the biggest famine the world has seen for 10 years, while in Yemen 20 million are facing the prospect of their own catastrophic famine. Despite this, the UK has reported only \$6 million of humanitarian assistance to Ethiopia, compared to \$108 million last year, and in Yemen the total funding provided by the UK has gone down by 60%. Can the Minister confirm whether any impact assessment was produced for the aid cuts to either Ethiopia or Yemen? What is the Government's current assessment of the levels of hunger in the two nations? While Ethiopia and Yemen represent the worst humanitarian crises of today, the UK's ODA has been vital in helping prevent humanitarian crises of tomorrow.

Some of the most extensive and reckless reductions are falling on multiplier projects. Child nutrition projects are being cut by 80%. UNAIDS funding is also down by 80% and, according to Save the Children, cuts to girls' education will mean 700,000 will lose out on an education as a result of cuts in that area. The ripples of all of this will be felt for years to come. My noble friend Lord Cashman and the noble Lord, Lord Fowler, highlighted the impact on AIDS globally. What assessment did the Government make of the cutting of funding for the HIV response on the ability to reach the sustainable development goal target of ending AIDS by 2030?

On top of this, the ONE campaign has said:

"it will be extremely difficult for the Government to make the proposed cuts, whilst also protecting their priority areas."

This was a point made again by Theresa May yesterday. She said we should not approach this in terms of silos, because if you cut funding against modern slavery, you will be impacting on the ability of girls to go to school. She should be heard. As I say, this is not a party-political issue; this is something the Government should listen to.

The UK is the only G7 nation to cut aid, and with the US increasing international development spending by no less than \$14 billion, it is clear that the Government are leaving us wildly out of step with our allies. Can the Minister confirm whether any G7 allies raised these cuts during the recent summit? Certainly, when I

had a round table yesterday with colleagues from the United States, they were extremely concerned about what we are doing and wanted to make representations to the Government.

I come back to the basic principle we have heard: this is about parliamentary accountability—about the accountability of the Government to this Parliament. In November 2020, the Government said they needed to bring forward legislation to make changes to the aid budget, yet since then they have refused to bring forward this legislation or give Parliament an opportunity to have a meaningful debate. I hope that the Minister will have heard not only all the voices today but all the voices yesterday in the other place that make it clear that these cuts are absolutely wrong and immoral and should be restored.

4.06 pm

**Lord Parkinson of Whitley Bay (Con):** My Lords, I congratulate the noble Lord, Lord Fowler, on securing this debate and on the powerful and important choice of subject for his first debate from the Cross Benches. He has, of course, a long-standing personal interest and a strong track record in this area, but even if he did not have that personal experience, he would have heard many times from the Woolsack the strength of feeling across your Lordships' House about this issue.

We heard that again today in a debate which attracted a large number of speakers, including former Ministers—the noble Baroness, Lady Northover, and my noble friends, Lady Sugg, Lord Bates and Lord Wharton of Yarm. As the noble Baroness, Lady Donaghy, said, we have missed the contribution today of another former International Development Minister, Lord Judd. I am pleased that we also heard from the former head of the Diplomatic Service, the noble Lord, Lord McDonald of Salford. I do not know whether the noble Lord, Lord Fowler, saw, but his speech in opening this debate was watched by his successor as the Member of Parliament for the Royal Town of Sutton Coldfield, a man who did a great deal of work as Secretary of State for International Development, the right honourable Andrew Mitchell. As the noble Lord, Lord Collins, just said, this is a subject that continues to get great and deserved attention in both Houses of Parliament.

The noble Baroness, Lady Northover, asked where my noble friend Lord Ahmad is. He is at the United Nations in New York today; otherwise he would have been, as he always is, at the Dispatch Box, taking his responsibilities to your Lordships' House very seriously. I hope she will make do with me today.

The noble Baroness, Lady Sheehan, referred to her debate last week, which my noble friend Lord Howe responded to, as the Deputy Leader of the House. He is writing to her to respond to the question she raised, and I am assured by officials that that letter is on its way. He is also writing to the noble Lord, Lord Purvis, to answer the question he raised again today about medicines. I hope that the noble Baroness and the noble Lord will forgive me if I say they must wait for that letter, which I hope will address their points. With so many contributions and questions today, I fear I may have to do the same with some specific questions, but I shall try to cover as many as I can in the time available.

Perhaps, given that this is a debate secured by our former Lord Speaker, it makes sense to start with the parliamentary and legislative aspects, which a number of noble Lords raised—the noble Lord, Lord Fowler, as well as the noble and learned Lord, Lord Judge, and my noble and learned friend Lord Garnier. The Government are acting in line with the International Development (Official Development Assistance Target) Act 2015, which explicitly envisages that there may be circumstances where the 0.7% target is not met. That Act provides for accountability to Parliament in the event that the Government do not meet the 0.7% target, and my right honourable friend the Foreign Secretary will report to another place in the proper way.

The right reverend Prelate the Bishop of Gloucester, my noble friend Lord Bates, the noble Lords, Lord Alton of Liverpool and Lord Collins of Highbury, and others asked about impact assessments. Officials did consider any impacts on the most marginalised and vulnerable people and carried out an equalities impact assessment which looked at our bilateral country spending. The central assessment, as noble Lords will have heard, showed no evidence that programmes targeting those with protected characteristics are more likely to be reduced or discontinued than other programmes. My right honourable friend the Foreign Secretary is carefully considering whether to put the central overarching assessment into the public domain.

The noble Lord, Lord Alton, and the right reverend Prelate the Bishop of St Albans asked about Ethiopia. Her Majesty's Government are deeply concerned about the grave humanitarian situation resulting from the fighting in Tigray. Since 2018-19 we have given over £1 billion in aid to Ethiopia. The UK continues to be a major donor to that country and has now allocated an additional £16.7 million to respond to the humanitarian crisis in Tigray, taking our total allocation since November to £47.7 million.

The noble Lord, Lord Alton, asked about the crisis reserve. The FCDO will spend £906 million to maintain the UK's role as a force for good at times of crisis, focusing our work on those countries most affected by the risk of famine, including Yemen, Syria, Somalia and South Sudan. Along with this, a £30 million crisis reserve will enable us to respond rapidly to new crises.

The noble Baroness, Lady Cox, asked about Nagorno-Karabakh. During the start of the conflict last year, we sought to respond to the immediate humanitarian needs, and we are considering what further support the UK may be able to provide. She also asked about Nigeria. Her Majesty's Government are committed to supporting development in that country, and our portfolio there remains one of our biggest not only in Africa but globally.

The noble Baroness, Lady Greengross, asked about China. We have taken the decision to cut the FCDO's ODA programme spend in China by 95%. The remaining £0.9 million will fund only programmes on human rights and open societies which reflect our nation's values.

The noble Earl, Lord Sandwich, asked about job losses as a result of the cuts. We are monitoring the impacts on the partners with which we work very closely. My right honourable friend the Chancellor said clearly at the outset of the pandemic that not

every job and business affected by the pandemic could be saved. I am afraid that that is the case for international aid organisations, as it is for every business in the UK too.

My noble friend Lady Sugg and others raised family planning and sexual and reproductive health. The UK remains strongly committed to defending comprehensive sexual and reproductive health and rights globally. We will continue to use our voice on the world stage and work with others to defend and promote these fundamental rights.

My noble friend Lady Helic raised the importance of preventing sexual violence, particularly against women and girls; I commend her strong and continuing work in that area. The G7 foreign and development Ministers will look further at how to strengthen the international architecture relating to conflict-related sexual violence when they meet in the autumn. The FCDO has donated an additional £1 million to the UN Trust Fund to End Violence against Women, and we are co-chairing the new global action coalition on gender-based violence as part of the Generation Equality Forum.

A couple of speakers mentioned specific programmes. The noble Lord, Lord Trees, asked about Ascend. The pandemic and its impact have forced us to make tough decisions, including on the Ascend programme. We are currently working with partners to exit those programmes but are continuing to perform planned surgeries and to distribute medicines in the most urgent cases. The noble Baroness, Lady Blackstone, asked about C-TAP, the Covid-19 Technology Access Pool. The UK has engaged extensively with all interested parties in that since the World Health Organization provided its initial proposals in October last year. We continue to have ongoing constructive discussions with the WHO and are committed to understanding more about how it sees C-TAP operating in practice. We will continue to act as an interface between the WHO and relevant parties.

The noble Lord, Lord Sikka, asked about tax. Tackling tax avoidance, evasion and unfair outcomes is a priority for the UK. As part of our G7 presidency, we secured an agreement for the OECD proposals which will make the international tax system fairer for developing countries. It will expand their taxing rights and reduce the incentive to shift projects away from such jurisdictions.

While much of the debate today has focused on the reduction of our spending in 2021, it remains the case that the UK will spend £10 billion on ODA this year. This means that this year—based on OECD data—the UK will be the third largest ODA donor in the G7 as a percentage of GNI, and we will spend a greater percentage of our GNI on ODA than the US, Japan, Canada or Italy, as my noble friend Lord Bates pointed out. Again, based on OECD data, this year we will also be the third highest bilateral humanitarian donor country. So, even at 0.5% of GNI, the UK's 2021 spend is above the preliminary 2020 average of the OECD Development Assistance Committee member states, which was just 0.41%. Of the countries that also meet the NATO 2% spending target, the UK will be the most generous aid spender as a percentage of income. Collectively across aid and defence, the UK will spend £56 billion of taxpayers' money in 2021-22.

[LORD PARKINSON OF WHITLEY BAY]

But the context, of course, is crucial: we cannot ignore the fiscal situation we face as a country. Last year saw the highest peacetime levels of borrowing on record—£300 billion—and we are forecast to borrow a further £234 billion this year and a further £109 billion the following year. That is a graver situation than the one described by my noble friend Lord Lansley. In five years' time, the OBR still expects the economy to be 3% smaller than it would otherwise have been, so Her Majesty's Government are especially proud that we are continuing to deliver vital humanitarian aid and development support in the face of the worst economic contraction in almost 300 years and a budget deficit of close to £400 billion.

With less money to spend in 2021, we have prioritised our aid to be more strategic so that we can remain a force for good across the world. We will continue to provide UK leadership by ensuring that every penny of our aid brings maximum strategic coherence, impact and value for taxpayers' money and by targeting our aid at the highest-priority global challenges. To deliver this, my right honourable friend the Foreign Secretary set out seven development priorities in another place on 26 November last year. As they cover many of the areas mentioned by noble Lords, I think they are worth reiterating.

The first was climate and biodiversity. One of the great injustices of climate change is that the world's poorest countries—the lowest emitters—will be the most heavily hit by its impacts. The UK is the first major donor nation committed to making our entire ODA portfolio compliant with the Paris Agreement. We have committed to ending all direct UK government support for the fossil fuel energy sector overseas, and this year, as we host COP 26, we will invest more than £1 billion as part of our flagship £11.6 billion international climate finance target.

Our second priority is global health security, where we aim to help end the pandemic, strengthen global health systems and end the preventable deaths of mothers, newborn babies and children—a subject a number of noble Lords raised. We have been at the forefront of the international response to Covid-19, pledging up to £1.3 billion to address the impacts of the pandemic. This includes £548 million to the COVAX Advance Market Commitment, which has so far provided over 87 million doses to over 130 participants. UK expertise and investments in science and research and development led to the development of one of the first effective and affordable Covid-19 vaccinations: the Oxford/AstraZeneca vaccine. In June last year we hosted the Global Vaccine Summit, mobilising £6.9 billion for Gavi, the Vaccine Alliance, to immunise a further 300 million children against deadly and debilitating diseases over the next five years.

The noble Lord, Lord Fowler, has a uniquely long track record and continuing interest in HIV and AIDS. I know he was recently a co-signatory, with Sir Elton John, of the letter to the Prime Minister on this important issue. This was also raised by the noble Lord, Lord Cashman, and others. We share many of his concerns and agree that, despite major progress since the first AIDS diagnosis 40 years ago, the fight to end AIDS is far from over. Indeed, Covid-19 has

heightened this immense challenge. As set out in the letter, the G7 has an important role to play in pushing for real change. That is why we are using the UK's presidency to drive progress on global health, sexual and reproductive health and rights, and gender equality, which support the global AIDS response. For example, G7 leaders endorsed the Carbis Bay Health Declaration to lead the way in building resilient, integrated and inclusive health systems. At the recent High-Level Meeting on HIV/AIDS, the UK made our continued commitment clear. With our like-minded partners, the UK fought hard for a progressive and ambitious political declaration to ensure the highest level of commitment to deliver the new Global AIDS Strategy.

In addition to this diplomatic work, the UK continues to support the global AIDS response with major investments, such as £340 million for the World Health Organization and a £1.4 billion pledge for the Global Fund to Fight AIDS, Tuberculosis and Malaria—that was raised by the noble Baroness, Lady Hayman. Of its budget, 32% is allocated to malaria, an area in which I pay tribute to the noble Baroness for her particular work, and a further 18% goes towards TB. Our pledge also includes a new commitment to the Robert Carr Fund to reach inadequately served populations, bringing our total support for the fund up to £22 million since 2013.

Our third priority is girls' education. The Foreign, Commonwealth and Development Office will spend £400 million on girls' education this year. We will invest directly in over 25 countries, helping to achieve the global target to get 40 million girls into school. We are also increasing our pledge to the Global Partnership for Education by 15% to £430 million—our largest ever pledge. We have also used our G7 presidency to press for co-ordinated action on girls' education and to secure support for our two global targets to get 40 million more girls into school and 20 million more girls reading over the next five years. The UK's significant pledge meant that we were able to secure commitment from our G7 partners totalling at least \$2.7 billion to the Global Partnership for Education, ahead of the Global Education Summit, which we are proud to be co-hosting with Kenya in July.

Our fourth priority is humanitarian preparedness and response. We will spend over £900 million this year to maintain the UK's role as a force for good at times of crisis, and we will focus our spend on those countries most affected by the risk of famine, as I said in response to the noble Lord, Lord Alton.

Our fifth priority, which was raised by the noble Lord, Lord Patel, the noble Baroness, Lady Masham of Ilton, and others, is science and technology. The integrated review clearly outlined that science and technology is an integral element of our international policy. Research funded by our aid budget has already led to the first internationally approved vaccine to prevent Ebola; the world's first antimalarial drug, saving more than a million lives; and micronutrient-rich varieties of staple food crops, feeding 50 million people. That is why, this year, across government, we will make £370 million of R&D investment across all seven themes of our ODA strategy.

Our sixth priority is open societies and conflict resolution. We will use over £400 million to harness the UK's unique strengths in conflict management and resolution and to project our support for democratic values, institutions, human rights and freedom of religion or belief.

Our seventh and final priority is economic development and trade. The FCDO will spend over £490 million this year to support new trading relationships with developing countries, complementing our wider multilateral and capital investments, which are helping to build our trade and investment partners of the future.

A number of noble Lords asked about the international development strategy. It will be published later this year and will detail how we will deliver the vision set out in the integrated review, mobilising all the ODA and non-ODA resources at our disposal, not least our expertise, relationships and partnerships overseas.

The United Kingdom will continue to provide life-saving aid and basic services in the world's poorest countries, through our overseas development assistance spending. Despite the unique and extreme financial pressures imposed on us by the global Covid-19 pandemic, the UK remains, in both percentage and absolute terms, one of the world's most generous aid donors. Our strategic framework for our international development is a compelling and competitive offer to the developing world, consistent with our values and our interests, and our official development assistance is a key component of this.

I have heard the passionate and personal commitments of all noble Lords who have spoken again today on this important issue. I hope that, like me, they are proud of the aid spending that we are able to commit despite the pandemic and of the huge amount that we do every day to support the world's poorest and most vulnerable people. Even in the toughest economic times, we will continue that mission and continue to act as a force for good across the world.

4.24 pm

**Lord Fowler (CB):** My Lords, this has been an important debate and, first and foremost, I thank everyone who has taken part in it. It may have been truncated but it showed quite clearly the concern that there is on this issue.

The Minister said that the debate had attracted a large number of speakers—which was true; it had—but he rather failed to mention that, of the 43 Back-Bench speakers whom it had attracted, not one of them supported the Government's position. That is perhaps of some significance and might be fed back to the Government. I might just add that I get the distinct impression that the noble Lord, Lord Parkinson, was not exactly knocked over in the rush of Ministers to get to the Dispatch Box—but that is perhaps an unworthy thought.

There was one part of the Minister's reply that I entirely disagreed with: namely, when he said that it was perfectly sensible for the Government to be acting in Parliament in the way that they are. Perhaps he will explain one day, if that is the case, why, in November of last year, the two most senior Ministers in the Government—the Chancellor of the Exchequer and the Foreign Secretary—both pledged that the Government would introduce legislation. The Chancellor said that

“we do intend to look at bringing forward appropriate legislation in due course.”—[*Official Report*, Commons, 25/11/20; col. 870.] and, the next day, we heard the Foreign Secretary say that

“we will need to bring forward legislation in due course.”—[*Official Report*, Commons, 26/11/20; col. 1018.]

I think that those count as pledges and I am not quite sure how the Minister thinks that they have been carried out.

I will pick out just one or two speeches from what has been said—an impossible task. The noble Baroness, Lady Sugg, had the courage to resign from the Government over this issue, which is a very brave act for a young politician. I agree with the noble Baroness, Lady Donaghy, that the person we miss most at the moment is Lord Judd, and I congratulate the noble Lord, Lord Purvis of Tweed, on bringing the Act to the statute book.

The effect of the cuts has been fully explained. I will not even try to precis them but the effect on malaria was raised by the noble Baroness, Lady Hayman; the noble Baroness, Lady Cox, raised the needs of Nigeria and Sudan; the noble Lord, Lord Patel, raised science and research; the noble Lord, Lord Herbert, raised the human losses through TB; and the noble Baroness, Lady Blackstone, raised the impact on children. The list goes on and on.

In the end, we come back to the point raised by the noble and learned Lord, Lord Judge, with all his authority. He said that the parliamentary process on this proposal of the Government has been ignored and ground into the dust. It is very difficult to disagree with that—it has, and the Government have a great deal to answer for on this. As I said in my opening speech, it would be better if this does not go to law but if it is not to, it would be much better if the Government now—at this 11th hour—changed their stance. They must have got an impression from today's debate of how it is going. It is not going well. If I was the Whip sitting there, I would not be saying, “This is a great debate and all our policies have been endorsed”; none of their policies on this have been endorsed. I have to tell the Whip, and the Minister in particular, that this is not untypical.

What is needed now is a debate in both Houses and a vote in each of them, and I hope the Government will agree to that. I do not often call in aid the Speaker of the House of Commons but that is exactly what he was calling for as well. I cannot see that, morally, the Government can do anything other than that. The way in which they are behaving at the moment is neither satisfactory nor acceptable. If they want a further incentive, I say to them that we will not give up on this issue—we will not just go away. This issue will continue because everyone in this House feels very strongly about it. I hope that that message is registered by the Government and their Ministers.

I thank everyone for their contributions. This has been a very important and valuable debate. It was made so by the contributions made here, however brief they were.

*Motion agreed.*

4.30 pm

*Sitting suspended.*

## Arrangement of Business

### Announcement

4.50 pm

**The Deputy Speaker (Baroness Henig) (Lab):** My Lords, the Hybrid Sitting of the House will now resume. I ask Members to respect social distancing. The time limit for the following debate is one and a half hours.

**Baroness Scott of Bybrook (Con):** My Lords, the following debate is a timed debate and the timings are very tight, so I am afraid that, if noble Lords go over their allotted time, we are likely to move on to the next speaker.

## UK Government Union Capability

### Motion to Take Note

4.51 pm

Moved by **The Earl of Kinnoull**

That this House takes note of (1) *The Dunlop Review into UK Government Union capability*, and (2) the progress update on the review of inter-governmental relations, both published on 24 March.

**The Earl of Kinnoull (CB):** My Lords, if the previous debate was about a major part of the United Kingdom's external soul, this debate is about a major part of our internal one. The past 25 years have seen huge changes in how we are governed, with the devolution of much power from Westminster in various stages. The job of creating the mechanics as to how the UK's resulting governmental bodies interact has, however, not kept step; this is contributing to the significant creaks and groans within the union that are of such concern today to so many here—certainly to me. I thought I would remind the House of some of the history and then draw some conclusions.

The instrument that governs the principles of intergovernmental relations in the UK is the memorandum of understanding of October 2013. This 60-page document is in fact only a draft, as it was never fully adopted by all the parties. It vests the responsibility in the UK Government for the MoU and the Joint Ministerial Committees with the Deputy Prime Minister—a position vacant since 2015. Ten pages are also taken up with a chapter entitled “Concordat on Co-ordination of European Union Policy Issues”. Those two anachronisms are not the only issues.

The Scottish independence referendum was in September 2014. The resulting Smith commission agreement led to a substantial additional number of powers being devolved, as duly happened pursuant to the Scotland Act 2016 and the Wales Act 2017. These significant changes in the devolution settlements represent yet more things that the drafters of the October 2013 MoU had not sought to address.

Under the strong chairmanship of the noble Lord, Lord Lang of Monkton, who will speak later, our Constitution Committee reported in May 2016. The committee went into things in impressive detail in its report, *The Union and Devolution*, which built on its incisive May 2015 report on the Smith commission agreement. It concluded that the UK Government must

“devise and articulate a coherent vision for the shape and structure of the United Kingdom, without which there cannot be constitutional stability.”

Indeed, the whole report is as relevant and to the point today as it was five years ago.

The Brexit process kicked off in June 2016, just one month later, and exacerbated the situation. In our report, *Brexit: Devolution*, the European Union Committee commented in July 2017:

“The devolved governments, and some of our witnesses, have also argued that fundamental reform is needed to give the devolved institutions a more formal role in UK decision-making post-Brexit, analogous to that of regions and states in federal systems.”

I remember well the evidence sessions. The committee could not take a formal view on this, of course, as it was outside our remit, but the very fact that we included this paragraph shows how concerned we were.

The start of 2018 was probably the low point, but in March 2018, the review of intergovernmental relations—the IGR review—was launched. This is expressly a “joint review of the existing Memorandum of Understanding on Devolution.”

That quote is from GOV.UK. In mid-2019, the noble Lord, Lord Dunlop, was asked to review the UK Government's union capability, a task he very ably concluded in late November that year. Then, after a period of great silence, on 24 March this year we got four documents. I am now going to switch out of history mode and consider each in turn.

The first document was the Dunlop review itself. This is a seminal and well thought-through document, and it is a pity that it had to wait in the wings for 16 months. The report had four principal propositions and one notable other proposition. These were: a great new office of state in the Cabinet; a reorganisation of the devolved nation departments, with a single Permanent Secretary; UK-wide project funding arrangements; Joint Ministerial Committee reform; and new Cabinet committee arrangements.

The second 24 March document was an update on the IGR review. This would appear to be quite close to the finishing post, as almost all the text is agreed and the remaining issues would seem to me to be rather less challenging than some of those successfully tackled in the run-up to the trade and co-operation agreement, with which I am so familiar. I ask the Minister why it has taken more than three years to get to these 15 pages and when the vital process will finally be concluded. If the finishing post is passed, this draft would seem a good answer to, and endorsement of, the fourth Dunlop proposition.

The third 24 March document was the inaugural *Intergovernmental Relations Quarterly Report*. This very interesting document is highly significant. In his foreword, Michael Gove is quite clear that there will be not only quarterly reports from now on but annual reports into IGR activity. This transparency is as commendable as it is vital. I have no doubt it will drive the process of putting devolution as a core factor, ever present in UK Government thinking on all matters. No ministry will want to report a poor level of devolution engagement. The reports will also provide convenient documents for parliamentary scrutiny, and I hope that a debate on the annual report, in government time, will, as a matter of course, become a fixture in both Westminster

Houses. Perhaps the Minister could comment on this point. I hope he will also congratulate those involved on their work on this important inaugural quarterly report.

The fourth and last 24 March document was the Government response to the noble Lord, Lord Dunlop, in the shape of a letter from Michael Gove. This says on the first page,

“From the moment we received your report we have been keen to implement policies in line with your recommendations.”

However, the reality is that, despite these warm words, only the third, fourth and fifth Dunlop review propositions are addressed in the letter—admittedly, broadly in line with the Dunlop review. Things are, however, very unsatisfactory where the first two Dunlop review propositions are concerned. The Michael Gove letter does not seek to address the propositions directly and instead refers to changes to the board structures of government departments and a new advisory group to the Cabinet Office. Such changes are invisible to the ordinary citizen and miss the essential point of the Dunlop review’s two leading propositions—the symbolism.

Having a totemic office of state—an exclusive advocate at Cabinet level—would be a public recognition that the union is precious to the core and that there is a much more powerful voice in Whitehall for the smaller in our collection of proud nations. Instead, today, these responsibilities form a part only of the portfolio of one of the busiest Cabinet Ministers. This cannot be the winning answer and it cannot be consistent with the words:

“we have been keen to implement policies in line with your recommendations.”

In January 2020, I was in Canada, at a conference of Commonwealth Speakers. Our hosts had also invited the Speakers of their many regional Assemblies, and over the course of the three days, I had the opportunity to speak to many of the Canadians. The very consistent message was how much effort they put into their union, with a regular diet of meetings and gatherings, the consistent involvement of the Prime Minister and great care taken linguistically with every parliamentary speech. One especially experienced Speaker told me that after their own tensions of the mid-1990s, “We not only had to talk the talk, we had to walk the walk.”

In closing, therefore, I ask the Minister whether he accepts the enormous value of the symbolism of the first two Dunlop propositions and what further plans the Government have to provide for them. I look forward very much to the debate and I beg to move.

5 pm

**Lord Murphy of Torfaen (Lab) [V]:** My Lords, I welcome the report of the noble Lord, Lord Dunlop. It addresses very important issues and makes serious recommendations, including on the need to improve intergovernmental relations in the United Kingdom. Your Lordships’ committee dealing with common frameworks, of which I am a member, has recommended improvements to the IGR system, and the Government themselves, as we just heard, are making certain changes, but we need much more radical change to the way in which the Governments in Cardiff, Belfast, Edinburgh and London work together.

We now live in a very different constitutional world. The British political landscape has changed dramatically and, during the past year, having to deal with Covid,

more and more people are now conscious of devolution in our country. The First Minister of Wales, Mark Drakeford, has this week spoken of the need to reform the union. He is right. There must be British Government recognition of the new picture.

When I was a territorial Secretary of State, many in Whitehall adhered to the maxim “devolve and forget”. This will no longer work. There must be mutual respect between the partnership of nations in our country. We should have an independent system to deal with disputes between those Administrations. Your Lordships’ House could play a significant role in representing the different parts of our country.

Flags and United Kingdom Government offices in Cardiff and Edinburgh will not strengthen the union. Only a wholly new approach will work. I want the union to survive and prosper. It will remain only if we seriously reform it.

5.02 pm

**Lord Thomas of Gresford (LD) [V]:** My Lords, Sir Jeffrey Donaldson, the new leader of the DUP, said this morning:

“The Northern Ireland Protocol represents the greatest threat to the economic integrity of the United Kingdom in any of our lifetimes.”

The United Kingdom Government thrust upon one of the four constituent parts of the UK a vital constitutional and economic framework without consultation. The DUP has no ownership of any part of it. I entirely understand unionists’ frustrations, although I disagree with their stance and rhetoric.

The review of the noble Lord, Lord Dunlop, points to an entirely new structure and an approach to devolution which would largely prevent these strains on the coherence of the union. I welcome his review and recommendations and I, too, regret very much that it took so long to publish it and to address its important first two propositions. The progress report makes it clear that, although there is some movement forward, there is as yet no agreement on the structure and responsibilities of the UK Government and devolved Administrations council. Will the Minister kindly update us on that issue and on the current state of any discussions?

In their report, *Reforming Our Union*, referred to by the noble Lord, Lord Murphy, and published on Tuesday, the Welsh Government point out that there has not been a plenary meeting of the Joint Ministerial Council—the existing, feeble body for discussions on devolution—for 12 months. Mr Drakeford declares that

“it has become harder and harder to make the case for the Union, and the threat to it has never been greater during my lifetime.”

He rightly says that when the UK Government act in an aggressively unilateral way on behalf of the whole UK, without regard for the status of the nations and the democratic mandate of the Government, that inevitably creates anger and alienation. I commend the report as an excellent contribution to the debate. I regret that that is as far as my Japanese haiku—or Welsh cynghanedd—of a speech can take me.

5.05 pm

**Lord Howell of Guildford (Con):** My Lords, in the miserably short time allotted for debate on this Motion that the noble Earl, Lord Kinnoull, has so wisely brought before us, I will make just two points.

[LORD HOWELL OF GUILDFORD]

First, the Dunlop review is an excellent piece of work and an excellent contribution to the reformed machinery of government for a better union that we must build and must be on offer if the United Kingdom is to remain intact. Unfortunately, the Scottish independence movement is about a lot more than machinery and governance. It has to be realised that that is primarily an emotional cause, driven by a proud people in an ancient and exceptionally talented kingdom. That means that the movement is ready to sweep aside all rational, economic and administrative argument as scaremongering and project fear. It is emotions that have to be responded to. The separatist arguments can be met only by asking and answering the question as to why we need and how we gain consent for a good and friendly union in these islands, where we are all mixed together, in this utterly transformed age of new conditions. On that, frankly, we have hardly started.

Secondly, the key to the whole Scottish independence trajectory lies not in the hands of the hard-line one-third of Scottish republicans, who always wanted breakaway at any costs, but with the broad swathe across the middle—the moderate unionists who are now extremely inclined to independence of some kind, especially after Brexit. Given the emotional content, most practical proposals for more devolution will make little impact. This is about sovereignty, not just devolution—a different, although overlapping, concept.

So the question boils down to what can be done via tone, respect, language of partnership and a proper say in national and world policies for Scotland which is short of severing the link of sovereignty, yet gives Scotland a real feeling of place in the scheme of things and the comity of nations, large and small. It is time—well past time—to pin down the loudest voices in Edinburgh about what they really want and what independence actually means to them. Once that is done, we can start the steps towards a better kind of union and the full value of the Dunlop reforms can come into play. Let us hope that it is not too late.

5.07 pm

**Baroness Bryan of Partick (Lab) [V]:** My Lords, the present Government came to power with a commitment to significant constitutional change. Their manifesto pledged that a Conservative Government would hold a constitutional review to restore “trust in our democracy”. As well as the Conservatives, every other major party had commitments relating to constitutional change. Polling showed that 85% of people felt dissatisfied with the political system. All this contributed to a sense that there would be change.

There was an opportunity for a wider debate around the Dunlop review but it was never allowed to happen. Eventually, we discovered that one of the findings was that Whitehall had little understanding of or interest in devolution. That was confirmed by the imposition of the internal market Act.

Constitutional reviews are loudly announced but quietly disappear. We heard from the Minister, the noble Lord, Lord True, on 14 June that the Government had

“no plans to establish an inquiry into the constitution.”—[*Official Report*, 14/6/21; col. 1657.]

He also said that there could be no sharing of sovereignty. That, in effect, means that there is no constitutional protection for the devolved Administrations. The regions and nations all face a battle to protect themselves from the centralising agenda of this Government. Will the Minister accept the suggestion that the Government should invite the nations and regions to undertake the unfinished business of devolution and ask them to lead a constitutional review?

5.09 pm

**Baroness Randerson (LD) [V]:** In 2009 David Melding, a Conservative Welsh Assembly Member, wrote a perceptive book called *Will Britain Survive Beyond 2020?*—and that was before Brexit sent a huge constitutional shock through our muddled constitutional arrangements. The UK Government are now scrambling to recentralise powers previously held at EU level but then devolved down to the four nations. Devolution settlements are messy. I steered a Wales Act through this House in 2014 and there has been another since, but piecemeal arrangements will not withstand the impact of sustained attack by the SNP, combined with Brexit and the careless, ignorant imposition of the Northern Ireland protocol.

The Government believe strains in the union are due to problems in the three devolved nations. Ministers should examine themselves and consider how Englishness has changed. They must solve the problem of Ministers who one moment are English and the next are Ministers for the whole UK. An Anglocentric UK Government cannot prevent the break-up of the UK. The practical proposals by the noble Lord, Lord Dunlop, in his excellent report are the minimum needed but they must be accompanied by a fundamental change of approach.

I have been a Minister in both the Welsh and UK Governments. I understand the perceptions from both ends of the M4. Twitter tells me that the new HMRC HQ in Cardiff will feature a huge, eight-storey union jack. If I were in charge, I do not think I would start by using the tax office as an icon of Britishness. If the Government want to save the union—and I hope they do—they will have to dig much deeper than that.

5.11 pm

**Lord Dodds of Duncairn (DUP) [V]:** My Lords, I thank the noble Lord, Lord Dunlop, for his report. I too regret the delay in its publication. There are many positives in it, and I admire and applaud—

**Baroness Scott of Bybrook (Con):** I am afraid we cannot hear the noble Lord. I suggest we move on.

5.12 pm

**Lord Kerr of Kinlochard (CB) [V]:** The noble Earl, Lord Kinnoull, reminded us that the Government sat on their Dunlop report for 16 months and do not seem to be planning to implement it in full. They slipped it out surreptitiously, without allowing a proper debate, and their curious progress update document is still a disputed draft, 39 months into the review. Where is the drive or the urgency? Government documents are not at the level of events.

In Scotland, as in Northern Ireland, devolution is on life support. New structures could be agreed in a week if the Prime Minister were to engage and get them done. Maybe that is the problem. It is almost as if his heart is not in it; as if he meant it when he called devolution a disaster; as if he cannot see what is now the only alternative in Scotland to making it work; as if he really believes that refusing a Section 30 order would close out that alternative, and that Northern Ireland need not involve him and can safely be left to Mr Brandon Lewis.

I have time for one piece of advice only to the Prime Minister: when in a hole, stop digging. Do not repeat the Brexit negotiations mistake of excluding the devolved Administrations. Invite them into the joint committee under the withdrawal agreement now. Do not insist on an immigration policy that ignores their demography, so different from England's. Why repeat under state aid the internal market Act's override of the devolution settlement? Do not, with no prior warning, do trade deals with third countries such as Australia, which the three Celtic countries—possibly wrongly but deeply—believe will damage their farmers. Do not go on feeding the perception that you are not really a UK Government but an English Government. Cut out the unforced errors, stop digging the hole deeper and please scrap the hard hat, high-vis jacket photo-op visits, which only annoy. Instead, show parity of esteem, get around the table with your counterparts, settle the structures and make them work. You have not long; time is running out.

**The Deputy Speaker (Lord Russell of Liverpool) (CB):** The noble Lord, Lord Lang of Monkton, has been unable to connect, so I call the next speaker, the noble Baroness, Lady Taylor of Bolton.

5.15 pm

**Baroness Taylor of Bolton (Lab) [V]:** My Lords, I congratulate the noble Earl, Lord Kinnoull, on obtaining this debate and the noble Lord, Lord Dunlop, on the work he did in his report. I wish that we could congratulate the Government on their response, but, while it was right to commission the Dunlop review, they have not taken on board the basic problems that exist, and there is little evidence that they understand the basic concept of devolution.

The Dunlop review was commissioned to ensure that the UK Government were working in the best possible way to “realise the benefits” of the UK. This was considered particularly pertinent post Brexit. However, the Government continue to insist that they alone always know best. If they had been working properly with the devolved institutions, we would not have seen their dismissive approach to the problems of the Northern Ireland protocol, referred to already. If the Government had been working properly with other people, we would not have seen problems of the severity that we saw when we were passing the internal market Bill. There is a very long way to go before anybody can have any confidence that the Government actually respect the devolved institutions—that is part of the basic problem.

The Dunlop review gave an analysis that most would agree with and made some serious recommendations, many of which I agree with. But even if Ministers were

to turn around and tell us now that all of those recommendations were going to be implemented, along with some other ideas that have been mentioned, that would not be sufficient or the end of the problem. Structural changes will take us only so far; what is really needed is a deep-seated change of attitude on the part of the Government, including the Prime Minister.

5.17 pm

**Lord Wigley (PC) [V]:** My Lords, as the noble Lords, Lord Murphy and Lord Thomas, mentioned, Wales's First Minister, Mark Drakeford, as a unionist, published this week a 20-point analysis entitled *Reforming Our Union*. He criticised the UK Government for acting “in an aggressively unilateral way on behalf of the whole UK, without regard for the status of the nations and the democratic mandates of their government” and said that

“this inevitably creates anger and alienation.”

The Dunlop review addresses key issues, but one incredible restriction was that it could not consider the Barnett formula, condemned by a committee of this House 10 years ago. Until that is sorted, a festering sore in Wales will colour attitudes. The UK Government cannot seriously expect civil servants to put the interests of the union above those of the devolved Governments for whom they work.

The Dunlop review makes important recommendations that should be actioned. Points about the need to replace the discredited Joint Ministerial Committee are well made. The recommended intergovernmental council, with an independent secretariat and co-decision by consensus with a clear dispute-handling process, would be a positive step forward.

The Prime Minister's personal role is stressed. If the union matters to him, then so should the mechanisms that make it work and he should lead by direct involvement. Sadly, the Government's attitude to this key recommendation is ambivalence. Direct investment in Wales for economic projects that are reserved matters is welcome, but it should be made in co-operation with devolved Governments.

The review stresses the importance of UK branding. As has been mentioned, the union flag has the symbols of England, Scotland and Ireland, but not Wales; its use in Wales can be counterproductive. Non-devolved departments could do more to meet devolved needs—for example, UK embassies could have designated staff relating to devolved Governments.

This is a constructive report but it is useless if the UK Government just ignore it. The Prime Minister's reluctance to accept personal responsibility, as recommended by the Dunlop review, undermines it, just as it undermines the union and creates the alienation to which Mark Drakeford referred.

5.19 pm

**Baroness Fraser of Craigmaddie (Con) [V]:** My Lords, during the debate on constitutional affairs in May, I asked for assurance that the future of intergovernmental relations would be a conversation of co-operation, and my noble friend the Minister gave me that assurance. Two months on, embedding positive working relationships must surely run broader and deeper than simply recovery

[BARONESS FRASER OF CRAIGMADDIE]

from the pandemic, important though that is. There are too few post-devolution and post-referendum voices being heard in this debate. Energy is wasted and mistakes are made that are completely avoidable, such as the ridiculous attempt to encourage schoolchildren to sing a song for One Britain One Nation Day just as the Scottish schools had broken up for the summer holidays. Intergovernmental relations should be a partnership and not a popularity contest, but every flag-waving misstep allows the First Minister to use muscular unionism to her advantage.

Too often, consultation is too little, too late, or there is a lack of understanding that a Scottish-based approach, rather than a whole-UK solution, might work better. This mutual respect for the differences of our four nations is essential for improving and developing positive relations. This stance was supported by my noble friend Lord Dunlop in his excellent review, which also found that the prevailing attitude in Whitehall was to “devolve and forget”. The recommendations proposed were “welcomed” by the Government, yet they remain unfulfilled. Why are we stuck with an intergovernmental structure that predates the Scottish referendum and the subsequent transfer of additional powers, with no concrete plans for progress? We must not “devolve and forget”.

This week, Her Majesty the Queen is at Holyrood. She has met both the First Minister and the new Presiding Officer of the Scottish Parliament as well as taking a tour of the Irn-Bru factory. In short, Her Majesty has respected Scottish institutions. As ever, she has set an ideal tone. May I encourage the Government of the United Kingdom to do the same?

5.22 pm

**Lord Hope of Craighead (CB) [V]:** My Lords, the key message which I take from the seminal review of the noble Lord, Lord Dunlop, is that we must find ways of ensuring that devolution as a core factor and the strength and solidarity which the union provides work together in the common interest.

The union is seen by many in Scotland to mean London, and, as others have said, hearts and minds are unlikely to be won by waving the union jack or by ridiculous events such as the Department for Education’s One Britain One Nation Day. It is the handling of the practical things that matter. The union has to be seen to be working well in Scotland in a way that persuades people that it is on their side and needs to be taken seriously. This requires the building of better relationships and improving trust and confidence at all levels within the Civil Service and, especially, across government.

The Government’s recognition of common frameworks in the final stages of the internal market Bill, which I am sure the Minister will remember well, was an important step forward; so too has been the development, in partnership with the devolved Administrations, of a framework for a UK-wide subsidy control regime, now to be found in the Subsidy Control Bill.

As for the proposals, a UK Government and devolved Administrations council, replacing the regrettable ad hoc systems that exist at present, would have key role to play, but can we expect agreement on this proposal

by the end of the Summer Recess? The proposal for an annual meeting between the Prime Minister or his deputy and the First Minister or Ministers seems to fall short of what is needed to build trusting relationships. Surely at least two such meetings, attended by the Prime Minister himself and not a deputy, should be required. As it is, the proposal seems half-hearted. Strengthening the union requires much more than that.

5.24 pm

**Lord McConnell of Glenscorrodale (Lab):** My Lords, 22 years ago today, Her Majesty the Queen opened the new Scottish Parliament in Edinburgh, and I sat and stood that day with pride at becoming a Member of the first new democratic Parliament in the UK for 300 years. That day had so many hopes for the new institution. Many of them have been borne out by the diversity of the decision-making and the strength with which the Parliament has legislated, particularly in those early years.

However, anyone born since then would in Scotland today question the purpose of the United Kingdom—not just the UK Government or Parliament—in their lives. That is at the core of this debate, and that is why I welcome so much the initiation of this debate by the noble Earl, Lord Kinnoull, and the excellent report by the noble Lord, Lord Dunlop, although I do not believe it is radical enough or goes far enough.

This debate is not about powers and the distribution of powers between Governments and Parliaments. It is about power, the exercise of power, the culture of government, the connection between the Government and people and the identity that they feel, as correctly pointed out by the noble Lord, Lord Howell. If we are going to deal with those very modern political issues about disconnects with Parliament, Governments and institutions, we need to be much more radical, with not just another new Secretary of State but by replacing the three old Secretaries of State with a new powerful voice at the centre of government for the nations and the regions and the constitution of the country, reforming this institution better to represent all parts of the kingdom and with better intergovernmental relations and developing a positive case for the union.

The sentence that I like best in the report by the noble Lord, Lord Dunlop, is the one where he says that

“the United Kingdom ... is the most successful multinational state in the world.”

It is the first time in 22 years that any government report on the United Kingdom has used that description, a “multinational state”. That is the United Kingdom today. That is the reality, and we need a completely new, positive case for that multinational state if it is going to exist for the rest of the 21st century.

5.26 pm

**Lord Hannan of Kingsclere (Con):** My Lords, why are we discussing the separation of this kingdom? We are not riven by some massive ethnic difference in the way that Kosovo or South Sudan or somewhere was. In all parts, we speak the same language, we watch the same TV, we follow the same sports, we shop at the same chains and we abuse alcohol in the same way,

and this common affinity predates our formal union. When James VI of Scotland made his first speech in this building in 1604, he made precisely this point:

“Hath not God first united these two kingdoms, both in language, religion, and similitude of manners? Yea, hath He not made us all in one island, compassed with one sea”.

For a long time after that, people had a sense of shared nationality, of shared characteristics. We were stubborn, we were stiff-necked, we bridled at injustice, we were slow to anger, we could be morose and difficult, but we had a clear sense of union, bolstered by our habit of intermingling and intermarrying.

So what has changed? What has changed, it seems to me, is the trashing of the British brand. If the United Kingdom as a concept is systematically derided and traduced by our intellectual elites, if our history is presented to young people as a hateful chronicle of racism and exploitation, is it any wonder that people in the constituent kingdoms will start groping back towards older patriotisms? Yet I ask the question: where else in the world down the centuries would you rather have been poor, or female or from a religious minority? Which country has done more to spread liberty and law? We do not have to make up a fable, some platonic noble lie. We have a tremendous story to tell as a united people: we defeated attempts to unite the world under fascist and communist tyranny; we ended slavery; we spread commerce and law across the continents and the archipelagos. It is a great song to sing, and we have not finished singing it yet.

5.28 pm

**Lord Rooker (Lab) [V]:** My Lords, my experience of government until late 2008, and then as chair of the Food Standards Agency from 2009 to 2013, is that Whitehall did not respect devolution. Given that my FSA role in a UK-wide body in a devolved area involved a change of UK Government, my view covers both. The only reason that Food Standards Scotland arose was due to the manner of the machinery of government changes made by Cameron to the FSA role. The SNP Government were content with the role and action of the FSA as they affected Scotland. However, that is history.

The review letter from Michael Gove on 24 March to the noble Lord, Lord Dunlop, is six pages long. One key word is missing: “England” does not appear at all. I believe that for as long as the term “UK Government” is used interchangeably for issues relating to the UK as a whole and for the Government of England, we are in real trouble. This is not sustainable, and we are more likely to see the break-up of the UK union unless it is addressed. Tinkering with the Barnett formula will not suffice. I do not know what UK culture is as far as the devolved nations are concerned.

The attempt at “UK Government branding” being the aim for both the noble Lord, Lord Dunlop, and Michael Gove is nothing short of an England Government seeking more control over the other three nations without creating an English Government. It is simply part of the post-Brexit plan to hang on to powers from Brussels that should rightly have gone to the devolved Governments. I do not believe that the people in the nations of the UK are as stupid as the Johnson Government seem to think they are. There will be a backlash.

**The Deputy Speaker (Lord Russell of Liverpool) (CB):** The noble Lord, Lord Empey, has withdrawn from the debate so I call the noble Baroness, Lady Crawley.

5.30 pm

**Baroness Crawley (Lab) [V]:** My Lords, the noble Earl, Lord Kinnoull, has alighted on one of the most urgent aspects of our political life in the UK today. The long-overdue publication of the Dunlop report is to be welcomed as a positive contribution to the very tetchy discourse that has surrounded the devolution debate, especially since Brexit.

As we know, the report calls for new governance to take devolution and union capability forward, such as a new Secretary of State to represent the union and a pool of civil servants with expertise of constitutional reform and devolution alongside a growth fund that is UK-wide, and much more. For those of us who support the union but want to see the language of respect and equality infuse the devolution debate, with the UK Government as the first among equals, the Dunlop report is an important step forward.

The noble Lord, Lord Dunlop, recently gave evidence to the Common Frameworks Scrutiny Committee, on which I sit along with other speakers in this debate. We agreed that renewing intergovernmental relations was a crucial aspect of opening up an economically healthy UK single market post Brexit. However, the Government’s response to the noble Lord’s report is still very much a work in progress. It is very disappointing for the devolution debate and for the developed Administrations, and is still not the cultural shift that the Government claim to aspire to. Still, it is a start—and about time, because time is running out, as the noble Lord, Lord Kerr of Kinlochard, has said, for persuasive voices and policies to secure the union into the future and ensure that the poorest across the union do not lose out. This House has its part to play.

5.33 pm

**Lord Trevethin and Oaksey (CB) [V]:** My Lords, I congratulate the noble Earl on his illuminating speech introducing this debate. I merely wish to make one observation about the following passage in chapter 4 of the review, which discusses intergovernmental relations:

“While the Review therefore agrees there should be a far greater role for Parliament in scrutinising discussions which take place in an IGR setting, to put their basis in statute risks dragging the courts into what fundamentally should be a political and parliamentary realm. In order to build respect and trust around IGR it is therefore important political differences are handled in a political, not legal, space.”

Litigation can be used, and perhaps misused, as a continuation of politics by other means. Some aspects of the Brexit litigation suggest that the concerns expressed in the Dunlop review about the courts being dragged into devolution issues are well founded. The Wightman case was problematic. The applicants there sought a reference to the CJEU of the question of whether an Article 50 notification could be revoked. The issue was academic at that time, although the applicants hoped that it would cease to be so. It is very unlikely that an English court would have been prepared to make the reference. In Scotland, the Outer House dismissed the

[LORD TREVETHIN AND OAKSEY]

application as an unacceptable encroachment on political terrain, but the Inner House made the reference and the CJEU determined the issue.

Putting the merits of the decision to one side, the case exposes the risk that politically motivated litigants may forum shop. Forum shopping and moving between the English and Scottish courts in relation to this agreement between central government and devolved Administrations is obviously very undesirable. Miller II, the Prorogation case, involved an actual—as opposed to potential—difference between Scottish and English decisions. The Scottish court made findings about the Prime Minister’s motivations which raised questions that would probably be regarded as non-justiciable in the English courts. The Supreme Court did not need to address the findings of the Scottish court directly, but the constitutional tensions inherent in the case strongly confirmed the wisdom of the preference of the noble Lord, Lord Dunlop, for political solutions to devolution issues.

5.35 pm

**Lord Davies of Brixton (Lab) [V]:** My Lords, I, too, congratulate the noble Earl, Lord Kinnoull, on the debate and the noble Lord, Lord Dunlop, on his report. This Government’s lack of focus has been made out clearly by previous speakers, but there is also the Government’s glaring lack of respect for the devolved Administrations. In my brief remarks, I emphasise that devolution is a moving target, moving into and developing new areas, notably—to me—those of welfare and social security.

The problem here is not so much at the official level. What the report makes clear is the lack of effective joint working. One of the most dispiriting references is to the Joint Ministerial Working Group on Welfare, which the noble Lord, Lord Dunlop, says has become a forum largely for airing grievances and managing disputes rather than a forum for fostering more effective collaboration.

I add that I am proud to be British, English and even a bit Welsh, so I know that saying that we have one language in these islands is the sort of destructive attitude that is driving us apart.

5.36 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, it is a great pleasure to follow the noble Lord, Lord Davies of Brixton, and to join many others in thanking the noble Earl, Lord Kinnoull, for securing this debate and his introduction to it. I think he referred to creaks and groans in the union, but I would probably say that they are rather gaping cracks and heaving frustrations, as a reflection of the mood. The timing of this debate and its length perhaps reflect the way the peoples of Scotland, Wales and Northern Ireland very often feel their importance is regarded in your Lordships’ House and by the Government.

I rise as possibly the only person in this debate who is a Green. The Scottish Green Party is campaigning very hard for independence, and the Wales Green Party has said that, if there is an independence referendum, it will campaign for independence. I offer one very important thought in the context of this debate: I believe

that the Government and your Lordships’ House need to think constructively and deeply about what might happen if the union ends—what it would look like, and how it could be done in the best possible way. If we look back to 2016, we can see that that was not done with Brexit, and we are still dealing with all the fallout. That is a very important message.

I have one other brief message. I agree with the noble Lord, Lord McConnell, that we need something much more radical, although I would not particularly fault anything in this report. But I agree with the noble Lord, Lord Kerr of Kinlochard, that a parity of esteem has to be at the foundation of this—and not just esteem but money and resources. Green political philosophy says that power and resources should rest locally and be referred upwards only when absolutely necessary. Far too much power is concentrated here in Westminster, which is the foundation of the gaping holes to which I referred.

**The Deputy Speaker (Lord Russell of Liverpool) (CB):** The noble and learned Lord, Lord Davidson of Glen Clova, has withdrawn from this debate, so we will now go back to the noble Lord, Lord Dodds of Duncairn.

5.39 pm

**Lord Dodds of Duncairn (DUP) [V]:** My Lords, I am very grateful, and I want to put on record my thanks to the noble Lord, Lord Dunlop, for his report. I regret that it has taken so long to have it published. There are many positives in the noble Lord’s review. I particularly admire the desire to embed union thinking and the machinery of government at the heart of UK government policy, development and decision-making, as well as the desire, which we should all have, to achieve the best possible collaboration and working arrangements between the UK Government and our devolved Administrations.

However, as far as Northern Ireland is concerned, their laudable aims and objectives are at complete variance, first with the adoption and implementation of the Northern Ireland protocol and secondly with the continuing and repeated lack of respect for the Northern Ireland Assembly’s areas of competence. We had another example of that from the Secretary of State for Northern Ireland just a few days ago. This approach has led to the destabilisation of politics and the political institutions themselves in Northern Ireland and, if not corrected, will lead to dire political consequences which I urge the Government to act swiftly on to avoid.

If a key objective of the report is to “strengthen the working of the Union”, how on earth can that be squared with the judgment of the High Court in Belfast yesterday, where the court found that the Government, through the European Union (Withdrawal) Act had repealed key parts of the Act of Union itself in signing up to arrangements which create an Irish Sea border? Likewise, the Belfast agreement has been breached as far as protection of the third strand of relationships, namely the east-west dimension.

Large swathes of laws for the economy can now be made without any vote in Stormont or Westminster; there is taxation without representation in a part of

the United Kingdom. If we are to strengthen the union, I strongly urge the Government to take steps to replace and remedy that which is currently undermining and actively destroying the union.

5.41 pm

**Lord Lang of Monkton (Con) [V]:** My Lords, I am grateful to be reconnected, albeit by telephone. It is notable that the word “referendum” has ceased to dominate the constitutional debate in Scotland in recent weeks. The reality has dawned that, although the country is divided—something that demands our attention—support for separation and a referendum has fallen and is now roughly where it was seven years ago.

The years since have been wasted. Apart from the increase in powers granted from the 2014 referendum, which, like all such initiatives, made matters worse, there has been a void. The excellent report by my noble friend Lord Dunlop gathered dust for two years, just like its two predecessors from your Lordships’ Constitution Committee, which it echoes. I thank the noble Earl, Lord Kinnoull, on behalf of that committee for his kind remarks.

Past neglect must not be allowed to continue, and today’s rather short debate is welcome; I hope it is the first of many. Sustained action of the sensitive and well-modulated kind is now urgently needed. The experience of Covid-19 has shown not just how much the devolved Administrations depend on the UK for help and support with vaccines, expertise, money and the Army, but how much we all have in common with our fellow British citizens. We share a common identity. Covid must not be an excuse for delay in implementing the diverse, broadly based action programme.

Time does not allow for detail today, but I stress that it is at the core of the nation—the union—that action is most needed. The report on intergovernmental relations is a welcome first step, but a host of other measures is necessary, and above all we need a change of tone. Reports and reviews do not in themselves win hearts and minds and that is the essence of the challenge.

Finally, I ask my noble friend the Minister to note that structural change to the constitution has a bad record in this field. I urge him to be very cautious over any such further proposals that may come to him.

5.43 pm

**Lord Bruce of Bennachie (LD) [V]:** My Lords, I thank the noble Earl, Lord Kinnoull, for initiating this important and very timely debate. I also want to show appreciation for the very helpful review conducted by the noble Lord, Lord Dunlop, which was too long delayed in publication. I thank noble Lords who have made a wide variety of extremely good speeches, for which the time constraint was not adequate.

It is clear that, if the UK is to have a constructive future, a fundamental reset of relations between nations, Governments and communities is needed. Brexit and the domestic legislation that followed, and is following, has put severe strain on the settlements. As a member of the Common Frameworks Scrutiny Committee—along with four other speakers in this debate, as has been mentioned—I believe the approach being taken in this process in most cases offers a constructive way of taking policy issues forward. In particular, it seeks to

allow divergence, encourage constructive engagement, avoid disputes and, where they do arise, to set out mechanisms—although as yet untested—that are fair and at least try to be objective and independent. However, the default position remains that UK Ministers have the last word. In addition, the policy areas covered by common frameworks are restricted to those areas previously under EU rules designated at the outset of the process. These can be overridden by new legislation being enacted post Brexit, ranging from the trade agreement to the internal market Act, Agriculture Act, Environment Bill and Professional Qualifications Bill.

The noble Lord, Lord Dunlop, called for a dedicated Cabinet Minister for the union, supported by a Cabinet committee and a Permanent Secretary. Although the noble Lord did not say so, the Prime Minister appointing himself to that role does not hack it. Not only is he personally and politically unsuited but, more fundamentally, he as Prime Minister has far too many other responsibilities to deliver on it. However, the appointment of Sue Gray to the new position of Permanent Secretary for the union is certainly welcome.

The proposal made by the noble Lord, Lord Dunlop, for a new UK intergovernmental council to replace the Joint Ministerial Committee, which has been largely sidelined, makes sense. It is clear that the understanding of and commitment to devolution varies enormously across departments, so the suggestion that career development in the Civil Service should be conditional on having spent time in a role in the devolved Administrations—and vice versa for those working in the devolved Administrations—should be developed further.

Although there is scope for debate as to whether the UK should head towards a federal or quasi-federal constitutional settlement, there is nevertheless a clear opportunity to learn from the experience of federal countries. At the very least, there needs to be clarity on where powers lie—not only what is reserved and what is devolved but, perhaps most importantly, what is shared. There also needs to be a respectable process for any change in the apportionment of powers and the resolution of disputes.

This debate needs to be put into its current political context. Brexit is far from done. UK trade with the EU is declining rapidly, with none of the emerging trade agreements offering anything close to significant alternatives. Northern Ireland is subsiding into renewed and dangerous political and economic uncertainty. Although the threat of independence in Wales falls short of confrontation, the breakdown of trust between the Welsh Government and the Senedd is a manifestation of political storm clouds.

Scotland is stalemated, with pro-independence and anti-independence sentiment deadlocked. Whatever the SNP’s bluster, advancing the case for independence—or even for another referendum—is nowhere in view and beyond credible. The UK Government should resist the temptation just to say no. It may suit the short-term political advantage of the Tories and the SNP to entrench this deadlock, but it is no good at all for the people of Scotland caught between them. There must be a constructive appeal to engage in co-operation and joint working.

[LORD BRUCE OF BENNACHIE]

The changes made so far, and the strengthening of the UK Government's presence in the devolved Administrations, need to set the foundation for a new and positive relationship, not just window dressing. The UK Government are understandably keen to ensure that the impact of UK-wide spending within the devolved Administrations is clear and understood. The city deals have been positive examples of joint working on funding involving Governments, local authorities and the private sector. Replacing UK structural funds with a UK shared prosperity fund presents another opportunity for the UK Government to be seen to be spending in the devolved areas—but only if it is done in co-operation with, not over the heads of, the devolved Administrations.

During Covid, billions of pounds have been poured into economic support through furlough, business loans and other measures. In Scotland, it is in excess of £10 billion. However, spending by the UK Government should be used not to patronise or demean but to show the value of co-operation and sharing. It requires transparency by all levels of government. By the same token, it is not helpful for the people they serve if devolved Governments misrepresent the relationship or use it to further the political argument. How many more years will voters in Scotland put up with being told that problems cannot be addressed this side of independence, which is not on the horizon and would take years even in the best-case scenario?

Covid has shown up the best and worst aspects of devolution and the relationships. The devolved Administrations have had the freedom to determine their own way through lockdown. However, the science is common and, for the most part, the differences have been cosmetic or timescale-related. The mismanagement of border controls, especially in relation to the delta variant, has been monumentally incompetent. The attempt to restrict movement between Scotland and England has degenerated to the absurd, with an unenforceable ban on travel to Manchester while unrestricted travel to London is allowed for Scottish football fans, with adverse consequences. The development, procurement and rollout of vaccines has been a positive demonstration of the benefits of the United Kingdom and co-operative working. The economic capacity of the UK has been of benefit to all our citizens.

Given that Scotland is not leaving the UK any time soon, and may never leave, there is surely an obligation to show how the Scottish and UK Governments can co-operate for the greater good of the citizens of Scotland, rather than endlessly picking fights at the expense of today's priorities. All Governments need to show understanding of the different needs of communities. Too much centralisation has undermined effective local decision-making. Nationalism, all kinds of nationalism, is weakening the UK and its constituent parts and preventing it presenting its best face to the world. The UK Government are risking the UK's reputation for consistency and trustworthiness. The irreconcilable conflict over the Northern Ireland border risks the Belfast agreement, yet the constant denigration of all things British by SNP politicians makes it harder to find the appropriate and, dare I say, co-operative approach to decision-making.

Trying to drive policy centrally for differing local circumstances is proving problematic. Balancing the expectations of red wall and blue wall constituencies is changing the political landscape. The tectonic plates are not just moving but crumbling. We desperately need a new settlement from all sides, and that requires more localism, less nationalism and more internationalism. It needs politicians of all shades to show integrity and contrition. Above all, it requires leadership. Is it there? Time will tell.

5.51 pm

**Baroness Hayter of Kentish Town (Lab):** My Lords, we have heard some heartfelt speeches today, which I hope will nudge the Government to move rather more speedily than thus far, both in replenishing devolution settlements and in safeguarding the union—indeed, creating a better union, in the words of the noble Lord, Lord Howell—because “snail's pace” best describes the progress so far. The direction may have been acceptable, but not the velocity—though I have to say the picture of the English flag over HMT on Tuesday, with no equivalent Welsh flag earlier, did not really feel like a Government for all the Kingdom.

As we have heard, it took 16 months to publish Dunlop, and even then, there was not the courtesy to share its contents with the Welsh Government in the interim. The review of intergovernmental relations, meanwhile, specifically excluded consideration of the powers or responsibilities of the devolved Administrations and their legislatures, despite the need, so many years after their establishment, to think about possible changes. This was a pity, though it did cover some important areas, such as how the UK Government work within a devolved world.

The noble Lord, Lord Dunlop called for a full-time Cabinet Minister with responsibility for the union. As he said, that would be a test of whether the Government were serious about the sort of change needed to protect the union. Regrettably, the Prime Minister has instead taken to himself the title Minister for the Union—a bit like “President for Life” or “Master of all things” in some less democratic traditions—although, importantly, this is despite the fact that he clearly cannot be working full-time on this issue, as the noble Lord, Lord Bruce, has just noted. Some urgency is definitely needed.

I recently visited the Nero exhibition at the BM. Its theme was that Nero did not actually fiddle while Rome burned. However, if the Prime Minister and, indeed, Mr Gove do not put down their lyres and pick up some real constitutional tools, future historians will ask: what on earth were they doing, even as the devolved nations tired of being ignored, their decision-making rights being undermined and a fair distribution of the country's wealth and opportunities not being shared? This is not just a Labour view. The noble Lord, Lord Lang, talked of wasted years, and I read on ConservativeHome—my reading of choice—that “pro-Union Tories are also concerned that ... the Government has instead relegated”

the issue of the union

“to a lower priority. They're squandering the opportunity ... the Government is simply offering a series of announcements ‘of varying quality’ and with no obvious theme.”

In his most impressive opening speech, the noble Earl, Lord Kinnoull, said that this debate was about a major part of the UK's internal soul. Indeed, many of us feel that. A genuine look at the future of the union should take account not only of the fallout of the Scottish referendum and subsequent developments but of two post-2016 factors. The first is that the different parts of our union did not all take the same view of continuing EU membership. Secondly, the repatriation of former EU powers in areas of devolved competence necessitates a far greater and embedded system of intergovernmental relations.

As the noble Earl reminded us, back in 2017 his committee heard calls for

“fundamental reform ... to give the devolved institutions a more formal role in UK decision-making post-Brexit”.

Since then, we have sometimes seen consultation, but no shared decision-making. This led, as pointed out by my noble friend Lord Murphy, the Welsh First Minister to label the very future of the UK “fragile”, because of the UK Government acting too “aggressively” and without regard for the status of the nations and the democratic mandates of their Governments.

This Government's internal market Act and its expenditure in areas of devolved competence have stretched good relations between the UK's elected Administrations. Launching his alternative *Reforming our Union* document to make the UK stronger, Mark Drakeford said that relationships within the UK need to be “reset”, with the union of Scotland, Wales and Northern Ireland based on “a partnership of equals”. Mr Drakeford said that

“where the UK government acts in an ... unilateral way on behalf of the whole UK, without regard for”

the devolved nations, it

“inevitably creates anger and alienation”,

and lacks the essential

“constructive and collaborative relationship between the governments”.

So change is needed if we are to prevent the break-up of the UK.

The UK is a voluntary union of four nations, a “multinational state” in my noble friend Lord McConnell's choice of words—a successful multinational state. But it is a voluntary union of which devolution is a permanent feature, which cannot be undone without the agreement of the peoples of Scotland, Wales and Northern Ireland. Like my noble friend Lord Murphy, Mark Drakeford, the First Minister, called for the House of Lords, provided it represents all four nations, to be given the job of protecting the constitution and devolution.

Wales's 20-point plan included a constitutional convention, which, as my noble friend Lady Bryan mentioned, was called for in the Conservative manifesto. The UK Government's response to the Welsh plan said:

“Choosing to prioritise constitutional issues in the middle of a pandemic is an irresponsible and unwanted distraction.”

How wrong, my Lords. It ignores the fact that, since 2017, pre Covid, nothing has been done, but it also reflects a lack of urgency—indeed, a lack of concern that something is amiss in the four-nation relationship and our governance—for a post-Brexit devolved settlement, and a lack of respect for the devolved Administrations. The word “respect” was used by the noble Baroness, Lady Fraser, my noble friend Lord Davies of Brixton and the noble Lord, Lord Dodds—

respect for the devolved settlements. I hope the lack of urgency and dismissal by the Government will not be repeated by the Minister as he responds to this debate.

5.59 pm

**The Minister of State, Cabinet Office (Lord True)**  
**(Con):** My Lords, I promised my noble friend Lady Fraser that I will not break into any song—I will not talk about particular songs. If I did, it would clear the House more quickly than the timetable for this debate, which, for the record, was not chosen by the Government. I take the opportunity once again to thank the noble Earl, Lord Kinnoull, for bringing about today's debate, which has been fascinating, informed and informative. I thank all those who have spoken in it.

Here, I agree with the noble Baroness, Lady Crawley, with whom I often agree, that the House of Lords does have a part to play in this. It may seem odd, but my personal view is that I welcome the contribution of the noble Baroness, Lady Bennett, from a standpoint with which I profoundly disagree and from a party that wishes to separate Scotland from the United Kingdom. In some ways, it is a great pity that the SNP refuses to take part in the whole of our Parliament.

Having reviewed the report of the noble Lord, Lord Dunlop, it is clear that the UK Government are, in our judgment, proceeding not only in the spirit of his recommendations but, for the vast majority, to the letter of his recommendations, particularly as we try to conclude the intergovernmental relations review, which I hope we will do soon. The process of joint working and the production of the new intergovernmental relations structures are testament to the approach of this Government, and we should be confident that this augurs well for the new system as it emerges.

There has been a somewhat Manichean tone to the debate that everything the United Kingdom does or intends is undesirable and with bad intent, and that everything done on every other side is legitimate. However, there is a balance and an understanding. The Government recognise the need to create a more equal, transparent and accountable system for intergovernmental relations, to improve collaboration between all the United Kingdom Government and the devolved Administrations on matters of mutual interest. That is the way to benefit citizens of the whole of the United Kingdom.

As the Government continue their programme of work to strengthen the United Kingdom, the recommendations of the noble Lord, Lord Dunlop, have, where they did not already coincide with our thinking, been integrated into the approach. In some areas, we have gone even further than some recommendations suggested, with an ambitious, departmental-led set of arrangements. This has already seen the Government Communications Service establish a new union hub, which is well placed, as many noble Lords have said, to remind people of the many clear benefits of our strong family ties.

I agree with my noble friends Lord Howell of Guildford and Lord Hannan and the noble Lord, Lord McConnell of Glenscorrodale, who said, in their different ways, that the United Kingdom is so much greater than the sum of its parts. This Government are steadfast in their commitment, based on due respect

[LORD TRUE]

for all, to protect and promote the combined strengths of our United Kingdom, building on our common values and hundreds of years of partnership and shared history. Our collective strength is as a family of nations working together.

The importance of the broad shoulders of the United Kingdom Government, in supporting the whole country, means we are better able to tackle big problems, from defending our borders to fighting cyberthreats, to delivering the furlough scheme to protect our jobs and being the first to secure the vaccine. We believe, as so many of your Lordships who have spoken do, that this collective strength will be more important than ever, as we work to recover from the Covid emergency.

I come to the challenge that was laid down by the noble Earl in what was, I agree, a brilliant and incisive opening speech. He asked why it has taken more than three years to get the current draft and when the process will be concluded. One would always wish to go faster, but developing a package that best reflects each Administration's view can only be the result of detailed, joint analysis by the United Kingdom Government and the devolved Administrations. The UK Government wish to reconcile competing views, explore external perspectives and ensure all points have been fully considered before concluding. As the Prime Minister indicated at the summit on Covid recovery on 3 June, the UK Government stand ready to resolve the remaining issues, agree processes and conclude this review. Following the elections in Scotland and Wales, discussions on the review have resumed, and the UK Government would like to conclude the review and implement its findings as soon as possible.

As part of the transparency commitments announced last year, which the noble Earl welcomed, we committed to making regular statements to Parliament on the IGR, including appearances before relevant committees when requested; I pay tribute to various committees of your Lordships' House, including the Constitution Committee, Common Frameworks Scrutiny Committee and others. The UK Government deeply value the core principles of transparency in intergovernmental relations, recognising that accountability and effective parliamentary scrutiny of the Government's participation in these structures will support Administrations to work together effectively.

We announced our transparency commitments in November 2020. In line with those commitments as undertaken, we published our first quarterly transparency report on the IGR in March this year. The noble Lord, Lord Kerr, was a bit acerbic about that, saying that it was "smuggled out"; it was published at the due time as promised. We are due to publish the second report this month. I say to the noble Earl, Lord Kinnoull, that a report will be laid annually in both Houses of Parliament by Command Paper. This will collate the key information from the quarterly reports and will also include any written or service-level agreements reached between the UK Government and devolved Administrations over the reporting period, with due background information and a list of ministerial appearances before parliamentary committees. As the noble Earl will know, it is a matter for the usual channels, but he said that it was likely that such a

report—I agree with him on the importance of that report—would attract some interest in your Lordships' House.

There has been, as usual, a range of disparaging comments about my right honourable friend the Prime Minister. I am not sure where that really takes anybody—perhaps it subscribes to myths that serve those who do not wish to keep our kingdom together. The Prime Minister is deeply committed to strengthening the union and I do not agree with the noble Lord, Lord Kerr, that his visiting all parts of our kingdom is counterproductive. Our aim is to create a more regular rhythm of engagement and embed a culture of collaboration across all levels of government. As set out in the progress update on the review, the Prime Minister has committed to a formal annual meeting with First Ministers, which will sit alongside countless other interactions and discussions. As we take note of the review today, we should remember that intergovernmental relations are just one part of the system for engagement. For example, following the recent elections, as we have heard in the debate, the Prime Minister immediately sought to welcome the new First Ministers and organise a summit, which I believe was a very positive step.

As the noble Baroness, Lady Taylor—whose outstanding work I would always praise—said, common frameworks and the UK internal market will be underpinned by strong overarching intergovernmental structures. The common frameworks are important. Intergovernmental structures will facilitate consultation between Administrations at the political level and, where, necessary, provide a route to escalate cross-cutting issues and resolve disputes. The intergovernmental relations proposals complement the existing structures, including dispute avoidance and resolution processes in place for the common frameworks and the UK internal market at departmental level.

Of course, I join those who have praised the work of my noble friend Lord Dunlop and the value of his review. The Government are in the process of implementing, or have already implemented, the vast majority of his review's recommendations. We do not see the recommendations as a separate area of work, as many coincide with existing thinking and they are core to our overall programme of work to strengthen the union. There are some areas where the Government's thinking has evolved since my noble friend Lord Dunlop delivered his report, but his report has always shaped and influenced the way that we are responding.

As demonstrated in the recent progress update on the IGR, much more of the intergovernmental relations review is agreed than is left to complete. The outstanding issues are set out in square brackets in the progress update, as a number of noble Lords observed. While noting that international relations is a reserved matter, the UK Government recognise that their international activity has an impact on devolved responsibilities; this is true where the implementation of international arrangements requires policy changes in devolved areas. In areas relating to international relations where there is a clear mutual interest for both the UK Government and the devolved Administrations, a ministerial discussion will be tabled on this through the relevant department's interministerial group that oversees that policy area;

this includes a forum specifically for trade. For cross-cutting issues and those related to 2021 events where the UK is taking a global leadership approach, the UK Government have proposed that engagement on international issues could also take place through specifically created interministerial groups or at a time-limited interministerial committee. In terms of present engagement, my noble friend Lord Frost is the Minister responsible for the UK's new relationship with the EU, and he is working with the devolved Administrations on these matters.

On the machinery of government, I am pleased to highlight that all departments across the Government have made structural changes that will help to ensure UK-wide issues are properly considered and sit at the heart of policy-making. Every United Kingdom government department has, for example, made a member of its board and a non-executive director responsible for co-ordinating work across all parts of the United Kingdom. As has been stated in the debate, a Second Permanent Secretary has been appointed within the Cabinet Office to lead on the union and constitution. Senior leadership within the territorial offices continues to represent the unique circumstances relevant to each nation. A new Cabinet committee has been set up to deal with union matters. As has been said, one of the recommendations of my noble friend Lord Dunlop was indeed to create a new ministerial post: a Secretary of State for intergovernmental and constitutional affairs. Day-to-day responsibility for constitutional integrity falls to the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, who has—I think all would acknowledge—great authority within the Government. But, individual Secretaries of State also have a critical role in representing the distinctive voices and interests of Scotland, Wales and Northern Ireland in Whitehall and in Cabinet.

The Cabinet Office will also continue to lead work to enhance civil servants' devolution capability, and it works with other government departments—in partnership with Civil Service HR and the devolved Administrations—to improve devolution knowledge, skills and networks across the UK Civil Service. I think the noble Lord, Lord Bruce, made important remarks on this. Devolution and intergovernmental working are being embedded into core Civil Service talent programmes, strategies and Civil Service Learning.

The noble Lord, Lord Dodds, understandably spoke about the Northern Ireland protocol. Its purpose is to uphold the Belfast agreement and the gains from the peace process, but it must be implemented in a way that respects this. This means respecting the delicate balance between the interests of all communities in Northern Ireland and the economic and cultural links between east and west as well as north and south. We are committed to making the protocol work, but for it to be sustainable it must be given effect in a pragmatic and proportionate way. It is difficult to see how it could be sustainable, and command consent across the community, in the purist way it has been operated. The UK is engaging constructively with the Commission on the many issues that are having a real impact on people's lives and livelihoods and has put forward a range of proposed long-term solutions. We are pleased

that we have agreed a sensible extension on chilled meats; it shows that we can make progress, though we still need to agree a permanent solution there. It should be clear that this is just one of a wide range of challenges posed by the protocol that we need to address.

We have taken both note and stock of this Government's active commitment and committed actions to improve intergovernmental relations. The report by my noble friend Lord Dunlop has been a considerable driving factor of the ambitious and wide-ranging programme of reform that this Government, led by the Prime Minister, pursue. We offer our thanks for the report, and we look forward to your Lordships' continued scrutiny of and interest in the intergovernmental relations review: a more equal, transparent and accountable system for intergovernmental relations in our island.

6.14 pm

**The Earl of Kinnoull (CB):** My Lords, in the traditional way, I thank all noble Lords who have taken part in this debate. I must say that it is always remarkable, given the time constraints, that one gets an incredibly high standard of speech out of two minutes. I have been gripped at every stage. I also thank the Minister, who gave his usual thorough response to things.

A number of interesting themes came out of the debate but, as ever, there were one or two slight shocks where I felt that I had learned something. An example was from the noble Lord, Lord Trevethin and Oaksey, regarding his point on forum shopping. That is just the sort of thing that a proper intergovernmental structure would be able to think about and probably improve life on.

The key themes were, first, that the Dunlop review, which was universally welcomed all round, was not the complete answer. On that, the noble Lord, Lord McConnell, was very strong, as was the noble Lord, Lord Lang of Monkton, and others. I am sorry that there is no time to mention the names of everyone who spoke.

The second key theme was that the time has come to get to the finish of the intergovernmental review. The need is to roll up the sleeves, get on with it and get it over the line. I pointed out the anachronisms in the 2013 MoU and it is shameful that such a good, modern state as ours should be operating on that half-cocked basis. The noble Baroness, Lady Hayter, the noble Lords, Lord Bruce and Lord Kerr of Kinlochard, and the noble Baroness, Lady Crawley, were particularly strong in their speeches on that issue, as were others.

Possibly the most important matter was the necessity for a change in attitude. I mentioned the attitude of the Canadians on something that they consciously decided to do after their own "eek" moment in the mid-1990s. The issue came back time and time again: from the noble Lords, Lord Lang, Lord Wigley and Lord Kerr of Kinlochard, the noble Baroness, Lady Taylor of Bolton—who made a good speech—the noble Baroness, Lady Fraser of Craigmaddie, the noble and learned Lord, Lord Hope of Craighead, the noble Baroness, Lady Bennett of Manor Castle, and the noble Lord, Lord Dodds. That is a very powerful full house of all sorts of parties, all making the same point.

[THE EARL OF KINNOULL]

That brings me to my final point, which is that we are all here as strong supporters of the union and here to help. We want this to succeed and that is a strong body of advice to the Government about how they can make things better. It is not meant in any competitive way but in a constructive way. I hope that the Minister will take back many copies of *Hansard*, plough through

it, be able to talk to his colleagues and persuade them that a number of the ideas that came up today are in fact important and should be actioned as soon as possible.

*Motion agreed.*

*House adjourned at 6.18 pm.*