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PARLIAMENTARY DEBATES
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HOUSE OF LORDS
OFFICIAL REPORT

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Abbreviation	Party/Group
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
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

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House of Lords

Thursday 16 September 2021

11 am

Prayers—read by the Lord Bishop of Blackburn.

England: Historic Counties

Question

11.06 am

Asked by Lord Lexden

To ask Her Majesty's Government what plans they have to ensure the preservation of England's historic counties.

The Minister of State, Home Office and Ministry of Housing, Communities and Local Government (Lord Greenhalgh (Con)): The history and traditions of this country are very important and the tapestry of our historic counties is one of the bonds that draws the nation together. We support various initiatives to celebrate our historic counties and encourage local leaders across Great Britain to do the same.

Lord Lexden (Con): My Lords, do our historic counties not enable us to recall many elements of our long and glorious past? Should they not appear on all maps, as a matter of course? Should they not be used on all ceremonial occasions rather than, as is sometimes the case, the more recent artificial creations?

Lord Greenhalgh (Con): My noble friend is right to raise this issue. The Government have taken steps to ensure it is easier to recognise historic counties. In 2014, planning rules were changed to allow councils to put up boundary signs marking traditional English counties. In 2015, the Government commissioned Ordnance Survey to produce historic and ceremonial county-boundary datasets, and we are open to other ideas.

Lord Blunkett (Lab): My Lords, the national insurance hike last week skewed funding under the Barnett formula still further. If the historic county of Yorkshire, which has a population slightly larger than Scotland's, had its own Barnett formula, it would receive an extra £12 billion. Would that not be levelling up?

Lord Greenhalgh (Con): My Lords, I thought the supplementary questions might go in any direction, but I recognise that the noble Lord is a proud Yorkshireman and that he will do all he can to ensure the county gets the resources it needs.

Baroness Rawlings (Con): My Lords, in preserving Britain's historic counties, will the Government reassure your Lordships that they will not make more changes to the way they are governed?

Lord Greenhalgh (Con): My Lords, I recognise that we need stability and point out that many areas have not seen significant change. The last reorganisation in London, where I was a local councillor, was in 1965 which, I have to say, was before I was born. I recognise that we need stability in our administrative structures.

Lord Wallace of Saltaire (LD): My Lords, all surveys suggest that Yorkshire has one of the strongest senses of common identity of any region or county in England, historically as a single county but occasionally divided into three. The Government, nevertheless, seem determined to divide it into four, each with its own elected mayor, and have just forced a reorganisation on to North Yorkshire. Why have the Government insisted on disregarding very strong representations from almost all councils in Yorkshire, in the way they have pushed their version of "devolved" government?

Lord Greenhalgh (Con): My Lords, I point out that Greenhalgh is a Lancastrian name, so I dispute Lancashire being second to Yorkshire, but that is a matter for debate. Devolution has required a degree of local consultation and decision-making. We are seeking to reflect functional and economic areas in our devolution programme, so it is important that it continues to be locally led.

Lord Hannan of Kingsclere (Con): My Lords, the maiming of our historic counties in the Heath years, with the destruction of some of the oldest political units in the world, was one of many lamentable acts emanating from that ministry. It may be a bit much to restore completely the administrative status quo ante, but will the Minister at least undertake to align ceremonial counties with the 92 historic counties that make up England, Scotland, Wales and Northern Ireland?

Lord Greenhalgh (Con): My noble friend has called for that realignment, but we do not have any plans, so I cannot reassure him. But things in government change and he is making his case strongly.

Baroness Blake of Leeds (Lab): I am happy to emphasise the strong feeling about Yorkshire in this Chamber. As we have heard, Britain's historic counties are central to local identities and Yorkshire is the perfect example of that. Unfortunately, the Government have resisted the locally led One Yorkshire devolution deal, supported by 20 out of 22 local authorities, which would celebrate our historic county by bringing power, resources and jobs to the region, allowing it to develop its full potential. Do the Government have any plans to reassess their policy on this and support the ambition of the Yorkshire leaders board and the One Yorkshire committee, which has cross-party support from Members of these Benches?

Lord Greenhalgh (Con): My Lords, we continue to look at devolution matters. As the noble Baroness knows, we considered One Yorkshire, but we are some way down the line in creating mayors in the different

[LORD GREENHALGH] regions. We recognise the real, proud tradition in Yorkshire, which we should reflect in our national way of life.

Lord Randall of Uxbridge (Con): My Lords, I should declare that I am a vice-chairman of the Historic Counties All-Party Group and a proud son of Middlesex. Would my noble friend—and fellow Middle Saxon, I believe—agree that just changing the administrative boundaries should not in any way harm the importance of those historic counties? Perhaps he will agree to a meeting with the all-party group and our indomitable special adviser, Mr Russell Grant, so that we can discuss these matters.

Lord Greenhalgh (Con): My noble friend makes that very easy: I even have Russell Grant's book on historic counties here. He has had a great impact on our department and I am very pleased to meet the all-party group and Mr Middlesex. Yes, I am a proud wearer of a Middlesex tie, admittedly from when I was younger, fitter and svelter. It is very important to consider these issues.

Lord Caine (Con): My Lords, as one of the Members of this House who was born, bred and still resides in the West Riding of Yorkshire, I assure my noble friend that the Government and the new Secretary of State would be immensely popular across the whole of Yorkshire if they were finally to overturn the vandalism of the early 1970s and restore the territorial integrity and names of the ancient ridings of God's own county.

Lord Greenhalgh (Con): My Lords, there is a very strong Yorkshire theme today. The Government proudly flew the Yorkshire flag outside our headquarters to mark Yorkshire Day. That beautiful flag was part of the display in Parliament Square that flew for a week to mark Historic County Flags Day on 23 July. We recognise that people should take great pride in their local identities and we continue to do so, irrespective of the local administrative areas.

Lord Holmes of Richmond (Con): My Lords, would my noble friend agree that our historic counties have a critical role to play in the levelling-up agenda, with their proximity to the people and as an enabler of local identity? Has he ever had the opportunity to visit Worcestershire county cricket ground—surely one of the loveliest spots in the world to spend a sunny summer's afternoon?

Lord Greenhalgh (Con): My Lords, my travel schedule is changing with every question. I have not been to Worcestershire; I am very happy to take in a visit to see the delights of that county ground, particularly over a delightful English summer. Of course, the Government recognise that historic counties are a very important part of our identity and need to be promoted wherever possible.

Lord Flight (Con): I support my noble friend Lord Lexden's request. County boundaries have been changed in the past, particularly by the Heath Government, but mercifully were restored subsequently. However,

there can be some case to amend boundaries largely to accommodate urban population developments. I suggest that county boundaries might be reviewed every 25 years to check whether the growth in urban areas within them needs to be addressed.

Lord Cormack (Con): Not a good idea at all.

Lord Greenhalgh (Con): It sounds like someone is pre-empting my response. We need to recognise that historic counties are there and part of our fabric and history. We also need to realise functional economic areas, which do change with time. Obviously, we will reflect our administrative boundaries as the demography of the country changes.

Leasehold: Building and Fire Safety *Question*

11.16 am

Asked by Lord Kennedy of Southwark

To ask Her Majesty's Government what plans they have to ensure leaseholders do not bear the costs of repairing building and fire safety defects for which they are not responsible.

Lord Kennedy of Southwark (Lab Co-op): My Lords, I beg leave to ask the Question standing in my name on the Order Paper. In doing so, I refer the House to my interests as set out in the register and say that I am from the wonderful borough of Southwark.

The Minister of State, Home Office and Ministry of Housing, Communities and Local Government (Lord Greenhalgh) (Con): I declare my interest in the London Borough of Hammersmith and Fulham. The Government have invested more than £5 billion to remediate unsafe cladding in buildings over 18 metres. For the small number of 11 to 18-metre buildings with cladding remediation costs, our finance scheme will ensure that leaseholders pay no more than £50 per month towards this. A new levy and tax will ensure that industry contributes, and under the Building Safety Bill building owners must explore all reasonable ways to meet remediation costs before passing these on.

Lord Kennedy of Southwark (Lab Co-op): My Lords, the action taken by the Government to date is just not good enough. Leaseholders feel abandoned by the Government. All the talk of levelling up and supporting communities means nothing. It is deeds not words that the victims need today. What will the noble Lord do today after this exchange to persuade his new Secretary of State that further action is needed? Will he come down with me to Parliament Square at 1 pm today to meet some of the victims and listen to their heartbreaking stories?

Lord Greenhalgh (Con): My Lords, I am very happy to join the noble Lord in visiting the people who will be demonstrating today at 1 pm. This is continually a moving feast. I am happy to announce that we are

increasing the amount of money we are putting in the waking watch relief fund, which has been a crippling cost for many leaseholders, by a further £5 million to the initial £30 million. That has helped around 20,000 leasehold dwellings and 264 buildings to date. We continue to ensure that we find ways to make sure that the original developer pays wherever possible.

The Lord Bishop of St Albans: My Lords, many people do not seem to realise that this is having a devastating effect on people of every social class. I was 10 minutes late coming in because I was hearing about a lawyer living in St Albans, where I live, who now faces bankruptcy and may no longer be able to practise if she is made bankrupt. If you buy a defective car it gets recalled and has to be sorted out. What attention and consideration are Her Majesty's Government giving to the polluter pays principle, which we need to build into this issue if we are to address this devastating problem unfolding before our very eyes?

Lord Greenhalgh (Con): My Lords, we recognise that if you buy a defective dwelling you expect the person responsible for the building of it to do something about it. That is precisely why the Government, as part of the Building Safety Bill, are proposing to increase the Defective Premises Act redress period from six years to 15 years retrospectively, which will bring in a great number of buildings to be able to seek redress from developers. That is why we continue to work on measures that will ensure that the polluter does pay wherever possible, and we are looking very closely at proposals from Steve Day and his team around the polluter pays amendments.

Lord Young of Cookham (Con): My Lords, the Government have provided substantial support to deal with the cladding crisis, which I welcome, but that support, together with the new tax on high-rise development the Minister mentioned, will be inadequate to avoid hardship and inequity for many innocent leaseholders. Further to what the right reverend Prelate just said, would it not be fair to bridge the gap by a levy on developers that built and sold these substandard homes?

Lord Greenhalgh (Con): My noble friend is right, which is why we are looking at a new levy and a developer tax to ensure that the industry contributes. At this stage we are in consultation. We need to ensure that it is set at a level that raises substantial funds precisely for that purpose.

Lord Paddick (LD): My Lords, I declare an interest as a leaseholder whose freeholder is trying to persuade us to allow him to extend the building by three storeys, with the inducement that it will cover the cost of the cladding remedial work if we agree to that extension. What right do leaseholders have to apply for a government grant when the freeholder, who also owns the management company, does not want to do so himself?

Lord Greenhalgh (Con): First of all, the duty to keep the building safe is on the building holder. There seem to be a small number of isolated cases in which

the building owner is able to access funds and is not doing so. We would like to be apprised of that situation, so that we can see what we can do to encourage them to do the right thing.

Baroness Blake of Leeds (Lab): Earlier this month Dame Judith Hackitt, chair of the independent review of building regulations, urged homeowners to seek a second opinion on fire safety bills, warning that many are being "fleeced". Do the Government support this advice?

Lord Greenhalgh (Con): My Lords, the Government support the principle that—in the same way you might go to a doctor and get an opinion, then seek a second opinion—we get the opportunity to have a second opinion on these matters, particularly where there are eye-watering costs. We do not want to see eye-watering costs levied when other mitigations provide a much more cost-effective solution.

Baroness Jones of Moulsecoomb (GP): My Lords, it is not only the developers that might be at fault. The manufacturers of the cladding and insulation also knew they had problems with materials but carried on marketing them anyway. Are the Government going to let them get away with murder?

Lord Greenhalgh (Con): We recognise that many people are responsible and that the standard of construction products has not been at the level we expect. That is why we have brought in a construction products regulator, situated in the Office for Product Safety and Standards, to oversee that within BEIS. Obviously, we are looking at how best to ensure that this does not happen in future and that those responsible make a contribution.

The Lord Speaker (Lord McFall of Alcluith): The noble Baroness, Lady Neville-Rolfe, is not present, so I call the noble Baroness, Lady Pinnock.

Baroness Pinnock (LD): My Lords, the Minister has just said that he is considering a further levy on developers to enable leaseholders not to have to pay huge bills. One leaseholder I know has a bill of £200,000 landing on their doormat to pay now. Why are the Government so willing to protect developers' profits while throwing leaseholders to the wolves?

Lord Greenhalgh (Con): My Lords, I do not recognise that as a sensible position to hold. Admittedly, this is a situation that has built up over many decades and leaseholders face those eye-watering costs, but we need to recognise that in the 18 months since I have been a Minister, the amount of money put up by the Government, recognising that we needed to step up and in many cases support the leaseholders, has increased from £0.6 billion to £5.1 billion. That is a staggering sum of money. You could always do more, of course, and that is why we are trying to bring forward measures in the Building Safety Bill to make sure that this failure of regulation and of construction quality never happens again. That is what this Government are trying to do.

Baroness Fox of Buckley (Non-Aff): My Lords, I want to issue a trigger warning: the demonstration by thousands of leaseholders from all over the country at 1 pm today is likely to be very noisy. Luckily, they sneaked it in before the police and crime Bill could ban it. But seriously, I am delighted the Minister says he will come and meet the people affected. They have a range of creative solutions to offer and feel that their best ideas are being ignored and that they are treated like whingers. In addition, will the Minister do some internal lobbying of the incoming Secretary of State for Housing and explain the strength of feeling, frustration and fury across this House about the inadequacy of the solutions so far put forward? Leaseholders have ideas; listen to them.

Lord Greenhalgh (Con): My Lords, I agree that it is really important to engage with the people affected. I have a considerable number of meetings with leaseholder groups and am in constant virtual contact with some of the people who I believe are doing their very best to see how we can creatively address this difficult issue. I am very happy to meet the people today. It is important that as politicians we step forward and meet those people affected.

Baroness Uddin (Non-Aff): My Lords, does the Minister accept that seeking redress retrospectively will not save hundreds of thousands of leaseholders from painful and mounting bills, as all noble Lords have said, causing enormous distress? Has he considered having proper discussions with housing associations and local authorities, which have also sold houses to leaseholders?

Lord Greenhalgh (Con): We continue to have a number of discussions with members of the G15 housing associations, and particularly with local authorities. The hard yards of achieving a situation in which the same cladding as Grenfell—the aluminium composite material—has been got off around 96% of those buildings, much of that during this pandemic, have required work at every level of government. We will continue to engage with them to come up with practical steps to deal with other buildings with unsafe cladding.

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

Devolved Administrations *Question*

11.26 am

Asked by **Baroness Wilcox of Newport**

To ask Her Majesty's Government what protocol they follow for working constructively with the devolved administrations.

The Minister of State, Cabinet Office (Lord True) (Con): My Lords, the United Kingdom Government are ready to act in line with the new arrangements of the joint review of intergovernmental relations, which establishes an up-to-date and fit-for-purpose system that supports effective collaboration. All Administrations

have been working hard to conclude this review, with significant progress made on streamlining processes and emphasising positive co-operation.

Baroness Wilcox of Newport (Lab): The 2019 Tory manifesto contained an entire chapter on strengthening the union between the nations of the UK, but is it not the case that this Government's internal market Act has made a mockery of that commitment by riding roughshod over the devolution settlements and rolling back the powers of the Senedd? Does the Minister accept that it undermines the devolution settlement when his Government bring forward initiatives such as levelling up and community renewal funds that have been drawn up without any consultation with the Welsh Government and are administered by UK government departments that have not operated in Wales for more than 20 years?

Lord True (Con): No, my Lords, I do not agree, and I do not believe we should accentuate divisions within our United Kingdom. We are working with the devolved Administrations to develop an approach to how we consider the UKIM Act's market access principles. For the union to thrive, we must respect devolved Administrations and their powers—but this Government will not abdicate their responsibility for the United Kingdom as a whole.

Lord Forsyth of Drumlean (Con): My Lords, since 2007 health spending in England has gone up by 25% in real terms. In Scotland it has gone up by 10.8%, because the Scottish Government have not spent the Barnett consequential of health increases on health. At the same time, they are blaming Westminster for so-called cuts in health expenditure. How is it possible to have a constructive relationship with a Government who are so dishonest and are determined to destroy the United Kingdom?

Lord True (Con): My Lords, as a proud and passionate native of Scotland, my noble friend brings pertinent facts before your Lordships' House. I cannot answer for the actions of the Scottish Government, but I say to them—and indeed to everybody—that now is the time not to stoke divisions but to focus on what unites the people of Scotland and all of us around the rest of the United Kingdom.

Lord Bruce of Bennachie (LD): My Lords, setting aside the anti-British obsession of the SNP, do the Government not recognise that post-Brexit legislation has left all the devolved Administrations concerned that the Government are taking powers back from them and are seeking to take United Kingdom decisions using English Ministers as the final buttress? Does he recognise that that approach is not acceptable and not consistent with his opening remarks?

Lord True (Con): No, my Lords. I do understand that there have been rhetoric and statements about this. I repeat what I said to the noble Baroness opposite: the Government are deeply committed to strengthening the union. Part of that, obviously, is showing full and

appropriate respect to our partners in the devolved Administrations. I think that, when your Lordships come to see the outcome, it will be understood that the new intergovernment relations protocol and approaches will fully reflect that mutual respect.

Baroness McIntosh of Pickering (Con): Will my noble friend look very carefully at areas where co-operation and collaboration are perhaps not working as effectively as they might? On a ministerial call with regulators in Scotland—the Faculty of Advocates, of which I am a non-practising member, and the Law Society of Scotland—concern was expressed that regulations implementing the primary legislation of the Professional Qualifications Bill, once adopted, might be passed without consultation with either them or the devolved Administrations. Will my noble friend give the House an undertaking that no regulations will be passed without prior consultation and consent?

Lord True (Con): My Lords, I am not directly responsible for the professional qualifications legislation, so I am loath to give an incautious answer, but obviously I will refer my noble friend's comments to those who are considering these matters.

Baroness Bryan of Partick (Lab): My Lords, contrary to the Minister's remarks, it sometimes seems that by their actions the Government are deliberately strengthening the case for independence in Scotland and Wales. Does he appreciate that Scotland is split 50/50 on the issue of independence, and that perhaps the only way to find common ground is to complete the unfinished business of devolution by starting discussions on how to build a federation of the regions and nations of the UK?

Lord True (Con): My Lords, there is a difference in philosophy, which is unfortunate, in that the United Kingdom Government, the party opposite—I believe—we ourselves and the other parties represented in this House believe in a United Kingdom. Sadly, the Administration in Scotland, now supported by the Greens, have a different view and wish to break up the United Kingdom. Despite that, this Government's duty and responsibility are to govern in the interests of all the people of the United Kingdom, seeking the fullest co-operation and showing the greatest respect that we can. That will continue to guide us.

Lord Roberts of Llandudno (LD): My Lords, we need much more clarity and agreement on crossings between the four nations. During the time of the pandemic, you would be wearing masks on the English side but you would be without masks on the Welsh side, so people crossing were uncertain what to do. If you took the railway train between Chester and Newport, you would be crossing into both England and Wales. It was complete chaos. I ask the Government at least to try to remove that uncertainty, while always respecting devolved power. Now is the time to sort this out: not when the next pandemic hits us but now, when we can do it—respecting of course the determination of the nations, in referendums in Scotland and Wales, to have more powers. Eventually, I imagine to myself—

Noble Lords: Too long.

Lord Roberts of Llandudno (LD): Sorry. The question is this: eventually, the answer could be four separate nations co-operating in a federal system, each with equal status. What is the Government's opinion of that?

Lord True (Con): My Lords, we seek co-operation between the elected authorities in the United Kingdom. That also involves co-operation with local authorities. But it is part of devolution that the decisions to which the noble Lord has referred are made by the devolved Administrations. That is the fact of the law.

Lord McConnell of Glenscorrodale (Lab): My Lords, there were strong signals, which were to be welcomed, from the Prime Minister and Ministers earlier in the summer when the Prime Minister called a meeting with the First Ministers to discuss “build back better” and the economic recovery following the pandemic. That was followed by similar statements from the Chancellor, who I think on a visit to Scotland said that he was going to try to support an economic recovery for the whole of the United Kingdom and involve everybody in that approach. What have been the practical outcomes of those discussions, and will there be further discussions to ensure that, given the tax and economic powers that now exist at different levels of government in the United Kingdom, everybody is pointing in the same direction for economic recovery?

Lord True (Con): I thank the noble Lord, as always, for his constructive question. At the Covid recovery meeting in June, which the Prime Minister instigated, all present agreed to finalise the new system for inter-governmental relations. We are now exceedingly close to that—we are in a position to conclude the work—and I tell the House that the Prime Minister has written regarding another such meeting in October.

Lord Dodds of Duncairn (DUP): My Lords, I very much welcome and endorse the Minister's strong commitment to the United Kingdom, and I wish him well in all his efforts to strengthen our United Kingdom. However, since the restoration of devolution in Northern Ireland in January 2020, there have been a number of instances where the Government have infringed on the devolved settlement and taken measures that override the responsibilities of the Northern Ireland Executive and Assembly in the 1998 Act. For the assistance of the House, can the Minister set out the circumstances and the criteria for the infringement of the Sewel convention?

Lord True (Con): My Lords, again I reiterate the importance of respect. The kind of authoritative statement that my noble friend asks for is not something that I am going to venture in five seconds at the Dispatch Box—but I undertake to write to him on the matter.

Lord Moynihan (Con): Does the Minister agree that, in working constructively with the devolved Administrations, Westminster always needs to adopt a collaborative rather than a confrontational approach; that that approach to working constructively should

[LORD MOYNIHAN]

be based not solely on the right to choose but on the right to an informed choice; and that that approach should be placed at the centre of new information-sharing protocols and never protocols built solely on the rhetoric of muscular unionism?

Lord True (Con): Well, I do agree with that; indeed, it has been implicit and explicit in the answers that I have sought to give your Lordships. I believe profoundly that the peoples of these islands have benefited extraordinarily from centuries of co-operation within our United Kingdom, and I hope and pray that that will continue. That must go with mutual respect—and that goes both ways—between the centre and the devolved Administrations. I think that is the devout wish of the whole of your Lordships' House.

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

Afghanistan: British Equipment and Training *Question*

11.38 am

Asked by Lord Robathan

To ask Her Majesty's Government what military equipment provided by the United Kingdom to Afghanistan is now in the hands of the Taliban; and what estimate they have made of the number of soldiers fighting for the Taliban who were trained by British instructors.

The Minister of State, Ministry of Defence (Baroness Goldie) (Con): My Lords, the fluid and uncertain situation on the ground across Afghanistan means that there is no complete assessment of the matériel and equipment that the UK provided to the Afghan National Defense and Security Forces, which are now in the hands of the Taliban. The vast majority of the equipment provided comprises non-lethal support. We estimate the current strength of the Taliban to be between 35,000 and 75,000. It is not possible to estimate whether any British-trained Afghan National Defense and Security Forces personnel have joined the Taliban.

Lord Robathan (Con): My Lords, it is not the fault of Her Majesty's Government that NATO has suffered a humiliating defeat and disaster in the retreat from Kabul. Is there any information about weapons being sold to hostile states or to non-state actors such as the Wagner Group, and does my noble friend have any idea of the value of the British kit that was gifted to the Afghans that has now been lost? Afghanistan and the surrounding area are absolutely awash with weaponry that is in the hands of terrorists, criminals and our enemies.

Baroness Goldie (Con): I do not have the precise information about the value of kit that over the years was handed to the Afghan national security forces. In so far as a limited amount of government equipment

was left, some was handed over to our American allies, but no equipment of any military use has been left that may fall into other hands.

Lord Browne of Ladyton (Lab): My Lords, this is but one of a number of very serious and regrettable consequences of a premature and chaotic withdrawal from Afghanistan. Some of this weaponry, such as rifles and pistols, and equipment, such as trucks, is pretty easily used, mended and deployed. But there are also, thankfully, modern aircraft and armoured vehicles which tend to need more skilled operators and technical maintenance including regular software updates. This is a NATO problem, not just a UK problem, because this equipment will be sold to the highest bidder and not just possibly used but, more importantly, reverse engineered, which will create very difficult problems for our future deployment of it. What steps are we and our NATO allies taking to monitor and interdict such possibilities?

Baroness Goldie (Con): The noble Lord makes an important point that this is broader than the United Kingdom. As the Chamber will understand, the NATO alliance activity in Afghanistan—obviously by implication of what it was doing—raised an inevitable risk; do you help and try to support, which includes providing equipment? You cannot have a crystal ball to see into the future. As I said earlier, when it became clear the Taliban were taking control of Afghanistan and an evacuation plan had to be conceived, careful thought was given to controlling what was under our control, and that was the equipment that we had. I have explained the situation in relation to that.

Lord Singh of Wimbledon (CB): My Lords, Afghanistan, like many of the world's poorest countries, is, as we have just heard, awash with sophisticated weaponry supplied by Britain, the West and other "friendly countries". Does the Minister agree that the UK's adding to this misery by hosting a cosy-sounding arms fair to boost income through the killing of innocents is both repugnant and immoral?

Baroness Goldie (Con): With all respect to the noble Lord, I do not recognise what he describes. I think we are all united in support, admiration and respect for what our troops did, as the noble Lord, Lord Browne, said, within the NATO operation in Afghanistan. We owe a huge debt of gratitude to the people who served in Afghanistan—150,000 of them—in particular the 457 who lost their lives and those who sustained life-changing injuries. They have achieved improvements and change in Afghanistan that would not otherwise have been possible and I think we should celebrate that.

Lord Marlesford (Con): My Lords, does the Minister accept the warning from the *Times* in its "remembering 9/11" leader on Saturday, which concluded:

"America's wars helped to radicalise a generation of Islamists, whose poisonous ideology has spread across the Middle East to Africa, from where new terrorist franchises plot fresh attacks on the West?"

How are the Government planning to protect our country from the terrorist threat of this poisonous ideology?

Baroness Goldie (Con): I share my noble friend's concern about the ideology, as I think everyone else will in this Chamber. Along with our allies and friends, significantly, the United States, we act to try to uphold values, protect freedoms and assist those who find themselves oppressed and isolated. We act to try to minimise threats to this country and our partners. That was one of the reasons we engaged in the NATO alliance in Afghanistan.

Lord Tunnicliffe (Lab): My Lords, the Government have overseen a series of chaotic failures and miscalculations in Afghanistan which have damaged our international reputation and weakened our security—including the confirmation that military equipment has been left behind. Does the Minister believe that the UK and US military equipment left in Afghanistan poses a direct threat to the UK? If the answer is yes, why was there not a better plan to ensure that did not happen?

Baroness Goldie (Con): I do not share the noble Lord's analysis, and I do not share his conclusion based on his analysis. As I said earlier, a very small amount of equipment was left behind. Some of that was gifted to partner nations and therefore is under their control. Anything else that was left—and it was a very small amount—was of no military use whatsoever.

Baroness Smith of Newnham (LD): My Lords, the Question on the Order Paper refers to British-trained soldiers who might have defected to the Taliban. Can I ask the noble Baroness about those trained by the United Kingdom who might now be in hiding? Operation Pitting was very effective, but there are still many people in hiding. What is the MoD doing to expedite their extradition?

Baroness Goldie (Con): The noble Baroness raises an important point. As she will be aware, we have made it clear that ARAP extends to all who worked with us. It is a scheme without a time limit, and we invite people to continue applying. In so far as British nationals are concerned, we have endeavoured to find where they are and maintain contact with them. We are doing our level best to support that. As the noble Baroness will understand, this is a difficult situation. The advice we have given to anyone wanting to try and get out who is either a British national or eligible under ARAP is to try and make their way to a neighbouring country. That is the best advice we can give. I reassure the House that we are supporting that advice by providing additional staff in neighbouring countries.

Lord Adonis (Lab): My Lords, in the wake of the desperate Afghan crisis, almost everybody agrees that we need stronger European defence co-operation, and I believe the Minister shares that view. Will she therefore have a word with the noble Lord, Lord Frost, who is sitting next to her, whose EU trade and co-operation agreement decimates our trade with other European countries, undermines our co-operation with them and is a terrible prelude to greater defence co-operation?

Baroness Goldie (Con): I am sure my noble friend sitting beside me has as acute hearing as I have, has listened carefully to the noble Lord and will find his own way of responding appropriately to the noble Lord's concerns.

Lord Cormack (Con): My Lords, why has there been no attempt at the United Nations to move a resolution to try and get a peacekeeping force so that embassies could remain open and the use of weapons, to some degree, could be policed?

Baroness Goldie (Con): Obviously, the situation is constantly under review by us and our international partners and friends, not least within the United Nations. But this is a very difficult situation on the ground and that is a reality we are having to deal with.

Lord Dubs (Lab): My Lords, how can the Minister be so sure that the kit left behind is of no military value? Can it not be converted for use, as the Taliban appear to be capable of doing? Does what she says apply to the American equipment left behind? Is the danger not that we have left a highly equipped Taliban army there—perhaps the best equipped army in the region?

Baroness Goldie (Con): I think there is little I can add, in response to the noble Lord, to what I have already said. As the noble Lord, Lord Browne, astutely identified, this is a broader challenge than the United Kingdom; it is a NATO challenge. It is part of engaging in conflict that certain risks have to be taken; otherwise, we would never seek to intervene in any way whatsoever—and that is an unacceptable premise. What we have done in Afghanistan in co-operation with our NATO allies, we have done as responsibly as we can, and we have endeavoured to ensure as we left Afghanistan that we did not leave a legacy of equipment with military potential.

Imports from EU to GB: Business Preparation Question

11.49 am

Asked by The Earl of Kinnoull

To ask the Minister of State at the Cabinet Office (Lord Frost) what steps Her Majesty's Government are taking to prepare businesses for the introduction of new checks and controls on imports into Great Britain from the European Union on 1 October 2021 and 1 January 2022.

The Minister of State, Cabinet Office (Lord Frost) (Con): My Lords, on 14 September I announced a pragmatic new timetable for introducing certain controls for goods imported from the EU to the UK to give businesses more time to adjust. These controls will be introduced in two stages, on 1 January and 1 July. The Government continue to support all businesses trading with the EU in all sectors, including by putting in place additional staffing, comprehensive guidance for businesses and funding infrastructure to ease border processes.

The Earl of Kinnoull (CB): In February 2020, the Government indicated that full border controls on EU imports would commence on 1 January 2021. In June 2020, the Government announced that many controls would instead be phased in, with mixed deadlines, from April to July 2021. In March 2021, the Government delayed the introduction of this mix of controls further, with phases from October 2021 to March 2022. Earlier this week, just three weeks before the first part of the mix was due to be implemented, the Government announced yet another delay, with phases from January to July 2022. Three times now, businesses have spent time, and no doubt money, preparing for key deadlines, and three times they have seen the can kicked down the road. What steps will the Government take to restore business confidence in their timetable for import controls, and will they compensate businesses for their wasted efforts?

Lord Frost (Con): My Lords, it has of course been an extraordinary year to 18 months economically. We have been dealing with a pandemic of unpredictable quality, and it is very clear that there are global strains on supply chains and other aspects of the business environment. That is why we do not apologise for taking this series of pragmatic decisions to respond to the evolving situation. We have no plans to evolve these changes further, and the money that businesses have already spent in dealing with the situation will have been well spent.

Lord Grantchester (Lab): Experiences of déjà vu are becoming not uncommon in this Government's implementation of their own EU plans, despite repeated assurances. This means that Britain will continue to face full checks and controls on its exports, as it did from day 1, while imports will continue with border-free access. Supply chain problems resolve around massive labour shortages. To keep Christmas dinner on the table, will the Government now introduce a 12-month emergency visa implementation? Can the Government give assurances that extending agreements on the provision of veterinary services and updating paper health certificates online will become part of the solution to guard against the potential risk of disease and infections?

Lord Frost (Con): My Lords, we face a complex set of interacting economic facts at the moment, and the decision that we took responds to that. We maintain the controls that are right for us, and we now have the powers to control and manage our economy as we see fit. We do not have to do the same thing as the European Union, and indeed, after 1 July, we are unlikely to have exactly the same levels of physical checks as the EU. We monitor the situation in all its respects, and we will take the decisions that are necessary to support the British economy.

Lord Purvis of Tweed (LD): My Lords, on 21 July, the Government published their new border operating model, page 8 of which gives a commentary about how they have taken into consideration the impacts of Covid as the reason why they had made the delays already. So what has happened in the intervening seven weeks, between 21 July and now, that allows the Government to think that they are still not ready at their ports?

Lord Frost (Con): My Lords, it has been very evident over the early autumn that there are challenges with maintaining supply chains, and these are not limited to the UK. There are shortages of HGV drivers across Europe and beyond, and there has been a very significant increase in costs globally in the shipping of goods. These strains have become evident over the summer, and we have taken a pragmatic decision to respond to that and do what we can support British business in these circumstances.

Lord Moylan (Con): My Lords, I welcome this delay, and indeed I hope that it becomes permanent. EU goods are safe, and the food is wholesome; we have been using them and eating it for 40 years. Trade rules do not need to be reciprocal, and, if the European Union chooses stupidly to impose upon its consumers the penalties of protectionism, there is no need for us to reciprocate. Does my noble friend agree that it is about time that the British Government were setting a free trade example to the European Union, and indeed showing it that such an approach could be applied with benefit on the UK's border with Ireland, in place of the undemocratic protocol?

Lord Frost (Con): My Lords, I think our position on the protocol is well known, and we may come to it later. Of course, my noble friend is absolutely right to say that it makes sense for us to put in place the controls that are right for us. Of course, there are controls—customs controls came in on 1 January—but we do not have to replicate everything that the European Union does. We intend to have a world-class border by 2025, with proportionate checks based on risk. That is the right way to proceed.

Baroness Hayter of Kentish Town (Lab): My Lords, yesterday, my noble friend Lord Adonis shared with us a six year-old photograph of a very slimline David Frost saying that the whisky industry needed the “fewest possible barriers” in order to sell into European markets. That is what business still wants, but the Government do not seem to listen, despite the fact that surely they must be involved in the design of the procedures and not just told at the end, “This is what you must implement”. Next week, almost a year after the trade agreement was signed, the Minister's consultation on engagement with business closes. Can he assure the House that he will respond rapidly to that and put in place a robust system of consultation with business, unions and consumers?

Lord Frost (Con): I thank the noble Baroness for that question. She is of course correct that our consultation on involving industry and civil society more generally in the implementation of the trade and co-operation agreement closes shortly. We will of course respond soon: we need to get these bodies up and running before the end of the year, and it is absolutely our intention to do so. As a general principle, it is right that the fewest possible controls are always best—that is clear. Of course, we are not always in control of the controls that the European Union puts in place. We believe that the benefits of being outside the customs union and in control of our own trade policy very much outweigh any disadvantages.

Baroness McIntosh of Pickering (Con): Of course, the greatest free market was the single market, which we very sadly left. My noble friend negotiated very successfully the trade and co-operation agreement. Will he use his good offices to ensure that this world-class border, which we would all welcome, will lead to a single portal for documentation that will be largely online? If he finds that we have trained most of the EU drivers that have left and gone back to their respective countries, could we at least give them a short-term visa to come back and help us out over the Christmas period—the noble Lord, Lord Grantchester, suggested that we might need this?

Lord Frost (Con): My Lords, I agree of course with my noble friend that an aspiration for a world-class border is very important; that is where we intend to go. Indeed, we hope that the so-called single trade window—a single portal—will be a very significant part of that, as we take this forward. As regards HGV drivers, my right honourable friend the Secretary of State for Transport has, on a couple of occasions, set out our plans to make it easier to increase the supply of drivers, and I am sure that that will bear fruit very soon.

Baroness Smith of Newnham (LD): Last weekend, I left the United Kingdom for the first time since the end of transition period. I went to France, and I got in very easily: I showed my passport and my vaccine pass, and that was it. When I came back, it looked like a world-class border when I got to Stansted, where I just showed my electronic passport, but, to get there, I had to fill in numerous forms that the airline was expected to verify. Are the Government proposing to keep that sort of regulation going? Surely that is a deterrent to tourism and other people coming to the United Kingdom, which surely a world-class country would be wanting, not trying to discourage?

Lord Frost (Con): I am sure that we all share the aspiration for borders that are as freely flowing as possible. Obviously, we are dealing with the consequences of a pandemic, and that requires controls and processes that, in an ideal world, we would not want to be in place. This matter is very much debated elsewhere. I repeat my point that we wish to see goods and people flow as freely as possible, consistent with maintaining responsible border controls of all kinds. That is what we intend to put in place.

The Deputy Speaker (Baroness Fookes) (Con): My Lords, all supplementary questions have been asked, and we now move to the next Question.

Imports from EU to UK: Grace Period Question

Noon

Asked by **Lord Foulkes of Cumnock**

To ask the Minister of State at the Cabinet Office (Lord Frost) what plans Her Majesty's Government have to extend further the grace period on imports from the European Union to the United Kingdom.

The Minister of State, Cabinet Office (Lord Frost) (Con): My Lords, as I have noted, the Government have set out a pragmatic new timetable for introducing full import controls for goods imported from the EU to the UK. This revised timetable gives businesses more time to adjust to the new processes as they recover from the pandemic, which has impacted supply chains across Europe. As I have also noted, we have no plans to change this timetable further.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, as well as a damaging, dangerous shortage of HGV drivers and millions of pounds' worth of food rotting in the fields around the United Kingdom, we now have this unbalanced situation where UK exports to the EU have full checks but there is this further, "pragmatic" delay in checks on imports, which will cause problems for our importers. Can the Minister remind the House who was responsible for negotiating this disastrous deal? Could he tell us the secret which might be of interest to some of his former colleagues: how did he get reappointed to the Cabinet?

Lord Frost (Con): My Lords, there are some things that are best not delved into, I think. I am sorry that the noble Lord feels that an agreement with the EU which restores democracy to this country and gives us power over our own rules is so disastrous. It was nevertheless what we were elected to achieve and have achieved. We are very confident that we will benefit from it.

Lord Purvis of Tweed (LD): My Lords, in his answer to my previous question, the Minister indicated that the appropriate comparison on trade figures would be with 2018, the last time that the economy was stable. The latest ONS figures, from July, show that trade with the EU is now down by 11%. What other pragmatic measures can the Government take to restore trade with the single market of the European Union?

Lord Frost (Con): My Lords, as I frequently note, there are obviously many things going on in the global economy and in global supply chains, including the pandemic, increased costs and so on, and it is very difficult to draw firm conclusions from trade figures. It is true that July's figures show a small dip in exports to the EU but, nevertheless, since January, exports to the EU have been rising consistently. In June, they were higher than the pre-pandemic, pre-Brexit figures. We are confident that British business is rising to the challenge and will continue to do so.

Lord Liddle (Lab): My Lords, does the Minister agree that what he describes as a "pragmatic" policy is in fact a measure of discrimination by the British Government against non-EU imports at our borders, because they face controls in a way that EU imports do not? Does he accept that, as a result of that, we are potentially in breach of our WTO legal obligations as discriminating against different categories of people? Does he further accept that Covid is no excuse for these "pragmatic" delays? After all, the EU was able to impose its proper border controls in January 2021. Is this not yet a further example, of the many, of this Government's incompetence in managing a very botched Brexit?

Lord Frost (Con): My Lords, obviously there is a distinction in how we manage goods imported from the rest of the world compared to those from the European Union. That is consistent with WTO law and is obviously dependent on the special circumstances of us leaving the customs union and the single market. It is our intention, of course, to have a single set of world-class rules by 2025—if possible, earlier—for all goods that will give us the best border in the world. The decisions that we have taken on import controls are consistent with that and on that trajectory.

Lord Lilley (Con): I welcome my noble friend's decision to prolong the grace periods, for the reasons that my noble friend Lord Moylan spelled out earlier, but will he confirm that experience of grace periods in Northern Ireland shows the wisdom of what he is doing: that refraining from introducing the additional controls that the EU wanted us to impose on trade between Great Britain and Northern Ireland has not resulted in a flow of goods into the EU across the Irish border or undermined EU standards in any way, and that the only reason the EU is persisting in wanting us to apply those controls is to punish us and the people of Northern Ireland for Brexit?

Lord Frost (Con): Of course, I agree very much with the thrust of my noble friend's question. We believe that in the decisions we have taken, both in the context of the protocol and on trade more broadly, we are showing pragmatism in the way we are managing our borders, with a due focus on the real levels of risk involved. We hope that the European Union will do the same in the context of Northern Ireland and allow us to put in place arrangements, as set out in our Command Paper, that are consistent with those levels of risk.

Baroness Chapman of Darlington (Lab): My Lords, it is striking that none of the problems raised is anything to do with the Minister or with the Government; it is all about Covid, the French, the Irish or the EU, but the nation is starting to suss this out. The Food and Drink Federation said just this week that the Government are undermining trust and confidence, because responsible businesses prepare for changes that repeatedly do not happen. Frustration is growing. Food and drink is Britain's biggest manufacturing sector, employing people in every region, and it needs certainty. Does the Minister accept that if we do not reach a lasting agreement soon, these stopgap solutions will cost jobs?

Lord Frost (Con): My Lords, we have great food and drink industries in this country; some of them have imports in their supply chains as well as exports and the free flow of trade in both directions is very important. I have noted what the Food and Drink Federation has said on this subject. I could not help noting that, last week, it was worrying about the consequences of introducing these controls and fearing that the just-in-time system would not work, while, this week, it is concerned that we have delayed the controls, so I think we just have to take the best decisions we can in the interests of the whole economy and enable our businesses to prosper as a result.

Baroness Neville-Rolfe (Con): Does the Minister realise that the grace period puts British industries at a substantial short-term disadvantage? Are there any upsides beyond those already described by my noble friend Lord Moylan? I am very glad to see that my noble friend Lord Frost is still a Minister. What diplomatic and other steps will he take to put this matter on to a more satisfactory long-term basis?

Lord Frost (Con): My Lords, we are obviously in constant touch with the European Union through the institutions created in the trade and co-operation agreement and many others. We sought last year to negotiate more relaxed arrangements at the border in both directions, on food and drink and on other issues. Unfortunately, the EU was not open to that at that point, but if it were to become open to it in future, we would obviously wish to engage in that discussion. That is clear, and we will keep making that case, because we believe that it is in the interests of both parties.

Lord Dubs (Lab): My Lords, is the Minister aware that accusations are being made against him that he is of the view that sabre-rattling gets results from Brussels? What can he do improve our relationships both with Brussels and in particular with the Irish Government? Does he agree that our relations with those two are pretty poor at the moment?

Lord Frost (Con): My Lords, I do not agree that relations with either Government or entity are poor, though relations can always be better, of course, and there are some significant differences between us at the moment. I am not sure that I agree with the suggestion that we are sabre-rattling; that is not the way we go about things. We are setting out our case and being clear about what changes would produce a better situation, whether as regards the protocol or anything else. It helps relations when countries are clear about what they think and others can respond.

Baroness Randerson (LD): My Lords, one of the things deterring people from becoming HGV drivers is the amount of time now spent going through the ports, with so many extra forms to deal with. The Minister has recognised this by extending yet again the date for implementation of the new rules, but of course they apply going into the EU. What is the Government's estimate per average lorry of the additional time it now takes to transport goods to the EU? How many additional HGV drivers do we need for that alone?

Lord Frost (Con): My Lords, we obviously keep the flow of HGVs, lorries and trade at all our ports under very close scrutiny. I do not have figures to hand on that subject, but I know that trade is now flowing freely, delays are minimal and I pay tribute to the customs authorities not only of our Government but of our closest trading neighbours—France, Belgium and others—who show a degree of pragmatism in enabling this to happen, so that whatever difficulties there were at the start of the year are no longer significant and trade is flowing freely.

The Deputy Speaker (Baroness Fookes) (Con): My Lords, the time allowed for this Question has now elapsed.

**Protocol on Ireland/Northern Ireland:
Power-sharing
Question**

12.11 pm

Asked by **Baroness Hoey**

To ask the Minister of State at the Cabinet Office (Lord Frost) what assessment Her Majesty's Government have made of the operation of the Protocol on Ireland/Northern Ireland on power sharing in Northern Ireland and the Belfast/Good Friday Agreement.

The Minister of State, Cabinet Office (Lord Frost) (Con): My Lords, the Government's position on this matter is set out in the Command Paper we published on 21 July. In brief, the Government are indeed concerned that the operation of the protocol is causing political instability in Northern Ireland and risks undermining the Belfast/Good Friday agreement. That is why we wish to negotiate significant changes to its operation on the basis of the proposals in our Command Paper. We are, of course, discussing these issues with the EU.

Baroness Hoey (Non-Afl): I welcome Her Majesty's Government recognising that the east-west dimension of the Belfast/Good Friday agreement has been broken by the protocol, which has led to destabilisation of all the institutions in Northern Ireland. Does the Minister understand that many people in Northern Ireland are saying that Her Majesty's Government must actually choose, very soon, between the protocol and making the devolved institutions carry on successfully?

Lord Frost (Con): My Lords, the institutions in Northern Ireland are, of course, extremely important, including for delivery in a range of domestic policy areas—health, transport and so on—and it is important they are robust and continue. We absolutely recognise the frustration with the current situation, which is leading to the build-up of tensions and pressures on the institutions that we are seeing. That is why we need to find durable solutions to the protocol and the trading situation in Northern Ireland that will be a reasonable settlement consistent with the integrity of the UK and the UK's internal market.

Lord Caine (Con): My Lords, given the rising political temperature in Belfast, does my noble friend agree that it would be a supreme and tragic irony if the EU's implementation of a protocol that it insists is necessary to preserve the Belfast agreement actually became an instrument for the destruction of that agreement, which I would deeply deplore? Does he share my concern that if the institutions were to fall again at Stormont, it could take very many years for them to be restored, if at all?

Lord Frost (Con): My Lords, I very much agree with the thrust of my noble friend's question. Protecting the Belfast/Good Friday agreement is our top priority; it was the overriding purpose of the protocol and it is why we are so concerned about the destabilising character of the way it is being implemented. Actually, I recognise

and welcome the signals that the EU is beginning to understand this and reflect on it, but we still need solutions based on the ideas for significant change that were in our Command Paper.

Lord Kerr of Kinlochard (CB): There clearly is a general and continuing sense in Northern Ireland that its fate is still being decided over its head—that it is not being fully involved or consulted. That was presumably why Commission Vice-President Šefčovič said in Belfast last week,

“let's see how to involve the people of Northern Ireland in our discussions on the implementation of the protocol.”

The noble Lord's White Paper talks about the need to give Northern Ireland a greater role in discussions under the protocol, but we do not actually need to change the protocol to do that. Does he agree that when the joint committee considers future single-market laws on devolved subjects, members of the Northern Ireland Executive should play the leading role in the UK delegation?

Lord Frost (Con): The noble Lord is correct, of course, that the issue of involving political opinion and institutions in Northern Ireland is for the UK Government. We do that, and the Northern Ireland Executive attend the joint committee when the Irish Government attend on the EU side, which is always the case. I think the EU should exercise caution in suggesting that Northern Ireland parties or political opinion should take part in the EU's own institutions and decision-making procedures in this area: I do not think that would be consistent with the sort of arrangement we want in the future. The protocol is a treaty between two parties, the UK and the EU, and supporting arrangements need to be consistent with that.

Baroness Suttie (LD): My Lords, further to the question of the noble Lord, Lord Kerr, does the Minister now regret signing up to the Northern Ireland protocol without prior consultation of the political parties in Northern Ireland?

Lord Frost (Con): My Lords, as I think is well known, there was at the time in 2019 quite a degree of consultation as we developed our negotiating position but, unfortunately, the outcome of that process and the positions taken by different parties are well known. We did the right thing for the country in putting in place an agreement that delivered a full and fair Brexit but, unfortunately, that agreement has not been implemented in the way we hoped it would, and that is why it needs to change.

Baroness Donaghy (Lab): My Lords, the Minister was extremely frank in the debate on Monday afternoon about the origins of the Northern Ireland protocol. I for one was grateful for that and, dare I say, for his slight change of tone. In a previous life as chair of ACAS, I would advise the parties to say as little as possible, to maximise the possibility of agreement, so I am aware of the irony of asking him a question, and I will make it a full toss if that helps. Does he agree that the top priorities are peace in Northern Ireland, good relations with the Irish Republic, and assisting

[BARONESS DONAGHY]

those very impressive businesspeople in Northern Ireland that the EU Select Committee and its successor have spent the last two years getting to know?

Lord Frost (Con): My Lords, the noble Baroness is obviously correct that it can be helpful to say as little as possible when you are trying to find solutions. This is obviously a matter of considerable political interest on all sides and what we say has to reflect that. I very much agree that the top priority is peace—protecting the Belfast/Good Friday agreement—but the other aims she mentions are extremely important. It is our job as a Government to promote peace and prosperity for everybody in Northern Ireland.

Lord Robathan (Con): If our friends, neighbours and allies across the channel, or indeed on the island of Ireland, are not willing to compromise and make changes to this agreement, is it not time to withdraw unilaterally from the protocol, before the political and trading chaos in that part of the United Kingdom—Northern Ireland—gets worse or, as we have heard, before the entire Belfast agreement collapses?

Lord Frost (Con): My Lords, we have set out our position in the Command Paper. We are very clear that the conditions for Article 16 safeguards are met, but we think the right way forward is to see whether we can find a consensual solution with the EU. That is what we are trying very hard to do and will continue to do. Consensual solutions are likely to be the solutions that stick—but, if we cannot find a consensual solution, we will have to go down other routes, as my noble friend notes.

Lord Kilclooney (CB): My Lords, does the noble Lord agree that the protocol is a breach of the Belfast agreement, that it may undermine that agreement and bring about the closure of devolved government within weeks, and that it may even, worse still, lead to violence on the streets? Does the Minister recall that the Belfast agreement, signed by both the United Kingdom and the Republic of Ireland, stated that it would be wrong to make any change to the status of Northern Ireland, save with the consent of the majority of its people? Were the people of Northern Ireland consulted about this protocol? If not, was the Secretary of State for Northern Ireland advised in advance of its contents before Her Majesty's Government agreed it with the European Union?

Lord Frost (Con): My Lords, the question involves a lot of rather complex issues and I feel I cannot really do justice to it in the time available. The overriding purpose of the protocol is to support the Belfast/Good Friday agreement, and it is a matter of great regret to us that it is being implemented in a way that is undermining that agreement and causing many of the problems that the noble Lord mentions. The protocol is clear that nothing in it infringes the territorial integrity of the UK or its internal market, or our customs territory; the problem is that, in practice, those requirements are not necessarily being put in place as fully as we would wish. That is why we need to find solutions that deal with these problems definitively and consensually, if we can, so that we can move on.

The Deputy Speaker (Baroness Fookes) (Con): My Lords, the time allowed for this Question has elapsed, with apologies to those noble Lords still waiting to put their questions.

Business of the House

Motion to Agree

12.23 pm

Moved by Lord Ashton of Hyde

That, in the event of the Health and Social Care Levy Bill having been brought from the House of Commons, Standing Order 44 (*No two stages of a Bill to be taken on one day*) be dispensed with on Monday 11 October to allow the Bill to be taken through its remaining stages that day.

Lord Ashton of Hyde (Con): My Lords, on behalf of my noble friend the Leader of the House, I beg to move the Motion standing in her name on the Order Paper.

Motion agreed.

Brexit Opportunities

Statement

12.23 pm

The Minister of State, Cabinet Office (Lord Frost) (Con): My Lords, with the leave of the House, I will now make a Statement, which is also being made in the other place, on the opportunities this country has now that we have left the European Union.

While we were an EU member, some of the most difficult issues that Governments of both parties faced were over regulatory issues generated by the European Union—to take just some examples, the services directive, the REACH directive, reforms of agricultural policy, very many pieces of financial services legislation and so on. Very often such laws, which had effect in this country, reflected unsatisfactory compromises with other EU member states. We knew that if we did not rescue something from the legislative sausage machine, we would be voted down and risk getting nothing. The laws that resulted were designed to lock every country—no matter its strengths or weaknesses—into the same structures. They were very often overly detailed and prescriptive. Moreover, the results of those negotiations and laws usually either had direct legal effect in the UK or were passed into our law through secondary legislation—either way, with very limited genuine democratic scrutiny.

This Government were elected to get Brexit done and to change this situation, and that is what we intend to do. Much has already changed, even in the last few months, but, given the extent of EU influence over our political system over nearly 50 years, this is a mammoth task. To begin it, we asked my right honourable friend Sir Iain Duncan Smith to lead a team to examine our existing laws in this area and our future opportunities. That team reported back earlier this year, and since then my right honourable friend the Chancellor and I, and other colleagues, have been considering his so-called TIGRR report in some depth. I am writing today to

Sir Iain with our formal response to his report and, more importantly, with our plans to act on the basis of it. I am sharing the Government's response with committee chairs and will deposit it in the Libraries of both Houses. It will also be available very shortly on GOV.UK.

I will now highlight some of the most important elements of these plans. First, we will conduct a review of so-called retained EU law. By this, I mean the very many pieces of legislation which we took on to our own statute book through the European Union (Withdrawal) Act 2018. We must now revisit this huge, but for us anomalous, category of law. In doing so, we have two purposes in mind. First, we intend to remove the special status of retained EU law so that it is no longer a distinct category of UK domestic law but normalised within our law, with a clear legislative status. Unless we do this, we risk giving undue precedence to laws derived from EU legislation over laws made properly by this Parliament. This review also involves ensuring that all courts of this country should have the full ability to depart from EU case law, according to the normal rules. In so doing we will continue, and indeed finalise, the process of restoring this sovereign Parliament, and our courts, to their proper constitutional positions.

Our second goal is to review comprehensively the substantive content of retained EU law. Some of that is already under way—for example, our plans to reform the procurement rules we inherited from the EU, or the plan announced last autumn by my right honourable friend the Chancellor to review much financial services legislation. We will make this a comprehensive exercise. I want to be clear: our intention is eventually to amend, replace or repeal all retained EU law that is not right for the UK. That problem is obviously a legislative one. Accordingly, the solution is also likely to be legislative. We will consider all the options for taking this forward. In particular, we will look at developing a tailored mechanism for accelerating the repeal or amendment of this retained EU law in a way which reflects the fact that, as I have made clear, laws agreed elsewhere have intrinsically less democratic legitimacy than laws initiated by the Government of this country.

Secondly, we intend to begin a new series of reforms to the legislation we inherited on EU exit, in many cases as recommended by the TIGRR report. Let me give just a few examples. We intend to create a pro-growth, trusted data rights regime, more proportionate and less burdensome than the EU's GDPR. My right honourable friend the previous Secretary of State for Culture announced on 10 September a consultation that is the first stage in putting new rules in place. We intend to review the inherited approach to genetically modified organisms, which in our view is too restrictive and not based on sound science. My right honourable friend the Environment Secretary will also shortly set out plans to reform the regulation of gene-edited organisms. We will use the provisions of the Medicines and Medical Devices Act 2021 to overhaul our clinical trial frameworks, which are based on outdated EU legislation, giving a major boost to the UK's world-class R&D sector and getting patients access to new life-saving medicines more quickly. The MHRA, which as we know is a world-class regulator, is already reforming the medical devices regulations to create a world-leading regime in this area.

We will unleash Britain's potential as a world leader in the future of transport. My right honourable friend the Transport Secretary will shortly set out ambitious plans, which include modernising outdated EU vehicle standards and unlocking the full range of new transport technologies. We also intend to repeal the EU's port services regulations—a very good example of a regulation which was geared heavily towards EU interests and never worked properly for the UK.

We will drive forward our work on artificial intelligence, where the UK is already at the forefront of driving global progress. We will shortly publish the UK's first national AI strategy, which will set out our plans to supercharge the UK's AI ecosystem and set standards which will lead the world.

Thirdly, as recommended by TIGRR and the Penrose review, and as promised in the current consultation on reforming the better regulation framework, we will put in place much more rigorous tests within government before we take decisions to regulate. Now that we have control over all our laws, not just a subset of them, we will consider the reintroduction of a one-in, two-out system, which has been shown internationally to make a significant difference to how regulation proceeds.

Finally, Brexit was about giving everybody in this country, once again, a say in how it is run. That is true in this area too. We aim to tap into everybody's ideas. So we will create a new standing commission, under visible and energetic leadership, to receive ideas from any British citizen on how to repeal or improve regulation. The commission's job will be to consider such ideas and make recommendations for change, but it will be able to make recommendations only in one direction: the direction of reducing or eliminating burdens. I hope that, in this way, we will tap into the collective wisdom of the British people and begin to remove the dominance of the arbitrary rule, of unknown origin, over people's day-to-day lives.

Let me finish by being clear that this is just the beginning of our ambitious plans. I will, of course, return to this House regularly to update your Lordships on our progress and, more importantly, to set out our further intentions.

Brexit was about taking back control—the ability to remove the distortions created by EU membership, to do things differently, in ways that work better for this country, and to promote growth, productivity and prosperity. That is what we intend to do. I recognise that Brexit was not a choice originally supported by all in the country, or even, it seems, by some in this House. But Brexit is now a fact. This country is now embarked on a great voyage. We each have the opportunity to make this new journey a success—to make us, as a country, more contented, more prosperous and more united. I hope everyone will join us in doing so.

12.32 pm

Baroness Chapman of Darlington (Lab): My Lords, I thank the Minister for advance sight of the Statement. Having read it several times, I find myself underwhelmed. Eighteen months since the UK left the European Union—a moment which the Prime Minister referred to as

“a new act in our great national drama”—

[BARONESS CHAPMAN OF DARLINGTON]

I think we are all left asking the same question: is this it? Dealing with laws that the Government had already promised to address and a novelty engagement exercise is not the ambitious, outward-facing, world-leading plan for prosperity we need. The Government are suffering from a chronic lack of ambition.

While the Minister wants to talk about GM food, he needs to sort out the existing problems for growers in this country first. UK industry is currently dealing with supply chain chaos, a situation compounded by the Government's mismanagement of our exit. The disruption is leaving business without goods and shoppers with gaps on supermarket shelves. We cannot divorce this from the new barriers at the border, or from driver shortages resulting from a lack of a workforce strategy and a failure to see the foreseeable. We need urgent action, leadership and direction from the Government. Can the Minister confirm whether the Government will now establish an urgent workforce plan to deal with the 90,000-strong shortage of HGV drivers? Have they yet appointed—maybe they have—a government Minister tasked with specific responsibility for tackling the supply chain crisis and co-ordinating across multiple government departments? When will they secure the veterinary agreement with the European Union to limit further disruption?

There is also, of course, the Northern Ireland protocol. Again, the problems were entirely foreseeable by everyone it seems, including the Government, and yet the technological solutions long promised by Ministers have still to materialise. As he was unable to clarify previously, can the Minister now confirm whether, when and in what circumstances he would commence Article 16 processes?

On agriculture, the Minister speaks of opportunities. If only the Government were not jumping from one crisis to another, perhaps they would be able to see the possibilities ahead of them. Just yesterday, on Back British Farming Day, the National Audit Office released a report finding that Ministers are failing to gain farmers' trust. It is little wonder, given the problems with agriculture visas and worker shortages, but there is an opportunity here to reward British farmers and gain back their trust. The Government should take steps to help public bodies buy more British food all year round, including by passing legislation requiring them to report on how much they are buying from domestic sources with taxpayers' money. Where was "Buy British" in his Statement? Across rural England, £255 million will be lost this year alone as a result of cuts in grants to farmers, with no certainty about what will replace them. This is putting 9,500 agricultural jobs at risk. The Government need to take notice of the problems facing UK agriculture before livelihoods are lost.

Now is the time for the Government to deliver on the promise of post-Brexit Britain, but if, 18 months in, all we have to celebrate is supply chain chaos and lost jobs, it would be fair to say that the Prime Minister's "great national drama" is becoming a farce. On rules of origin, equivalence for financial services, creative industries and so much more, the Government are letting Britain down. Instead of sabre-rattling and blaming others, the Government need to stand up, find real solutions and deliver the opportunities we were promised.

Lord Purvis of Tweed (LD): My Lords, like the noble Baroness, I was slightly surprised by the Statement, which I thank the Minister for giving advance notice of. When I heard that there was going to be a Statement—and we were told only this morning that there would be one this lunchtime—I was quite excited, because I thought it would be on the much-awaited impact assessment showing the economic opportunities for the United Kingdom as a result of Brexit. The Minister's colleague on the Government Bench, the noble Lord, Lord True, promised me in correspondence two years ago that this impact assessment would happen. But as we heard during Questions to the Minister, it is the fault of everybody other than the Government that this has not happened. Instead of an economic opportunities assessment, we have a shuffling of the legislative rulebook.

Apart from a bit of revisionist narrative from the Minister about some of these regulations that the UK helped design, and then added to when we put them into domestic legislation, there has also been an enormous increase in the bureaucracy and number of regulations as a result of the Brexit process itself. Even during the Questions we just asked the Minister, we saw that the Government have failed to prepare our borders, failed to prepare systems for businesses to be ready and failed to have a system where businesses will even label the goods that are manufactured in the UK. Why do the Government not tackle these urgent issues first?

The Government have indicated that they wanted to end the legislative sausage machine, but by the end of 2020, Ministers had laid around 960 Brexit SIs, with more this year and more to come. Three chairs of committees in this House condemned the use of broad delegated powers instead of policy detail. Will the Government now rationalise the delegated powers they had given themselves to do all of this, where they had indicated that they need new legislative powers to do so, or will the UK legislative sausage machine increase?

The Minister did not mention in his Statement that the EU now has proposals for higher standards on carbon emissions, chemicals, medical devices and copyright protections. Will we fall in line on those areas? Will we update our own legislation to ensure that we are consistent with these higher standards, or will we fall behind?

Why was there no mention in the Minister's Statement of copyright protection, which is currently being put in place by the European Union? If we do not follow suit, for generated content the UK will have less protection for copyright than our competitors within Europe.

I understand that we will need to review and then replace continuity trade agreements; the Minister did not mention the fact that we have incorporated into many trade agreements the very areas that he said we now want to review. What is the status of all the trade agreements the Government have heralded that we have made up until now?

On the specific areas the Minister mentioned on GDPR, is it still the Government's position that in the adequacy review from Europe for 2025 we will still seek to be considered to be adequate when it comes to data? Is that a consideration as far as the Government's position is concerned?

On GMOs, can the Minister confirm that this is England only? There is no reference to the devolved powers. I think the Minister is listening, so can he state that this is England only or will this now be for Scotland too? On clinical trials, is that England only? There was no mention of Northern Ireland in his Statement, which I was curious about. As we heard in Questions and as we debated in Grand Committee, the Government indicated in their Statement today that

“laws agreed elsewhere have intrinsically less democratic legitimacy than laws initiated by the Government of this country.”

However, Northern Ireland will be continuing under many laws from a foreign entity, with no say over them. When I asked the Minister to set out proposals of how the democratic deficit would be addressed for Northern Ireland, he said to me that

“we have set out the issue without proposing a specific way forward”.—[*Official Report*, 13/9/21; col. GC 286.]

Finally, then, what is the specific way forward? There are many areas that are not present in the Minister’s Statement today, so when will there be a proper debate to allow us to have proper consideration of the Government’s legislative proposals?

Lord Frost (Con): My Lords, I am encouraged by what I have heard from the noble Baroness and the noble Lord because it seems that they share our ambition to do more in this area and are disappointed by the fact that there seems to be less than they had hoped for. I encourage them to read the full reply to Sir Iain Duncan Smith, which I was not able to do justice to in my Statement.

The noble Baroness and the noble Lord underplay what we have been doing. We left the transition period only a few months ago, and already we have a new immigration system; we have agricultural reform arrangements that are different from the common agricultural policy; we are putting in place a new subsidy regime; we are planning to reform procurement rules; and we have put in place an international sanctions regime. We have plans for free ports and, as I said, for data and gene editing, and for reforms of port services, HGVs, energy and much more. That is not a bad list for a few months. We note the ambition and will do our very best to keep driving it forward. I note only that it is self-evident that none of these things would be possible if we had remained in the European Union, and they would also largely not be possible if we had remained in a so-called soft Brexit or European Economic Area model of Brexit, which so many parties opposite recommended.

We are pushing forward change. A large number of issues were raised and I am quite pressed for time. We are setting out a plan to increase the supply of HGV drivers. As I have said, we are in constant touch with the EU about equivalence and SPS rules, and if we could make progress that would be excellent. We are taking steps to support our agricultural industry—my right honourable friend the Prime Minister touched on that yesterday. Labelling is certainly something that we are consulting on, and we are supporting our fishing industry after Brexit, and so on.

The question of the devolved Administrations was raised. I have written to my opposite numbers in all the devolved Administrations and obviously I can

guarantee that we will work very closely with them where these reforms intersect with devolved competence, and we wish to work as closely with them as we possibly can.

On the question of the impact assessment and the effect on the economy, I note that the economy is the fastest-growing in the G7. We have 1 million vacancies in the economy in this country, and this economy and this country are already prospering vastly under the arrangements that we are putting in place.

I had better wrap up, but I just say that we stand for change as a country and as a party; that is what people voted for. We want to make us a high-wage, high-productivity economy with controlled migration. People have to invest in the skills of everyone in our country. We do not want to be a low-wage, low-skilled economy reliant on cheap labour and where parts of the economy are neglected. We are putting in place reforms, a process of constant change and improvement, and rules that suit this country and will make a big difference for us in the future.

12.46 pm

Lord Grocott (Lab): My Lords, I welcome a number of the advantages that the noble Lord has identified of us being able to make our own laws again, but it might have been interesting or even entertaining if he had also listed the things that have not happened as a result of us leaving the European Union, which I have certainly listened to interminably over the last four years. At random, I say that we do not have the half a million unemployed that George Osborne said would occur; I seem to remember that it was said somewhere that the M20 would be a car park; and essential medicines were not going to be able to get into the country as a result of it all. It might be quite useful to have a list of that sort. However, the exhilarating thing in the Minister’s essential remarks is that if the Government make a mess of this, in two or three or maybe fewer years the British people will throw the Government out—they will have the capacity to do that. In contrast, when the EU has made laws via the Commission over so many years, many of them very bad, no one has been able to do that. That is at the heart of what has happened, and it is still exhilarating.

Lord Frost (Con): My Lords, I thank the noble Lord for his comments. That is a very good suggestion; indeed, a lot of things have not happened that the gloom-mongers said would happen, and they are not going to happen. He is right that this is about bringing back democracy; if you do not like what we are doing, there are ways of dealing with that. We believe we are doing the right thing for the country and that it will prosper under the agenda we are setting out.

Lord Cormack (Con): My Lords, will my noble friend give me some comfort? I thought that “take back control” meant an elevation of parliamentary sovereignty. Why are we therefore seeing so many government Bills stuffed with Henry VIII clauses? We had one on Tuesday this week. What we want is the sovereignty of Parliament—Parliament in control—not the sovereignty of the Executive.

Lord Frost (Con): My Lords, I have a huge amount of sympathy with the thrust of my noble friend's comment. It is about bringing back democracy and restoring the authority of this Parliament. I recognise the controversy about the Henry VIII clauses, as he describes them. They deal with a particular situation involving the inherited EU law and the complexities of managing the legal transformation out of the European Union, and I hope that they will be seen in that very specific context.

Baroness Wheatcroft (CB): My Lords, the Minister now boasts on his Twitter feed profile:

"You don't get something for nothing, you can't have freedom for free."

Apparently, it is from a Rush song from "2112". I do not recall him carrying that message around as he was leading us into Brexit. Since we have heard what we are going to do with that new-found freedom, in the absence of an impact assessment, can he tell us at what cost this freedom has been bought?

Lord Frost (Con): My Lords, I do not think it has been bought at any cost. I make no apology for standing up for freedom—free enterprise and freedom to think and debate—and that is what we did not have very much of in the final years of our EU membership until the referendum. It is axiomatic, in my view, that free debate, free enterprise, free economies and the ability to change your Government will always benefit the countries that have those things. There is a lot of empirical evidence around the world that that proposition is correct.

Lord Liddle (Lab): My Lords, the Minister's predecessors in his position—the noble Lord, Lord True, who is sitting next to him, and the noble Lord, Lord Callanan—gave us repeated promises during the passage of the Brexit Bills through Parliament that the Government had no intention to weaken in any way the social, environmental and consumer protections that were involved EU law. Will he repeat that commitment today? Moreover, if he is not prepared to repeat it in full, will he give us a guarantee, following on from the question of the noble Lord, Lord Cormack, that these issues will not be dealt with by some tailored mechanism to speed up legislative passage but will be put before this House for full debate?

Lord Frost (Con): My Lords, we are a high-standards country. The manifesto on which we won the election in 2019 was very clear about our intention to maintain high standards in all those areas. That does not mean that we do not intend to change them. The world moves on; high standards need to reflect the context in which we are operating. I am sure there will be change, but I do not believe that those changes will result in regression of standards.

On the noble Lord's second point, I come back to the point I made earlier: many of these laws were not subject to any form of meaningful scrutiny in this Parliament and may have been imposed against the will of the Government. The way we progress on them needs to reflect that fundamental reality.

Lord Hannan of Kingsclere (Con): My Lords, I very much welcome the Statement and the fact that my noble friend is here to give it. I very much welcome the report. I was astonished, when I was a new MEP 21 years ago, by how much big corporations lobbied for precisely these kinds of regulations, almost always because they saw an opportunity to disadvantage a rival by getting standards that they happened to follow anyway. Of course, they did not put it in that way—they would call it consumer rights or environmental protection—but that is almost always what it was, and it is wonderful that we are finally doing something about it.

Does my noble friend agree that the same principle should apply to our trade policy? Does he share my concern that the Trade Remedies Authority's recommendation to remove some of the steel tariffs brought in by the European Union in retaliation against Trump was overturned? Does he see the same possibility of politics overriding economics, and does he believe that a global Britain should be an engaged, free-trading country where imports are cheap, costs are low and people have more money to spend on stimulating the entire economy?

Lord Frost (Con): My Lords, I do believe those things. I have two points in response. On industry support for regulation, one reason that we intend to set up our standing commission is to make sure that we can listen not just to trade associations and big companies, important though they are, but to small and medium-sized enterprises, the people who gain from change and doing things differently, as well as those who gain from things being as they are. On free trade, of course I am a free trader. I believe that this country prospers by free trade; I think the whole Government believe that. On steel, obviously there is a particular situation in the global market in steel which has been discussed elsewhere, but, as a general proposition, we wish to reduce barriers, reduce tariffs, get in place free trade agreements and allow everyone to prosper.

Baroness Ritchie of Downpatrick (Non-Aff): My Lords, the Minister referred to medicines and the MHRA in his Statement. Can he give your Lordships' House assurances that the issues around the delivery and supply of medicines to Northern Ireland will be resolved in an amicable manner with the European Union? When do the Government expect to bring forward legislation to deal with that issue?

Lord Frost (Con): My Lords, we set out our view on that in the Command Paper. It is obviously right and essential that people in Northern Ireland have the same access to medicines as those anywhere else in the United Kingdom, and we intend to ensure that. We think the best way would be to remove medicines from the protocol entirely, and that is what we still hope to be able to agree consensually but, as we have made clear, the tests for using Article 16 are met, safeguards are justified and this is obviously an area where there is a matter of the state's responsibility to all our citizens. The actions we take need to be seen in that context.

Baroness Hoey (Non-Affl): My Lords, I very much welcome this Statement from the Minister. It is one of the reasons millions of people all over the country voted to leave the European Union. I want to ask him about the timescale, because I worry that sometimes reviews get stuck at the bottom of some civil servant's tray. I would like to make sure that this comes back to us very quickly and that we see the results of leaving the European Union as soon as possible. I ask him to say something about the timetable.

Lord Frost (Con): My Lords, there is a complex list of proposals, consultations, ideas for legislation, specific plans for legislation, and so on, so it is hard to generalise. However, I wish to be clear that we intend to pursue all this urgently. That is why it is my responsibility as a Cabinet Minister to make this happen, over and above the departmental responsibilities that other Secretaries of State have. We certainly intend to pursue the review of EU law extremely urgently so that we can deliver results and make a difference rapidly.

Lord Lilley (Con): My Lords, I welcome my noble friend's Statement and, like him, I welcome the call from the Labour Front Bench for even more ambitious deregulation. It is healthy that there should be this competition between the two sides to improve and update our legislation, which we had no opportunity to do when we were in the European Union. I suggest that the way to move forward now, on top of the excellent TIGGR report, is to go back to the original briefs that Ministers were given when these directives were being negotiated. Invariably, they said, "Minister, we don't really want this, but the best thing to do is to try to get it amended a bit here and a bit there"—and, if possible, a bit more than we actually got. If nothing else, there would be a guide to changes we can make just by going back to those briefs.

Lord Frost (Con): My Lords, I very much welcome that suggestion from my noble friend. It is an extremely good one and a reminder that in many cases, Governments of both parties opposed proposals that have now become law and to which we are supposed to reconcile ourselves. I will certainly take that up and see what we can find—within the limits of Civil Service record-keeping capacity, which may impose some limits on what we are able to do.

Lord Empey (UUP): My Lords, the Minister will be aware that the issue with the protocol in Northern Ireland is not necessarily its operation but its existence; that is the basic problem. Will he confirm that large swathes of the law that he proposes to amend and change will not be possible in Northern Ireland? We had evidence at our committee yesterday to that effect. The gap between the two parts of the United Kingdom will increase, not decrease, as this process goes on.

Lord Frost (Con): This is obviously a very significant issue and why we put forward the proposals that we have in the Command Paper to try to deal with the problem. Our proposals for dual standards for goods circulating in Northern Ireland and a different way to manage the governance of the arrangements would, we hope, deal with the anomalies that exist, but, of

course, they remain to be negotiated. It is a very significant difficulty which we have debated frequently and hope to resolve.

Lord Davies of Brixton (Lab): My Lords, I am not used to this unarmed combat. Will the Minister update the House on the work of the Partnership Council? It held its first meeting on 9 June, since when we have heard nothing. This is despite the series of difficult issues that the council is meant to resolve following our departure from the EU, not least the recognition of professional qualifications. This body has the appearance of being the "long-grass council" where the issues that the Minister has failed to resolve will be left to fester.

Lord Frost (Con): My Lords, I am certainly happy to update the House. The Partnership Council met before the summer, as the noble Lord noted. I would expect it to meet again before the end of the year. It is of course the supreme body of a complex substructure and the specialised committees have been meeting. Those that have not will meet over the rest of this month and in October, and will provide proposals and ideas to the council. So, although it may not be as visible as we would wish, there is a huge process under way that is designed to look at difficulties and, we hope, find ways of resolving them, including the question of qualifications that the noble Lord mentioned.

Lord Dodds of Duncairn (DUP): My Lords, the issue of taxation without representation is becoming a bigger problem every day for Northern Ireland. These suggestions and proposals by the Minister, which are very welcome in many respects, simply cannot be applied to Northern Ireland. He must recognise the urgency of this situation. The EU is trying to kick the can down the road until after the Assembly elections next year. Will he act within the very short timeframe that we now have if stability is to be restored and proper democratic accountability for laws made for Northern Ireland introduced?

Lord Frost (Con): My Lords, we certainly recognise the urgency of the situation and very much share the noble Lord's anxiety on this question. The relative stability in Northern Ireland is because our Command Paper proposals are regarded as a good set of proposals that are capable of resolving the problem. Obviously, it is one thing to put them forward and another to see them implemented, so we absolutely need to have a meaningful negotiating process with the EU, which we do not quite have yet, to see whether we can resolve the issues centrally and to know that quickly. If we cannot do so, as I have said, other ways forward are possible.

Lord McLoughlin (Con): My Lords, I very much welcome the Statement by my noble friend. Can he assure us that the Government will be able to respond quickly in certain areas when problems arise unexpectedly—not least on the issue of lorry drivers, which is perhaps a good example at the moment, and the requirements of the CPC regulations? For some lorry drivers who recently retired and are unable to go back into the industry because they do not have CPC regulation, would one of the solutions not be to allow them to operate within the United Kingdom without that regulation if they have a long record of driving safely?

Lord Frost (Con): My Lords, my right honourable friend the Secretary of State for Transport has of course set out proposals in this area, and I am confident that they will deal with the situation over time. My noble friend's general point is a good one. There is often a tendency to dismiss problems until they are evident, rather than get ahead of them. A degree of responsiveness, perhaps, via our standing commission—but not only through that—should help us to reap the benefits of the ability to move quickly, which we did not have in the European Union.

Lord Adonis (Lab): My Lords, what would the Minister regard as the essential benchmark of success for the reforms he set out today in a year's time?

Lord Frost (Con): My Lords, the purpose of these reforms is, in the long run, to improve the productivity of the UK by putting in place regulations that are tailored to our conditions, rather than the average. So the goal of this Government is to improve productivity, growth and prosperity for everybody after Brexit. That is obviously one of the metrics on which the British people will make their judgment when the time arises.

Lord Lansley (Con): My Lords, I am sure that the business community, which faces considerable pressures on costs and competitiveness, will be pleased to hear about the standing commission and the opportunity to address regulatory issues. However, will my noble friend add something about the Government's quantified objectives in this regard? Last year, not including the effects of Covid, Brexit or Grenfell, regulation on business increased by £5.7 billion while the Government's target was a net-zero increase. So what kind of objectives are the Government looking for in this regard, and will he and the Government confirm the importance of independent verification of that by the Regulatory Policy Committee?

Lord Frost (Con): My Lords, the matters that my noble friend raised in his question are germane to the consultation on the regulatory framework, which I touched on and which obviously is still open—so I do not want to get ahead of that. I certainly very much agree with his general proposition that there is a kind of dead weight that tends to move in one direction, and it takes a lot of effort to push back against it and improve regulatory conditions overall. As I said, the possibility of “one in, x out” is one way of doing that, but there are other ways, and we are looking into how Governments around the world, including national sub-states and so on, have achieved this—so we will have more to say on that question.

Net-zero Carbon Emissions: Behaviour Change *Motion to Take Note*

1.06 pm

Moved by Baroness Blackstone

That this House takes note of the role of behaviour change in helping the United Kingdom to reach net zero carbon emissions by 2050, as set out in the

report by the Climate Change Committee *Reducing emissions: 2021 Progress Report to Parliament*, published on 26 June; and of the case for a public engagement strategy to facilitate this.

Baroness Blackstone (Ind Lab): My Lords, I applaud the Government's commitment to net-zero carbon by 2050 and appreciate that they are working to try to achieve a successful outcome to COP 26 in November. However, I am not confident that they have done enough yet to engage the public in order to facilitate the behaviour change necessary to reduce emissions. I want to set out the case for doing so, following the valuable report to Parliament of the Climate Change Committee at the end of June.

I begin by briefly summarising what the CCC said. It argued that 62% of measures needed to reach net zero required changes to public behaviour. However, there is currently no centrally led strategy. Although there is high public support for action on climate change, research suggests that there is a lack of understanding about the actions that need to be taken and the urgency required. I understand that the Government's net-zero strategy is to be published imminently to precede COP 26. My first question to the Minister is whether it will definitely include a public engagement strategy, and, if so, whether it will be genuinely cross-departmental. People will need to change their lives in relation to transport, heating their homes, diet and more general problems of consumption.

There also needs to be a higher level of public understanding and involvement in shaping decision-making, without which success in reaching net zero is unlikely. There is, of course, a role for employers, and business in particular, as well as for local government, the print—and especially the broadcast—media, and the education system. However, the Government need to take the lead. They must also take on those who irresponsibly are purveying false information and scare stories about the negative impact of climate change measures on people's lives.

It is often helpful to learn from what other countries are doing. For example, can the Minister tell the House whether the Government have assessed work on climate change assemblies undertaken in Scotland, as well as France and Denmark, which have involved their citizens in climate policy-making. What other international initiatives can he tell us about that we might draw on? Clearly the fight against global warming is international and no country is exempt from the challenges it poses.

Concern about climate change is higher in the UK than in many other countries, with 80% of the population recording such concern. However, at the same time, when asked about net zero in March this year in a BEIS survey, only 14% indicated that they knew a lot or a fair amount about it. It is worrying, too, that only 51% of the UK public think that climate change is either entirely or mainly caused by human activity. Moreover, they tend to pass the buck and seem to think that responsibility belongs to others rather than themselves.

Only 26% of those asked had made any change in their behaviour. Even when people want to act, there are worrying misconceptions about the most effective

ways to do so. While around 50% of those surveyed were aware that saving on energy consumption at home was a step that they can take, far fewer were aware of the value of eating less meat and fewer dairy products—15% and 6%, respectively—nor of the size of the impact that this could have. Changing our diets is urgent in order to free up land to sequester carbon.

A recent report by the Tony Blair Institute for Global Change reinforced the importance of focusing on a relatively limited number of changes in behaviour that have the most impact. One of the three measures that it cited was eating less meat. The others were reducing our car travel and our flying. A common misunderstanding, not just in the UK but many other countries, is that recycling is very effective. Though there are of course good reasons why we should recycle, it comes some way down the list for reaching net zero.

If far too few of our citizens are well informed about the actions needed to counter climate change, what must the Government do? Above all, they must engage the population, including those who are hard to reach. They should find ways to bring people together to discuss the challenge that we face and how to address it. One small example, close to home, is the citizens' assembly that was run last year by six House of Commons Select Committees. It showed that, when problems and solution are discussed with members of the public, for the most part they support making changes.

Starting with pupils at school, only this week research on young people's attitudes showed how concerned they are about climate change and how anxious they are about the survival of the planet. Three-quarters said that they are frightened about their survival and their future. It is noteworthy that 80% of those participating in the parliamentary assembly that I just mentioned thought that climate should be a compulsory subject in all schools. Can the Minister tell us what the current position is on the national curriculum regarding coverage of climate?

We must build on the positive mindset of young people, giving them the tools to take the action needed to stop further rises in temperature. Little progress can be made unless teachers feel confident about their own competence and knowledge in this area. There is evidence that many of them want more training. In a survey this year of 7,500 teachers, 70% said that they had received none. Knowledge alone is not enough. They must learn about best practice in learning approaches and how to convey to young people a sense of their own potential to be part of the solutions, as well as how to be ambitious and resilient in responding to the challenges. What resources are being put into initial and in-service training to help teachers rise to this task?

The Skills and Post-16 Education Bill is an excellent opportunity to address behaviour change among college students. The same issues apply to them as to their parents, such as the forms of transport that they use in their daily travel, where there are choices available to them. In addition, there is a need for FE to provide courses that will create the skills needed in a green economy and to make their students aware of the job

opportunities available to them if they acquire these skills. More attention must also be given to phasing out qualifications that make no contribution to the net-zero economy. Just as schoolteachers need improvements in their preparation for curriculum initiatives on climate issues, so too do college lecturers, especially in specific areas such as decarbonising heat in homes. Please can we have a skills strategy from the Government to power the transition to green technologies?

The work needed to put in place targeted public engagement costs money, especially to reach those groups who feel socially and economically excluded, who do not typically take part in discussions about public policy and indeed are rarely invited to do so. Back in June, the noble Baroness, Lady Boycott, asked the Minister about spending and when figures would be released. The reply was, "in due course". Has due course been reached, and can the Minister tell the House what the budget is for public engagement? It is all very well accepting the Government's words that

"Public engagement can help build awareness, acceptability, and uptake of sustainable technologies ... over the long term and can also help improve the effectiveness of policies",

but they must will the means to do this as well as aspiring to it. Would it be too much to ask the Government to create a national debate on the contribution that each and every one of us can make to countering climate change and reaching net zero? In every city, town and village, invitations might go out to join community discussions around a short paper setting out what the options are.

I hope that the Minister will respond positively and be willing to set in motion an approach of this kind, which might be announced at COP 26 in November. At the last global conference, the Paris Agreement stipulated that measures should be taken

"to enhance climate change education, training, public awareness, public participation and public access to information".

Having done far too little since then, we now have the opportunity to take the lead at COP and, in doing so, particular emphasis should be placed on public participation. This can be done in the context of the UN's action for climate empowerment, which commits all nations to engaging their citizens on climate change. At present, Governments are not measured on their commitments and there is a lack of infrastructure and no monitoring or reporting process, according to the charity Climate Outreach. If the Government could take the lead by announcing a comprehensive and radical approach, and in doing so get public engagement with climate change much higher on the international agenda, that would be a triumph. Let us try to be a world leader in this area.

Within the UK, we must evaluate and monitor our progress in getting the public participation that the Climate Change Committee espouse. Can the Minister say what the Government propose to do in this respect? It is vital to understand the barriers that may emerge, to know what forms of communication work best, who the best people to promote public dialogue are and how to get people debating together about what they as individuals can do, avoiding the feeling that they are being talked at or just bombarded with information.

[BARONESS BLACKSTONE]

My last point is the value of trust. Increasingly, there is an absence of trust in Government and a denigration of politicians. There is a need to build trust in the messages that are sent. To do so, the messengers must be perceived to have integrity and must demonstrate that they themselves are committed to individual action on climate change. The upside of any debate on tackling climate change is that it is not largely about party politics. We can and should put political differences aside and unite to meet the expectations and hopes of young people, to save the planet and to engage the hearts and minds of our citizens in doing so. I beg to move.

1.19 pm

Baroness Randerson (LD): My Lords, I start by thanking the noble Baroness for bringing this topic to the Chamber this afternoon and for her excellent speech.

Up to now, most of the adaptations and changes required to reduce carbon emissions have been done to us, or for us, by the Government or have been as a result of business decisions. For example, all the changes in the means of production for energy have been done for us. We have hardly been aware of those changes—unless, of course, like me, noble Lords have solar panels on their roof. Only now are we starting to get to the more difficult bits, such as starting to change how we heat our homes.

There are exceptions. For example, we have adapted to paying for plastic bags; as a result, we use far fewer of them. Most of us could talk at length about local recycling schemes, the differences between them and the benefits of some of them. However, the lessons of those two examples are that it takes a long time to bed in change in our behaviour. We face a climate emergency. The big question is: is 2050 early enough for net zero? There is real doubt about that. The answer? Probably not. The longer it takes to start, the more radical the changes must be.

In the time I have, I will concentrate on transport because it is the single biggest sector for CO₂ emissions. It is also the only sector where, in recent decades, emissions have not fallen despite technological improvements. Earlier this summer, the Government produced a welcome transport decarbonisation plan. Unfortunately, it started with a complete fallacy. It said that we can carry on doing everything we currently do and that technology will make the changes we need to reach net zero. This argument was even applied to aviation.

The problem with transport is that we all want to travel more, not less. The pandemic has given us pause for thought and demonstrated that a lot of our travel can be avoided. During the pandemic, there was a lot of talk about finding new, healthy and environmentally friendly ways in which to live and work. Now that the Government think the pandemic is over, their rhetoric has immediately pressed us to get back to the office despite the fact that we have demonstrated that we can do a great deal of work without being in the office. Fortunately, many employers and employees are resisting this, but trains, the Tube and buses are crowded again and our roads are very congested, with traffic volumes up to and beyond pre-pandemic levels because people

are now reluctant to use public transport. We were beginning to see the switch to public transport, but that has regressed.

There is a saying: “Never waste a crisis.” The danger is that the Government will waste this one by not seizing the moment and not capitalising on the pause that the pandemic created. There is every reason to review, for example, business travel because Zoom can do much of it without the same waste of time or CO₂. There are major opportunities for change, but we are also at a dangerous point because we are no longer bound to the EU where the rules have set world standards for so long. We must not allow ourselves to slide back from that.

Specifically, there is the problem of time lag. Vehicles manufactured today will still be on our roads in 20 years’ time. The time lag is even greater for buses, planes and ships. The Government need to influence what we buy and use now. We are buying enormous modern SUVs. The Government also need to influence how we drive them. We need information so that we understand all the implications of our behaviour. All social revolution needs this; it needed it for drink-driving, seatbelt-wearing and smoking. We must have government information backed up with regulations to give us a nudge. We need taxation to encourage us not to buy SUVs, to ensure that aviation tax is reformed and to discourage frequent flyers. We need regulation change; for example, to encourage us to drive more slowly.

We face an emergency, and emergencies require urgency. The rain is falling on the ice caps now. Belgium as well as Bangladesh face people dying in flash floods. It is not enough to plan for tomorrow. The Government need to plan for today, utilise the expertise of our universities, our scientists and throughout the Civil Service, and ensure that we have an effective public debate.

1.25 pm

Lord Howell of Guildford (Con): My Lords, I warmly congratulate the noble Baroness, Lady Blackstone, on the extreme timeliness of her Motion, amid the final preparations of the build-up to COP 26 in November. I declare my related interests in energy issues, as set out in the register.

Currently, I see two major public behavioural barriers to addressing successfully the dangers of climate change and extremism. One—noble Lords can read about it in this morning’s papers—is exemplified by Extinction Rebellion and its associates. Frankly, they have done untold damage to the climate cause here, hurting a lot of people quite unnecessarily along the way.

The second, more serious, barrier, or problem, is the ocean of wishful thinking that still surrounds the preparations for COP 26 and the UK’s own net-zero goal, as well as the priorities being urged by the Climate Change Committee. Our net-zero goal, if it can be achieved, will of course have no direct impact on rising world emissions; we are brave but too small for that. That is just a statistical fact. Furthermore, the “zero” applies only to the production of carbon and not to the swathes of carbon embedded in the CO₂ we import and consume instead of generating it here, as authorities such as the excellent Professor Dieter Helm constantly remind us.

The theory, I know, is that, by going all out for UK net zero, which might be attainable in the UK at considerable cost and hardship, we will set an example, offer a model for others and gain moral standing. The fact is rather different. The fact is that global emissions are all set to resume a rapid rise anyway after the year's pause of the pandemic because, for most of the major emitting nations and regions, while they may note—even admire—our efforts, development and the escape for millions from poverty are the absolute priorities. For China, India, Indonesia, Bangladesh and Brazil, to name but a few, these are goals from which they deviate at their peril. Of course, that is why we can see that some of these countries have rejected the COP 26 wording for an end to coal generation.

As a consequence—this must be faced as a reality—world demand for oil, gas and coal will inevitably continue to grow in the years ahead, thanks mainly to the Asian and African utilities. For the advanced economies, the best path to curbing soaring emissions of carbon and of methane, which is an even worse greenhouse gas, lies in a different direction to the one we are currently being enjoined to pursue in this country.

The Climate Change Committee asserts that, for us, net zero is compatible with our climate interests and targets. That is definitely not so under present policies. As the emissions figures clock up—as they will—going flatly in the opposite direction of the Paris goals, which require not just levelling but falling numbers, there will be considerable frustration and anger. Talk of betrayal will come not only from the likes of Greta Thunberg.

Legally binding reduction targets, extracted with huge effort by COP 26, will be washed aside by reality, simply because Governments in the big emitting countries, although they may have serious carbon-reduction targets, have no choice but to press ahead with power supply expansion by the quickest and, in many areas, the cheapest available means, including by using the sunk capital in their present energy systems. If we can offer a useful model to assist them in escaping this trap and decarbonising their entire energy grids, it must be built around a massive technology input, showing how all the smoking chimneys of Asian and African electric power, and all the coal stations, current or planned, could be retrofitted or capped with carbon capture swiftly and affordably, allowing an expanding flow of plentiful cheap energy to continue. This is the essential ingredient of sustainable growth.

I note, finally, that many of our own green voices are actively against carbon capture from burning oil, coal and gas, just as they are actively against the search for cheaper nuclear power. That eliminates two of the main means of checking global emissions growth. This is not progress; it is going backwards towards certain failure. Demand for fossil fuels worldwide will grow further before it falls.

If we are truly serious about averting climate catastrophe, we should be looking in other directions. Time does not allow me to expand on those: they are available, possible and should be tackled honestly. The COP 26 planners should be looking at these areas, instead of trying to pull together the shaky bandwagon of net-zero commitments, which will not—indeed cannot—materialise without fundamental changes in

our policy direction and in the whole of Asia. Nothing short of that will do. Perhaps it is time to be honest, change direction and thereby remove a big barrier of misunderstanding and misdirection for genuinely lasting success for the forthcoming COP 26 conference in Glasgow and our national contribution to the climate struggle ahead.

1.32 pm

Baroness Bull (CB): My Lords, I join other noble Lords in congratulating the noble Baroness, Lady Blackstone, on securing this debate on such a vital topic and setting out the issues so comprehensively. It is increasingly recognised that the equation of human advancement with economic growth has been catastrophic in fuelling the climate crisis, and that tackling this crisis will require not just technological and scientific innovations, but considerable shifts in the way we behave. We must all consider the implications of our choices and actions on societies beyond our shores and lifetimes and put ourselves in the shoes of future generations when choosing how we act in the here and now.

Encouraging and maintaining these changes in behaviour will require much more than just a laying-out of the logic. Sustained behaviour change will involve calls on our imagination, compassion, creativity and ability to empathise. If ever there was a time to “only connect”, it must be now and on this issue. We will need to combine the prose and the passion, the heads and the hearts, if we are to achieve the change we need at the speed required.

The obvious place to start is with education, and yet the presence of climate change in primary and secondary school curricula is, at best, limited. Where it exists, teaching generally takes place within natural sciences, explaining the devastating impact of human activity and the potential consequences of rising temperatures, changing precipitation patterns and increasing sea levels. Yet climate change cannot be seen in isolation from the social, political, cultural and economic, all of which are absent from climate education. This is problematic, not least because this broader agenda would offer routes for young people to study potential solutions, rather than to focus on the catastrophic.

Research has found that this focus on fear and disaster can lead to a growing sense of hopelessness and panic in young people, with a poll last year by the Royal College of Psychiatrists revealing that 57% of child and adolescent psychiatrists have seen patients who are distressed about the climate crisis and the environment. While these responses are normal, to some degree, a balance needs to be struck in which education about the consequences of climate change is matched with a focus on solutions, empowering children to respond positively and with hope.

Julia Bentz, from the Centre for Ecology, Evolution and Environmental Changes at the University of Lisbon, suggests that this is where the arts and humanities can play a critical role. Arts-based learning about climate offers space for experimentation, perspective taking and the co-creation of imaginative solutions. It can help to transform emotions away from fear and towards hope, responsibility, care and solidarity. Evidence shows

[BARONESS BULL]

that this kind of arts-based engagement, from an early age, has a greater chance of leading to pro-environmental behaviours and attitudes. Despite this potential, climate change is rarely integrated into the curricula of arts subjects.

This disconnect between arts and science extends beyond education into the ways we think about research and innovation, with a persistent dominant view that science alone will deliver solutions to our most pressing challenges. The current HMRC definition of research and development reflects this view; it specifically excludes the arts, humanities and social sciences, and therefore excludes them from associated tax relief too. This misses the important opportunity for scientific and technical advances to be informed by insights into human behaviour, social norms and culturally appropriate communication, which reduces the likelihood of new technologies being adopted at the rate or scale required.

The AHRC's Creative Industries Policy and Evidence Centre, backed by a wide range of sector bodies, has called on the Government to amend their definition of R&D to drop this explicit exclusion. Can the Minister say, in winding up, how the Government will respond to this call following their consultation on R&D tax credit schemes? Acknowledging that the definition of science includes the systematic study not just of the nature and behaviour of the physical and material universe, but of humankind, culture and society would be a valuable step towards the integration of technological and behavioural advances that will be vital, if the UK is to reach its target of net zero by 2050.

1.37 pm

The Lord Bishop of Blackburn: My Lords, I too am grateful to the noble Baroness, Lady Blackstone, for the opportunity of this debate. I have just finished reading a book about wilding in the UK, and it is a classic story of how difficult it is to change a culture, attitudes and expectations from deeply embedded practices and convictions, in this case about how we manage our land—which was appropriate, with the Environment Bill this week. The same difficulty applies in this debate, which is less about government policy and more about how we, as citizens, choose to live.

My main point, in discussing the role behaviour change can play in helping us towards net-zero carbon emissions, is this: it is essential that our expectations are aspirational, but also realistic. They need to apply to all people. It is my fear that the poorest 10% will be left not just behind, but feeling that they are part of the problem, when they would rather be part of the solution.

So far, the behaviour changes we wish to see have been inaccessible to many on low incomes, simply because they cost much more. I believe cars that are powered without petrol or diesel are the future, and I hope to see a mix of financial incentives and legislation to encourage their uptake and so change our choices, but they remain considerably more expensive in outlay and then do not hold their value. A petrol car is cheaper and easier to sell on and, if I live in accommodation without a driveway, is considerably easier to fill with the required fuel. So it is for other goods, such as locally grown organic food, which remains more expensive

than highly processed food grown out of season abroad. Similarly, I have complete sympathy with any working single parent who decides to shop for the cheapest school shirts money can buy, instead of those made of fair-trade cotton. Food, clothing, travel—all these remain prohibitively expensive for some. When we seek to change the behaviour of the whole population, we must consider how we might incentivise with price reductions or even subsidise these things to make them accessible to all.

Also, the industries that employ people on lower incomes must be those we seek to incentivise, and possibly most strongly penalise when they fail to make the necessary changes. Manufacturing, food production, aspects of the gig economy: these are all sectors that will have to put their greenhouses in order or presumably risk facing sanctions designed to force a change in behaviour. Wages could be pushed down and jobs could even be lost to pay for the necessary changes in production and carbon offsetting, and the burden will be borne by those at the bottom of the pay scale.

Finally, it feels that every time I am here I bring up the same matter. I follow the focus of the noble Baroness, Lady Randerson, which is that public transport in the north of the country remains inadequate, particularly between the big cities and most especially for those on low incomes who need it most. It is essential for the change of behaviour we seek, and for the sake of the climate, that funding per head on transport infrastructure is, to use Her Majesty's Government's phrase, levelled up.

One should not be surprised to find out that spending on transport infrastructure is higher in London than in any other part of the country, but that spending per head is so considerably higher in the capital than in the north of the country is less easy to comprehend. Indeed, I recently read that it is twice as much per head than in the north-west and more than three times as much as in Yorkshire and the Humber. How can people be expected to change their behaviour and choices if the opportunity is not given them to do so? Without proper and fair investment in greener ways to travel, reliance on road travel will only increase, especially after the pandemic, which still impacts the numbers who use our trains, trams and buses.

In summary, the blend of incentives and penalties I have heard suggested will be essential in helping us all change our behaviour, which is incredibly important and very possible as we seek to reach net-zero carbon emissions. However, we must do it in a way and a manner that does not leave any constituency behind. Lack of financial means should not prevent some sharing the journey to net zero. I mentioned the book I read just recently, in which the quote is given: you can't be green if you're in the red.

1.42 pm

Lord Browne of Ladyton (Lab): My Lords, it is a genuine pleasure to follow the right reverend Prelate. I commend him for reminding us how important it is to consider first those at the bottom of the pay scale; I thank him for that.

I congratulate my noble friend Lady Blackstone and thank her for instituting and introducing this important debate on the role of behaviour change and

the case for a public engagement strategy in helping us to reach net-zero carbon emissions by 2050. She made an excellent and comprehensive speech, which has already been commended. I hope the Minister will respond positively to it, as she asked him to do.

I thank all the organisations that have circulated briefing papers to speakers and more broadly. They are all of value and, like the excellent Library and Peers for the Planet briefings, have increased my knowledge and contributed to our debate even before a word had been spoken in the Chamber. On that point, let me take just a few seconds to repeat a suggestion that I have made twice before in the context of debates in your Lordship's House.

I cannot do justice to any of the briefings—I have no intention of going through the many proposals they suggest; we can all read them for ourselves—but they contain many good points and, as the focus of this debate is on public engagement, I ask again: can we not open a web-based portal for every debate, or at least some, which would allow people who wish to engage with us to post their briefings in real time and have them preserved with the official record of the debate, and would expand the debate out into society? It would create a much more inclusive context for our work and allow us a significant amount of outreach too, given that we are constantly seeking ways to make our deliberations more relevant to a wider audience.

According to the CCC report, three-fifths of the measures required to get to net-zero emissions will require at least some degree of behavioural and social change. However, as Lorraine Whitmarsh, professor of environmental psychology at the University of Bath, commented:

“But this only factors in changes in consumer behaviour, such as switching from petrol to electric cars, or gas boilers to heat pumps.”

The list is endless; it has already been covered substantially in contributions. She continued:

“This is a very narrow definition of behavioural and social change. People are not only consumers—they are citizens, parents, members of communities, employees, employers and political actors.”

I add to that that people are company directors, politicians and Ministers. One view is that the truth may be that all the measures required to get to net zero depend on behavioural change by people.

As I have already said, I cannot do justice to any or all of the briefings I received, but for the rest of what I am going to say I will concentrate on the issue of trust, because that is about our behaviour—not just that of Ministers but of parliamentarians. I was struck by the last bullet point in the Climate Outreach briefing I received, which says:

“The public takes strong cues from government action so policies and government spokespeople”—

I would add parliamentarians—

“need to be seen as being in tune with the action being asked of individuals.”

The heading that it gives is that the Government needs to be in step.

Regrettably, at a micro level the Government, and probably many of us, have recently had problems in this area. The sight of a Cabinet—at which there were at least 27 senior members of the Government sitting

close together around a table without face masks—agreeing that a key message to deliver to the people is to wear a mask in crowded settings was not helpful, nor is the regular drumbeat we have of Ministers and others being embarrassed by being asked simple questions such as, “What sort of car do you drive?” This is really important, and all of it is very good fun at this level, but at the macro level there is an important issue. If people are to be persuaded to change their personal behaviours, Governments, leaders and we must inspire confidence that we are tackling the larger and more difficult challenges—and we are comprehensively failing to do that. We regularly say that the Government's primary responsibility is their duty to protect citizens. We have to be really careful that asking individual citizens to bear the burden of a substantial share of global warming does not reverse that relationship, moving responsibility from the protectors to those who should be protected. Part of the public engagement strategy must be empowering citizens to hold their Governments to account for their responsibilities, first and foremost.

A relatively recent report from the Carbon Disclosure Project—now known as the CDP—found that just 100 companies were responsible for 71% of global emissions since 1988 and that a mere 25 corporations and state-owned entities were responsible for more than half of global emissions. Mostly these are fossil fuel companies, and China is responsible for a disproportionately large share of global greenhouse gas emissions due to its coal production and consumption. A few countries and companies are responsible for so much of global greenhouse gas emissions that our first response should be, at business and government level, to ensure that people take responsibility for curbing industrial emissions. That should be our priority.

This is not to say that individuals cannot do things. They can, of course: we have heard about them and there are lists of them. Every contribution helps, but we must be careful not to get to the point where these failings are considered morally blameworthy. In particular, individuals living in poor countries who have contributed almost nothing to climate change deserve the most support and the least guilt.

I repeat that the most effective change in behaviour will be to empower citizens to hold those who are responsible for climate change accountable for their actions. That is why a successful COP 26 is so crucial. Unfortunately, I am not very confident that it will deliver.

1.49 pm

Baroness Jones of Moulsecoomb (GP): My Lords, I too congratulate the noble Baroness, Lady Blackstone, on this debate; I wish we could have this sort of debate every day. It is absolutely true, as the noble Baroness, Lady Bull, said, that our young people are terrified. We need to talk solutions. I try to offer solutions in this Chamber, but I am afraid that the Government simply do not understand the urgency. This is an emergency and a crisis, and the Government are not stepping up. For all their fine words, they do not measure up to the task.

Most of us here in this Chamber will die of old age; that is what I suspect we would all like. By contrast, many of the young people at school today will die

[BARONESS JONES OF MOULSECOOMB]
 from the consequences of climate change: flash floods, droughts, and conflicts brought about by shifting climatic conditions. It is going to be an unstable world—more than it is already.

I will deal with only one aspect of this crisis: sea level rises and their impacts. To some extent, of course, every single person has to do something—behaviour change has to be universal—but I am afraid that the Government have to take the lead on this. The Government can make it easy for people, and at the moment they mostly are not.

In 2007 the IPCC had a worst-case scenario of a 0.5-metre sea level rise in the next 100 years. It was a fairly reassuring analysis that did not include any figures from melting glaciers and ice sheets, because that was not going to happen in anyone's lifetime. The evidence started to say otherwise, and has rapidly changed with each new report from a satellite or Arctic monitoring station. Every IPCC assessment in the last 14 years has shifted the worst-case scenario much closer to us. The most recent assessment has shifted everything upwards again, but the really terrifying bit is that, due to the IPCC's rigorous process of analysis, consensus building and governmental oversight, those conclusions are already likely to be out of date.

Any debate we have in this place or the other place needs a new starting point. In the last year, a large section of the scientific community has realised that the models were wrong and that we have lost the 70- to 90-year buffer we thought we had to turn these things around. Things that were not meant to happen until 2100 are happening now. The poles are warming at twice the rate of the rest of the planet, as receding sea ice reduces the ability to reflect heat back upwards and melting permafrost releases methane that creates a warming cloud of local gases. The decline of the Greenland ice sheet is inevitable. That alone would lead to an estimated 7-metre rise in sea level. To put that into perspective, this House is 6 metres above sea level, so much of London will face regular flooding unless multi-billion-pound mitigation works are undertaken. Even then, it will not stop the flash floods.

When we discuss behavioural change, we are talking about more than switching off the lights when you leave an empty room, not leaving your TV on standby or even buying an electric car. As for all these technological advancements that are going to save our planet, they are not here yet. We cannot rely on something that could be five or 10 years in the future. We absolutely have to deal with what we have now.

We need wholesale change, which requires government to make the choices easy and more obvious for people. For example, the cost of travel by car has declined by 16% since 1997, but the cost of coaches and buses has gone up by a third. Why has the cost of domestic flights gone down by 16% but the cost of a train risen by a quarter? That is the Government sending signals in the wrong direction. When the Government finally put a charge on plastic bags, the result was a huge public switch. They have refused to put a deposit charge on plastic bottles or plastic-lined coffee cups, so the results have been completely different.

Plastic has been the one big growth area of the oil industry, and it nearly all goes in the waste-bin. The oil companies make money out of making it and the waste companies make money out of burning it. The consumers end up paying the long-term cost for something they did not ask for. We need the Government to make the alternatives cheaper and easier to use.

None of this can wait until 2050; we have lost that chance. The fundamental changes to our lifestyle have to be made now. Our biggest challenge is not stopping the Greenland ice sheet melting—that chance has gone—but stopping the massive glaciers of Antarctica slipping into the sea. If that happens, no walls will be high enough.

When our current Prime Minister was Mayor of London, in the first few weeks of his term I wrote him out three simple rules of sustainability, which I will list now in the hope that your Lordships can use them in future. I stood over him and made him read them, and kept them simple so that he could read them quickly. The first was that every single person has to do something. It is not enough to say that we will all do our personal bit; the Government have to do something as well. The second was that you have to make sure that there are no unintended consequences of something you do now; for example, that green airline fuel does not mean we cannot grow food in a certain area. The other thing is that there is no one answer. People always look for a big solution, but it is too big and too complex. Al Gore said there is no silver bullet, only silver buckshot.

1.55 pm

Baroness Sheehan (LD): My Lords, it is a pleasure to follow the noble Baroness, Lady Jones of Moulsecoomb, and I totally agree with her that we must have a sense of urgency in taking action now. I add my thanks to the noble Baroness, Lady Blackstone, for introducing this debate and bringing it to us. It is so important, and I was very impressed with the way she introduced it.

It is self-evident that we will all have to start doing things differently if we are to stand any chance of keeping warming within the aspirant 1.5 degree target agreed at Paris. The Climate Change Committee's report to Parliament in June this year said that profound changes in behaviour and high-impact action from consumers, workers, households, businesses and citizens are needed to reach the target. However, there is one other crucial sector that has to step up to the plate and change its behaviour if we are to have any success whatever in asking others to change theirs. I am speaking, of course, of Governments.

My remarks will concentrate on the importance of the Government leading by example. Time and again, they have demonstrated that the left hand does not know what the right hand is doing. All too often, they seem to be engaged in a tug of war. Government departments are pulling in opposite directions. They seem to be acting in a contradictory manner and sending mixed signals to all the other sectors.

Let me take policy on fossil fuels as a glaring example. In its sixth assessment report, published last month, the IPCC makes it crystal clear that fossil

fuels must stay in the ground if we are to stay within the 1.5 degree warming limit. The International Energy Agency states in its report *Net Zero by 2050: A Roadmap for the Global Energy Sector* that the necessary wide-scale transformation of the sector dictates that reliance on fossil fuels must cease almost completely by 2050.

The IPCC and the IEA are agencies whose reports are underpinned by rigorous scientific evidence, yet the Government appear to be in hock to the fossil fuel lobby. How else does one explain their willingness to toy with giving the go-ahead to the new Cumbrian coal mine and the expansion of the Cambo oilfield to the west of the Shetlands? How else does one explain the report in the *Guardian* six days ago that:

“Ministers, including the business secretary, Kwasi Kwarteng, held only seven private meetings with renewable energy generators between July 2019 and March 2020 compared with 63 with fossil fuel producers”,

among them controversial biomass interests? When will the Government make it clear that the era of fossil fuels is over in the UK? When will we finally draw a line under the anachronistic MER policy, which says that the UK Government must maximise economic recovery of oil and gas in the North Sea?

Surely tidying up our policy on the extraction of fossil fuels will send a message to countries such as China and India that we mean what we say about being a world leader on climate action. What a fillip it would give to COP 26, which is just a few weeks away, if we were to signal our intent to phase out fossil fuels. The industrial economy based on fossil fuels started here. Let us end it here too.

I am going to give other examples of where behaviour change on the part of the Government is necessary, and where questionable policy changes that they have made ought to be reversed. Why is it that sectors that pollute receive far greater subsidies than sectors that do not pollute as much—for example, road tax and fuel duty freezes versus train and bus fare increases; subsidies that airlines receive on fuel versus train fares; and keeping gas prices low at the expense of cleaner electricity?

Subsidy reform would be a great tool, as a carrot and a stick, to push forward behaviour change. Businesses and consumers will change their behaviour when they see that the Government are also getting their house in order. Indeed, government actions signalling policy certainty are a prerequisite for business to change.

My noble friend Lady Randerson also impressed on us the importance of tackling transport emissions, and I shall end with a few words about a simple, proven, popular and cheap measure that the Government could take which would signal their willingness to encourage the behaviour change needed to get more people out of their cars and walking or cycling instead. Introducing 20 mph speed limits on roads where people live and work has been shown to do just that. Introducing such a limit in one fell swoop would reduce the number of vehicles on our roads, reduce fine particulate matter from brake and tyre wear, reduce the number of people killed and seriously injured and reduce demand on the national grid. Surely this is a measure that is a compelling candidate for encouraging people to embrace behaviour change.

2.02 pm

Lord Kirkhope of Harrogate (Con): My Lords, when we consider the issue of climate change and greenhouse gas emissions, the first priority is of course to examine ourselves and our actions before we reflect on the behaviour of others and the institutions and organisations that dictate to the population as a whole.

All of us here are no doubt seeking ways to reduce our own contribution to that pollution, although I admit to not being very good at it. When I recently decided to replace my car, I opted to buy a hybrid vehicle that can be plugged in to give it a greener and greater range. My journeys to London allowed me to feel just a bit better in my conscience—only to be somewhat disappointed on arrival when I found that within the Parliamentary Estate there are no real charging facilities for hybrid or electric vehicles. How can we lecture the country on the benefits of electric vehicles when not only are recharging points around the country currently rather uncertain and inadequate, but legislators do not themselves have such facilities?

In some people’s opinion, even purchasing a new car might be regarded as a negative act. You hear, “What about all the pollution and emissions that are produced in the manufacturing process?” Then there are those who refuse to make any changes in their behaviour and lifestyle because, as they say, “Why should the UK move to net zero, with all the costs and inconveniences, if other countries in the developing world are not?” In a way they have a point, but I happen to think that the situation with climate change and our contribution demands action and that leading the way is fully justifiable as long as we are also willing to help others to follow.

Large countries such as India and China, and even the USA, may well be behind some, but the speed with which they are moving technologically and scientifically ensures that they will catch up and even overtake us soon in this area of policy. Yes, there may still be coal-fired power stations in China, but its embrace of new and greener means of power generation and advanced technology in the field of electronics and electric transport, as well as its use of alternative energy such as solar, wind, wave and hydro power, is progressing at a very fast rate. The resources being committed by China and other developing nations to research, including into hydrogen power, are extensive, and the joint projects between our research institutions and universities and theirs are most likely to produce exciting innovation, all helping us to meet our targets.

I will not talk about COP 26 as there are others speaking today who know much more about the specific aims and programme, but I am proud that the UK is hosting that event.

My remarks so far have been reasonably positive, but even the most sincere declarations and aims of the UK and the international community are pretty pointless unless we gear up our progress. Time is not on our side, and those of us who are now of a certain age must ensure that our actions safeguard the futures of our children and grandchildren.

So where are the problems, and where are the actions after all the promises by government? Where, for instance, is the full heat and buildings strategy?

[LORD KIRKHOPE OF HARROGATE]

Already, resistance is building up in the media to heat pumps replacing gas boilers and the like. Where is the strategy to get full public engagement and support, as has been referred to by other speakers? It is promised before the COP 26 conference, and we certainly need that to make progress. We also need the extra educational elements put in place for our young people.

Where is the evidence post Covid on the balance between emissions caused by more working from home and non-residential work? Have the Government assessed this, taking into account all aspects, including the inevitable pollution, referred to by a number of noble Lords, caused by attendant travel?

Where is the wholehearted support for the Royal Horticultural Society's Plant for our Planet scheme? It is not quite "Dig for Victory", but it is worthy of support. The campaign reminds us that one tree planted today will remove one tonne of carbon from the air over 40 years.

Where is the real action necessary to roll out effective carbon capture and storage? My region of Yorkshire is a perfect example of where and how such schemes could be used to great advantage, but we have been talking about this for years. When I was MP for Leeds back in the 1990s, a clear plan was provided by the then Conservative Government. It was pushed forward by the new Labour Government, but they did little more. There I was for 17 years, and EU money was available—but what did we actually do about it?

Frankly, there are many areas where we have been promised more and more but nothing has happened. However, I have lots of confidence that my noble friend the Minister, whom I know well, will now assume the role of a modern Action Man. COP 26 will be important, but we need to ensure that all the no doubt fine words that we are waiting to hear from my noble friend a little later, and the promises of Governments of all complexions, are followed up with real and meaningful outcomes.

Finally, I ask: is my noble friend confident that the international structures are now in place to monitor and enforce the outcomes? Is he confident, in the new role that I have given him of our Action Man on the environment, that he can take our citizens with him and with us? That is vital on this urgent mission.

2.08 pm

Lord Brooke of Alverthorpe (Lab): My Lords, I too am very grateful to the noble Baroness, Lady Blackstone, for her introduction and for giving us this debate. I think we need to spend more time on this question because effecting behavioural change, as many of us know, is very difficult indeed.

The biggest change in my lifetime that affected most people was the Second World War, which brought great social changes but also took millions of people off the planet. The next big change that I remember was under Ted Heath's Government, when we had a three-day week; for the first time in my life we were living without electricity and had candles in the house. That was major behavioural change. The winter of discontent in 1979, which emerged from my old background of the trade union movement, led to a

very big change because we got Mrs Thatcher—and without doubt she effected change in the behaviour of the nation in quite a big way.

However, we have now just come out of the biggest change, in my experience, in our behaviour, through Covid. It would be worth while to reflect on what Covid was all about—what its purpose and meaning is. We have not had that debate. My view is that Covid is here to reduce the numbers on the planet. The numbers have gone down, but perhaps not on the scale that might have been anticipated if we had not had agility and the brains to find the vaccines and so on.

However, it gives us a chance to review what gross national product and growth are all about and whether we can continue to grow in the way that we have in the past—or whether this gives an opportunity to reflect and look for a different direction. We have to look at some of the papers that have been produced by the Government on the major issues: what we eat and how we live at home. Covid has left people working at home—should we have more people working at home? I think the party that produces a policy of allowing people to work at home will get a lot of support, which will grow. Factories have disappeared; offices will disappear. Technology is moving at pace. What the mobile phone has done within a short space of time is absolutely phenomenal, and it is getting faster and faster all the time. My faith is in the youth, not in our age group.

I live in an area where we can change nothing. Since 2015, I have been trying to get them to install charging points for electric cars, but we are still no further forward. People have been working from home, and we have roof spaces and attics that can be converted into rooms and used, but no one will permit anyone to have a window to let fresh air or light into these additional spaces. We need to change the tiles on the roofs so that we have solar panels everywhere—yet we have planning rules that completely prohibit that. This all needs to be reviewed, if we are going to start to move in a different direction.

We need to talk about the numbers on the planet as well. This is controversial. Bill Gates raised this some years ago and said that the easiest solution to the world's problems is to take 3 billion people out. Of course, he quickly withdrew that, but we need to recognise that we cannot continue to grow at the current pace. We are heading for 10 billion people, and it is quite unsustainable. We have to start talking about policies in which people will limit the number of children that they have.

The Chinese are planning: they need a 5% increase in the Chinese population. This would be a phenomenal problem in terms of climate change, so we need to get people at COP talking about the world population and whether we can reduce it. We need free contraception in order to limit this. We also need the rules on abortion that have been introduced and changed during Covid to continue so that there is greater freedom for that from home.

As the noble Baroness, Lady Meacher, will be doing, we need to review the end-of-life issue. There was no mercy in watching some of those people die on machines in an awful state. There is nothing Christian about

that. We should look for ways in which we can exercise true mercy. If people want to go, they should be permitted to go. We have the technology for it. Millions of people take a sleeping tablet every night because they cannot sleep, and, if people want to end their lives, they should have a right to have a tablet to come to an end, rather than face the awful lives that you can experience when we spend all our time trying to extend life, rather than focusing on the quality of it.

That is the kind of change that we need to try to make, in economic terms: moving more into quality than quantity. There are many areas in which we can do it that would be beneficial and that the people would be willing to embrace, if it was presented in an educational and sensible way. So I hope that we can have something more radical than we have experienced so far in the debate on climate change—because water and fire will take so many people out if we do not take it seriously and move quickly on it.

2.14 pm

Lord Harries of Pentregarth (CB): My Lords, I am very happy and glad to support this Motion, and I am equally glad to have listened to and learned from other noble Lords' speeches on this crucial issue.

There is general agreement that a serious public engagement programme is necessary—every serious institution is urging this—for one simple reason: 62% of remaining emissions reductions will rely, to some extent, on individual choices and behaviour. The key issues of how we travel, what we eat and what we buy are made by not just institutions but individual people in and for their personal lives. They will need to be persuaded of this, brought to see that they have a personal responsibility to respond to it and motivated to do something about it.

So, first of all, people will need to be given accurate information about the challenge and clear guidance about what they, as an individual, might be able to do in response. The background picture that we have at the moment is highly unsatisfactory, as the noble Baroness, Lady Blackstone, brought out. People are generally aware about the impact of climate change but misinformed about the main causes of it, hazy about what should be done and confused about how to go about it. Concern about climate change is high: some 80% say that they are concerned and 63% think that changes affecting the UK will continue to do so. However, only 14% indicated that they knew a lot or a fair amount, and overall awareness has decreased, amazingly, over the last year. Only 26% of people asked had made any change in their own behaviour. Particularly concerning is the fact that, while young people are the age group most likely to be concerned about climate change, they are also the age group that is least likely to act upon it. So there is a huge gap between a general awareness of this issue and any kind of meaningful engagement with it by the majority of the population.

For people to be so engaged, the first requirement is clear and accurate information. Leaving aside the deliberate misinformation that is around, there are some basic misconceptions: as we know, many people think that recycling will be a key player in reductions, but, while it is vital for a whole range of reasons, it

only accounts for 0.2 tonnes of CO₂ emissions a year. Some 50% of people think that using less energy at home is crucial. This is important, but it is actually less significant than reducing the amount of meat eaten. Only 15% think that avoiding meat is a major factor, and only 6% think that eating fewer dairy products is—but the CCC had recommended a 35% reduction in meat and dairy by 2050 if the net-zero target is to be achieved. Few responding to the survey realised that the most important thing that they could do would actually be to have one fewer child, accounting for 58.6 tonnes a year, not own a car, accounting for 2.4 tonnes a year, and avoid one long-distance flight, accounting for 1.6 tonnes a year.

So the first essential thing is accurate information, clearly set out; then, we want people to respond. However, if someone actually wants to do something about it, confusion can quickly set in. For example, try looking up installing solar panels, or switching from a gas boiler to one that emits less carbon dioxide, on the internet, and it is very difficult to disentangle what help the Government might be offering and what a range of commercial organisations are trying to sell you. For a start, I would like to see a short pamphlet sent to every household in the UK with some basic agreed facts about the challenge of climate change, what an individual might do in response and what help the Government might give to help them to respond.

The noble Lord, Lord Howell of Guildford, rightly reminded us of the very serious problem of emissions in the Asian countries, but surely the two approaches—doing what we can in our own sphere and encouraging those Asian countries to move into carbon capture and storage or to alternative forms—are not mutually exclusive. Surely we have a responsibility to do what we can in our own immediate sphere of influence.

Questions to do with diet, use of energy at home, how we travel and what we consume affect us all. Every day, we make decisions in relation to them that will affect the kind of world that our grandchildren and their children will grow up in.

But there is also another area that is surprisingly absent from some of the briefing material that we have been receiving: the use of our savings, if we are lucky enough to have them. How we invest our money is of crucial significance, and I am glad to say that the Church of England actively engages in companies that it invests in, with a policy of disinvesting if certain rates of emissions reductions are not reached by certain dates.

What the Government should do is essential, but this by itself is not enough. As we know, the Government are much less trusted than a whole range of other organisations and people, and they must mobilise that whole range of other organisations and people. A good example of this was the recent joint statement by the Ecumenical Patriarch, the Pope and the Archbishop of Canterbury, with its theme, "Choose life". This is a crucial issue and I very much look forward to the Government's response.

2.20 pm

Baroness McIntosh of Pickering (Con): My Lords, I am delighted to contribute to what has been an excellent debate and I add my congratulations to the noble

[BARONESS MCINTOSH OF PICKERING]

Baroness, Lady Blackstone, on leading the debate and choosing such a timely moment to do so. I am slightly confused, because I had the noble Lord, Lord Goldsmith of Richmond Park, down as being the action man for the environment, so I hope we are not going to see interdepartmental strife as to who the true advocate for environmental measures in this context will be. But as my noble friend Lord Kirkhope of Harrogate identified, we are looking to see joined-up government here.

A number of noble Lords have mentioned new boilers in new houses. We have been promised them, but just not yet—I think by 2030. That begs the question of what is going to happen to those new houses that do not have those boilers and at whose cost will refitting the boilers be.

What I took mostly from the introductory remarks of the noble Baroness, Lady Blackstone, was how to involve the public, not just through schools, universities and higher education, but each and every one of us as we lead our daily lives.

My noble friend Lord Kirkhope of Harrogate has bought a hybrid. I was foolish enough, 20 or 30 years ago, to buy my first diesel car because the then Government said that this was the way forward and we were all invited to drive not just SUVs but 4x4s. If you live in the rural part of North Yorkshire that I do and want to visit your family at Christmas, 40 minutes away, you often have six inches of snow to go through. With my first purchase of a diesel car, I was then faced with the fact that fuel duty was very high and the car tax had increased, so I am going to let others play guinea pig with the hybrid and electric cars until such a time that we have sufficient power points. I understand the Government are now thinking of turning off the power for powering up electric cars for nine hours overnight; I think that is going to cause enormous problems. I hope my noble friend will take the opportunity from the Front Bench to show that that is not the case.

I have been heavily involved with the issue of flooding, not just as co-chair of the All-Party Parliamentary Water Group but as vice-chair of the Association of Drainage Authorities and, in my previous life, as chair of the Environment, Food and Rural Affairs Committee and, before that, as shadow Minister, as well as MP for the Vale of York, which was prone to substantial flooding. I have followed the flooding events that my friend the noble Baroness, Lady Jones of Moulsecomb, referred to and the impact that floods can have.

What hugely disappointed me this week was that water companies came up with a formula to stop surface water flooding going into the combined drains, foul drains and every form of drain in the event of a major surface water flood and, potentially—as we know happens on many occasions—coming into people's homes and forcing them out for up to six months while the public health issue of sewage is removed. This was such a simple measure to make homes safer, more resilient and resistant to floods, but we could not even get agreement in the House. I think we have a long way to go in this regard.

I think it was under the Blair Government that there were three reviews: the Cave review on competition policy in water, the Pitt review on flooding and the

Anna Walker review on water efficiency. We now have retail competition in water, particularly in Scotland, where it was led, and to a certain extent in England. We have more or less implemented nearly all the Pitt recommendations, apart from the most crucial one of ending the automatic right for water companies to have to connect. This means that, in times of flood, as I mentioned earlier, floodwater and sewage is taken not just into rivers but into people's homes as well.

The often-overlooked recommendations of the Anna Walker review strike a chord with the remarks from the noble Baroness, Lady Blackstone, on how it will benefit the public. One of those was a very simple measure to, in a household of, say, four, heat up and use only the water that you need, rather than leaving the hot water on the whole time. I regret that the Walker review never really got any traction and I hope that we can revisit those recommendations.

I live in a deeply rural farming community. Farmers want to play their part and we can help by substituting imports for locally produced food. Here, I would like to give a shout out to Shepherds Purse Cheeses, the makers of which live just across the field from us and are doing a very good job of making sure we eat more Mrs Bell's Blue rather than Roquefort. So there is a lot that each and every one of us can do.

I end with a plea to my noble friend for more joined-up government between the departments in question: BEIS, Defra and MHCLG. More especially, when we pass legislation such as the Agriculture Act, the Trade Act and eventually the Environment Bill and the planning Bill, we need to ensure that all the recommendations reflect the issues we have discussed this afternoon.

2.26 pm

Lord Oates (LD): My Lords, I declare my interest in the register as chair of the advisory board of Weber Shandwick UK. I am delighted to follow the noble Baroness, Lady McIntosh of Pickering. I thank the noble Baroness, Lady Blackstone, for bringing this important debate and all noble Lords for their contributions to it. As other noble Lords have said, it is particularly timely as we look forward to COP 26 in November, when we as a country have a clear responsibility to show leadership. I also thank all the organisations that have briefed us. I very much endorse the proposal of the noble Lord, Lord Browne of Ladyton, for a portal on which all these things could easily be accessed by us—and perhaps more importantly, they could be on the register.

Sadly, on the issue of the public engagement that will be needed to achieve the behaviour change required to achieve net zero, our Government are failing to show leadership in the UK, let alone in the world. Worse, as my noble friend Lady Randerson said, the Government are promulgating the fantasy that we do not have to significantly change behaviour in, for example, transport, because technology will take care of it—the cake-and-eat-it approach. That just will not wash, given what we face.

As the noble Baroness, Lady Blackstone, mentioned, Article 6 of the UN Framework Convention on Climate Change and Article 12 of the Paris Agreement both

set out responsibilities on the parties to take to engage their citizens and measures to enhance climate education and awareness. The noble Baroness, Lady Bull, made a compelling point on the importance of education in this process.

At this point I want to take on some of the comments made by the noble Lord, Lord Howell of Guildford. He made an attack on XR, which he said had done untold damage to the issue of the climate. I disagree with some of the tactics of XR, but I understand the reason for them. As I said in the debate on the Police, Crime, Sentencing and Courts Bill earlier this week, the reason XR and others are taking action on the streets is the reckless failure of this Parliament to take sufficiently urgent action to address the climate emergency, and the years of deniers and now delayers. I also reject his view that we cannot as a country have influence and that it is all somehow hopeless.

In 1940, when Britain stood almost alone against fascism, we did not say, “We cannot do this because it is too expensive, no one else is doing it and we will probably be defeated anyway.” Actually, some people did say that, but thankfully they were not heeded. Instead, we recognised that we faced an existential threat and had to do whatever was necessary to counter it, whatever the cost. We had to lead the world until others stepped forward to join us in the fight. Thank God that approach was taken.

As I have said, lack of public awareness of the scale of the challenge we face and the changes we have to make is a real problem, but there is also a lack of understanding of the benefits that can accrue to our economy and our quality of life. It really is the responsibility of all of us, but particularly of the Government, to take the lead in engaging the public.

Lord Howell of Guildford (Con): I agree with a lot of what the noble Lord says, but he has not quite understood my message—of course, that is my fault for not having the time or the clarity. The contribution this nation ought to be making is going to be very expensive and very extensive and could be very effective. What I am arguing is that the contribution we are making now—and putting the resources where we are, like removing gas boilers from 27 million homes—is not the way to do it. Vast resources are required to be transferred to the developing world from us—\$100 billion has been mentioned and probably at least one nought should be added. It is not a question of not contributing; it is a question of making the right contribution.

Lord Oates (LD): I thank the noble Lord for his intervention and I take his point, but we have to do some of the things in regard to decarbonising our homes as well. We face a vast challenge and we cannot duck any of it. I hope that he therefore very much supports the position of my party and of many Peers in this House, which was absolutely against the cut in the 0.7% of GNI going to those economies that he mentions.

As the noble Baroness, Lady Blackstone, and other Peers have mentioned, the Tony Blair Institute for Global Change argued in its excellent report on the role of behaviour change in delivering net zero that we need to focus very much on key measures that people

need to take, and not to overwhelm them with all the measures it would be possible to take. Among those are reducing car and air travel and, as other noble Lords have mentioned, a cut in dairy and meat consumption, which is often not understood. The noble and right reverend Lord, Lord Harries, shared some of the figures that were set out in that report—I think they were BEIS figures originally—on public attitudes and public understanding, and they show a great deal that needs to be done. I think his suggestion of a simple public information document to every household to start this process would be a good thing.

My noble friend Lady Sheehan referred to the Climate Change Committee report that argued that public engagement should be an absolutely key priority for government. According to that report, 62% of measures that are needed to reach net zero require change to public behaviours and we need a meaningful effort to engage across all areas of the country, particularly those dependent on high carbon-emitting industry. We need to ensure that there are a diverse range of messengers giving these messages. They have to be not just us as government or organisations talking down to people; they have to be about interactive communications and participatory engagement.

We all have a role in changing our behaviour—government do, business does and academia does. Perhaps most importantly or very significantly in the business world is the finance industry. The noble and right reverend Lord, Lord Harries, mentioned what we can do, and what organisations such as the Church of England do, in terms of investments, but we really need the finance industry and the regulators to put in place measures to ensure that capital does not continue to be misallocated, as it is now, towards those industries that threaten our climate and instead is allocated to those industries that can help rescue us from the situation we find ourselves in.

The difficulty we have is that, given the importance of behaviour change and given its vital role in reaching the Government’s targets, which the Government acknowledge, it is deeply alarming that the Government appear to have no strategy at all. I reinforce the question from the noble Baroness, Lady Blackstone: can the Minister tell us whether such a strategy will be in the net-zero strategy, because it is clearly a priority? We also need to learn from international partners. The noble Baroness, Lady Blackstone, mentioned some countries, including a domestic example in Scotland, but our COP 26 partner, Italy, is a leader in public engagement on this subject and we should learn from it. We should also learn from and work with local government, because it is a trusted partner that can help to deliver some of those measures on the ground.

As the right reverend Prelate the Bishop of Blackburn said, we cannot just expect people to change their behaviour if we do not give them the opportunity to do so. There are so many policies that need to change if the Government are to allow people to make the changes they often want to make. You might want to change your car to an EV but you do not have off-street parking and there are no chargers on your street, or if you use a commercial charger, it costs you six times as

[LORD OATES]

much as if it is from your domestic electricity supply. There are all sorts of things like that that need to be fixed as well.

We all know that climate change is not waiting on our procrastination; it is taking advantage of it. We also know that public engagement and awareness campaigns cannot be effective overnight, but more often take a period of years, which underscores the urgency of action now. The Government need to get on with this, to correct their lack of strategy and to do so now. They need to show a lead in this country and a lead in the world.

2.37 pm

Lord Grantchester (Lab): Once again, this has been a very interesting and stimulating debate with many notable contributions right across the House. Overall, there has been repeated recognition that the achievement of net zero can be accomplished only if it is accompanied by the public embracing behaviour change in their everyday lives. Certainly, the necessity for action is ever more widely recognised and expressed through the ever more frequent reporting of extraordinary weather events all around the globe.

My noble friend Lady Blackstone introduced the debate by setting out the case for a centrally led strategy for engagement in facilitating behaviour change. Many contributions have drawn attention to the many reports from leading agencies. The International Energy Agency has said that behaviour change plays a role in almost two-thirds of emission reductions. The Energy Research Partnership points out that, with motivation through multiple channels, interventions will be required through education, incentives and affordable low-carbon alternatives to change deep-seated habits that become embedded as societal norms. There is no question that the British people, especially our developing young people, are alarmed by the climate crisis and wish to engage.

The Covid-19 pandemic has proved that decisive intervention by the Government, local authorities and agencies can achieve significant shifts in behaviour. By comparison to the pandemic, the effects of climate change have still largely to be felt to affect most people's daily lives. Behaviour change to embrace a net-zero lifestyle will require a cultural revolution of information-driven decision-making; visible peer pressure equal to the effect experienced following the smoking ban; and strong, coherent government policies across all departments and services.

Various Climate Change Committee reports and commissions from research bodies and universities indicate that more than 40% of the abatement necessary involves some degree of consumer change, through their choices, to reduce demand and improve efficiencies. Many examples have been promoted today. The right reverend Prelate the Bishop of Blackburn is right in his analysis that people want to feel part of the solution and not the problem. The noble Baroness, Lady Jones, has identified mixed messages and confusing price signals, which can only bring delay and frustration with unintended consequences. The noble Baroness, Lady Sheehan, spoke of the unco-ordinated right and left hands of government, with its encouragement and

subsidy of fossil fuels. Indeed, all of us send signals through our own consumption patterns, as expressed correctly by the noble Lord, Lord Kirkhope. For every pull forward, there arises a push back from another interest lobby.

Perhaps the hardest behavioural change to achieve is that of government itself. The biggest challenge no longer comes from climate deniers; it comes from climate dither and delay. It comes from a scattergun list of points in a plan, instead of a comprehensive set of strategies that sets out all the Government's policies in a coherent framework. The Minister may claim to have undertaken to address quite a few of these acknowledged gaps, which I respect, from the difficult hydrogen strategy, published in the Recess, to the critically important decarbonisation of transport plan. However, the acceleration of climate change underlines every week the urgency of this decisive decade for change. With five weeks remaining before the opening of COP 26, the Government have yet to publish the equally important heat and buildings strategy, the Treasury's finance plan and, most critically, the net-zero strategy, where the Minister identified in June that the Government would communicate their approach to public engagement and support the public to make green choices. The Public Accounts Committee identified that the Government have

"no coordinated ... messaging about the changes and choices people will need to make"

and identified many critical areas where they needed to engage, from central governance to local authorities, to communicate effectively. The Government need to switch from targets without delivery and rhetoric without the reality that faces households and families in their everyday activity.

The Government can now be congratulated that, in 2019, they finally recognised that international aviation and shipping need to be included in the UK's net-zero calculations. However, transport remains the biggest source of emissions where the least progress has been made across the country and the most attention by the wider public is needed. The Government have pulled forward the phase-out date for new diesel and petrol cars to 2030 and, in support, the Climate Change Committee has identified that 48% of cars sold by 2025 should be electric vehicles. However, we are currently way off that. In their decarbonisation of transport strategy, the Government reported that less than 15% of cars sold in July this year were EVs. The biggest challenge and barrier to change for an eager population comes from affordability and lack of infrastructure. The CMA has expressed concern about the unequal and patchy rollout of charge points. Policy needs to recognise these barriers, identify enablers and target interventions accordingly, such as tiered vehicle scrappage schemes weighted in favour of essential car users and the lower-paid. Behaviour change modelling needs to become embedded in departmental procedures and policies. What plans do the Government have to meet the issue of affordability to increase the uptake of EVs?

The need for as yet nascent technologies, such as hydrogen, has also been identified as essential for public transport such as buses and trains, and indeed aviation, and is already part of government plans. Hydrogen as a fuel also has applications to the

decarbonisation of gas, with a link across to another key area of everyday life, the nation's housing stock. As working from home has become a clear behavioural change for so many, the opportunity must not be lost from the many aspects of changing work patterns. As far back as 2018, the National Infrastructure Commission identified energy efficiency as a clear imperative in reducing demand and improving homes. It is easily said but, as many Administrations have identified, so difficult to attain. The green homes grant scheme, supposedly so obvious yet rushed in with limited finance and hopelessly short timetables, was doomed to failure. The National Audit Office revealed last week that just 20% of the inadequate £1.5 billion was spent. The total spend on home improvements is anticipated to be £314 million, but with a massive £50.5 million spent on administration. What lessons will the Government draw from this sorry experience? How do they propose to recalibrate their plans for home improvements, and will these be incorporated into and announced along with the heat and buildings strategy?

I have mentioned the hydrogen strategy as vital in the urgency to decarbonise gas in the heating of homes, where progressive regionalised introduction has been identified as the best transitional approach. In setting future dates for the compulsory introduction of hydrogen-ready boilers for all new installations, perhaps the pricing disadvantage inherent in this new option is a key area to be addressed. Will the Minister raise the public's awareness of the urgency of this transition by mandating all quotations for new boilers to include the hydrogen-ready option alongside the conventional replacement cost?

The alternative of heat pumps is also identified as being more costly than conventional choices. The Government will need clearly to recognise that cost barriers remain high in the public's mind when embracing renewables and sustainable long-term solutions. The rising cost of energy for this winter and the disruption of the interconnectors from France have received widespread notice. The noble Lord, Lord Oates, mentioned the finance industry. With interest rates on mortgages having fallen back to less than 1%, the cost of the net-zero challenge needs to meet this competitive threshold. Does the Minister expect the Treasury's net-zero finance plans to be ready for COP 26 or more likely to be delayed until the autumn Statement?

The challenges to be faced remain substantive, yet everything is impossible until it happens. Can the Minister give the House an update on the Government's objective to announce international investment commitments totalling £100 billion per year from developed countries at COP 26? Can he report a successful response from the US, and is China included in this designation? These two nations remain the biggest sources of climate change emissions. What investment in this fund is planned by the United Kingdom Government and how will it be spent, and with what priorities? This initiative would set a serious benchmark towards world-wide progress.

2.48 pm

The Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy (Lord Callanan) (Con): My Lords, I want first to express my appreciation

to the noble Baroness, Lady Blackstone, for her excellent contribution and for securing this debate on this extremely important subject. There were some splendid contributions from all sides of the House, and I hope to address as many of the points raised as possible.

There is no doubt that achieving our net-zero target will be a shared endeavour, requiring action from everyone in society—from people, businesses and government. This Government absolutely accept this and are determined for the UK to play its part in upholding the Paris Agreement and our net-zero commitment, particularly in the run-up to COP 26. The Government agree with the noble Lord, Lord Grantchester, that net zero can be achieved only through engagement with the public and changing behaviours. As he observed, we are also publishing other world-leading strategies, such as the hydrogen strategy and the transport decarbonisation plan. I reassure the noble Baroness, Lady Jones of Moulsecoomb, that the Government share her concern about the urgency of tackling climate change. I particularly liked her quote that there is no silver bullet and only silver buckshot—I know that she will be opposed to shooting, but I liked the analogy anyway.

In June 2021, the UK Government set the sixth carbon budget at 965 megatonnes of CO₂ equivalent, which is a world-leading target which will see a 78% reduction in greenhouse gas emissions by 2035 compared to those in 1990. As the noble Baroness, Lady Sheehan, and the noble Lord, Lord Howell of Guildford, pointed out, this is how the Government intend to lead by example on climate change. This target is in line with the latest science, as the level recommended by our expert advisers at the Climate Change Committee, and consistent with the Paris Agreement goal to limit global warming to well below 2 degrees centigrade and pursue efforts to limit it to 1.5 degrees centigrade. The target would achieve well over half of the required emissions reductions from now to 2050 in the next 15 years.

This is a huge commitment which the Government are working flat out to achieve. Already our emissions are down by almost 44% across the last 30 years, and our economy has grown by 78% in that same period. If the noble Baroness, Lady Jones, does not like the economic growth, perhaps she will like the emissions reductions we have managed to achieve at the same time. The net-zero strategy, which we will publish ahead of COP 26—a number of noble Lords asked me about that—will set out our vision for transitioning to a net-zero economy. This strategy will build on ambitious plans already published in the past 12 months across key sectors of the economy, including the Prime Minister's 10-point plan, which mobilises £12 billion of government investment, the energy White Paper, the transport decarbonisation plan, the industrial decarbonisation strategy and the hydrogen strategy.

These strategies deliver on many of the recommendations made by Climate Assembly UK, which a number of noble Lords referred to. The assembly called for a green recovery; the 10-point plan is the Government's plan for a green recovery, delivering high-skilled green jobs. The assembly called for more wind and solar power; we will quadruple the capacity of offshore wind to 40 gigawatts by 2030. The assembly

[LORD CALLANAN]

called for a faster transition to net-zero emissions vehicles; we will end the sale of new petrol and diesel cars and vans by 2030. The assembly called for the Government to invest in low-carbon buses and trains; this plan commits to a £4.2 billion investment in city public transport and £5 billion on buses, cycling and walking. The assembly called for the Government to speed up progress on low-carbon aviation—I know this is of particular interest to my noble friend Lord Kirkhope; this plan commits to research projects for zero-emissions planes and sustainable aviation fuels. The assembly recommended maintaining and restoring our natural environment; our plan committed to £40 million for a second round of the green recovery challenge fund.

The right reverend Prelate the Bishop of Blackburn referred to the importance of enabling everyone in society to contribute to achieving the net-zero target. I agree with him. We want to make it easier and more affordable for people to shift towards a more sustainable lifestyle while at the same time maintaining freedom of choice and fairness. These are two of the key principles also recommended by Climate Assembly UK. The Government are already taking steps to do exactly this.

For example, we are continuing to engage with key cycling and walking organisations to develop a behavioural change campaign aligned with our cycling and walking investment strategy action plan. We have funded digital tools that can support people in reducing their carbon footprint, including the Simple Energy Advice service, which can help people reduce energy use in their home, and the “Go Ultra Low” website, which provides information and advice on electric vehicles. We are supporting motorists buying electric vehicles through the plug-in car grant, which provides up to £2,500 for those making the switch to electric cars—I hope my noble friend Lord Kirkhope was able to take advantage of this Government’s generosity for his new purchase. As well as this, in partnership with industry we have supported the installation of nearly 25,000 publicly available charging devices in what is now one of the largest networks in Europe.

The forthcoming food strategy White Paper will build on existing work across government and identify new opportunities to make the food system healthier, more sustainable, more resilient and more accessible for those across the United Kingdom. Defra has also committed to a substantial update of the *Government Buying Standards for Food and Catering Services*, which provide a framework of mandatory and best practice standards for public sector procurers. This update will look to strengthen the emphasis on local procurement, SMEs, high procurement standards and sustainable, healthy produce.

Reaching net zero will require not only changes to our energy systems and substantial new low-carbon infrastructure but shifts, as individuals, in how we travel, what we buy and how we use energy in our homes. Given this, we will need to engage with the public on the changes required to deliver this ambition and listen very closely to their feedback. The noble Baroness, Lady Blackstone, asked whether we could create a national debate on how everyone can contribute

to the country achieving net zero, and the noble and right reverend Lord, Lord Harries of Pentregarth, stressed the importance of informing people about it. To respond to the question of the noble Lord, Lord Oates, in the net-zero strategy, which will be published ahead of COP 26, we will communicate our approach to public engagement and supporting the public to make green choices.

Many people from all over the UK are already doing their bit on climate change. With the Together for Our Planet campaign we aim to celebrate this and inspire more people to join them. The campaign is building momentum in the lead-up to COP 26 by showcasing how people across the United Kingdom are going one step greener to tackle climate change. We are working across government and with numerous commercial partners. Our 26 “One Step Greener” champions and campaign will show how taking one step can have a positive impact on the environment, encouraging the general public also to do their bit, however large or small. We are also working with small businesses across the UK to support their journey towards becoming greener and more sustainable. This aims to create a mass movement of small green steps across the country in the lead-up to COP 26 to raise awareness of climate issues and launch a powerful legacy campaign to drive long-term behavioural change.

The noble Lord, Lord Browne of Ladyton, stressed the importance of empowering citizens to hold the Government to account and share their views. We have already increased our engagement with the public on policies for net zero. Since 2019, we have run deliberative dialogues on a range of net-zero topics, including net-zero societal change, homes and heating, hydrogen and the transport decarbonisation plan. I can reassure the noble Baroness, Lady Blackstone, that we will continue to monitor and evaluate public engagement to ensure effectiveness. We already track public views on climate change on a regular basis, for example through the *BEIS Public Attitudes Tracker*, which is published every quarter.

The noble Baroness also asked how we can engage with hard-to-reach citizens. BEIS has commissioned research from the Carbon Trust, with leading academics, which is exploring how the UK can reach net zero in a fair, socially inclusive way. I know this will also be of interest to the right reverend Prelate the Bishop of Blackburn. A key part of this will be advice and recommendations on how we best ensure that vulnerable and underrepresented groups can have their voices heard. Furthermore, findings from Climate Assembly UK have formed a valuable addition to the Government’s evidence base on assessing the UK public’s understanding, attitudes and perceptions around net zero.

The noble Baroness also asked whether the Government have assessed work on climate change assemblies undertaken in countries such as Scotland and France. I can confirm that we have been closely monitoring national and local citizens’ assemblies and officials have met the organisers and facilitators of these initiatives. In September 2020, we invited the Climate Assembly UK expert leads to present the assembly’s findings to officials. Over 400 officials attended these briefings.

In the lead-up to COP 26, as I have said, we will publish a comprehensive net-zero strategy which sets out the Government's vision for transitioning to a net-zero economy, making the most of the new growth and employment opportunities across the UK. My noble friend Lord Kirkhope of Harrogate and the noble Baroness, Lady Blackstone, asked whether the net-zero strategy will include a public engagement strategy. This also addresses the points of the noble Lord, Lord Oates. I confirm again that, through this strategy, we will communicate our approach on public engagement, supporting the public to make green choices. The strategy will mark an important moment, where our priority shifts towards setting out a clear plan for delivery, which will allow us to look beyond COP, outlining a sustained effort to tackle climate change in the longer term.

To address the points raised by the noble Baronesses, Lady Blackstone and Lady Bull, the national curriculum provides the knowledge that pupils need to help address climate change in the future, while schools have the autonomy to go into as much depth on these subjects as they see fit. In citizenship, pupils are taught about the wider world and the interdependence of communities within it. At primary school, pupils are taught about what improves and harms their local, natural and built environments. More detailed content on climate change is included in geography and science. Certainly I have been receiving in my postbag an increasing number of letters that children have written in their classrooms. DfE has established a Sustainability and Climate Change Unit, which is preparing a change strategy. This will likely look at topics such as education and skills for a changing world, taking into account net zero, resilience to climate change and how to create a better environment for future generations.

In addition, we established a Green Jobs Taskforce, working with industry, unions and skills providers to advise on how we can develop plans for new, long-term, good-quality green jobs, and support workers to transition from high-carbon sectors. Its independent report, published in July, will feed into and inform our net-zero strategy.

The Government are committed to publishing a heat and building strategy later this year; I think it was my noble friend Lord Kirkhope who asked me about that. The strategy will set a comprehensive set of actions that will set the way for net zero in heat and buildings by 2050, with a real focus on the action needed in this decade to reach our interim targets.

Moving on to transport—a topic raised particularly by the noble Baroness, Lady Randerson, and others—we published the first plan in the world to set transport on a path to net zero by 2050: the transport decarbonisation plan. Enabling people to use public transport, to walk or to cycle is one of the plan's six strategic priorities. Backed by a £2 billion package of investment, we are committed to establishing a world-class cycling and walking network in England by 2040, delivering on the Prime Minister's bold vision that he announced last summer. This plan also commits that we will deliver a net-zero rail network by 2050, with sustained carbon reductions in rail along the way, by supporting new technologies such as hydrogen or battery trains and removing diesel-only trains. We also want

to get more people on to trains, and we are building extra capacity on the network and working with industry to modernise fares, ticketing and retail to encourage a shift to rail.

To address the points raised by my noble friend Lord Howell of Guildford on international leadership, in addition to the action we are taking at home, we remain committed to demonstrating global leadership in tackling climate change. It is a global challenge and, of course, no country can tackle it alone. There is a clear need for countries across the world to do more. We have strong relationships with key emitters—including India and China—on climate, and we work closely with their Governments on a range of mutually beneficial programmes, with the aim of reducing emissions while also improving their resilience to climate change. Of course, we will continue to push for more ambition globally as the host of COP 26.

I thank the noble Lord, Lord Brooke of Alverthorpe, for his views on the quality of life and how net zero will be beneficial for all. He referred to the importance of enabling youth to drive climate action, and I agree: it will be key to listen to their concerns. Therefore, we have a dedicated youth engagement team which is co-ordinating the UK Government's strategy to ensure that youth voices are heard at COP 26 and in its legacy.

Inclusive public engagement that gives representation to different groups' diverse needs and interests, as well as their meaningful participation in decision-making, is vital to inform the design and implementation of successful net-zero policies. Public engagement can help build awareness, acceptability and uptake of sustainable behaviours over the longer term. Therefore, we are increasing our work on public engagement on net zero, both in communicating the challenge and giving people a say in shaping our future policies.

I hope I have been able to provide at least some reassurance to the noble Baroness, Lady Blackstone.

3.04 pm

Baroness Blackstone (Ind Lab): My Lords, I begin by thanking the Minister very much for his reply to this debate. He has indeed answered many of the questions put to him. He did not answer one question—of course, there are always some you do not have the time or the information for. I would be grateful if he could write to me and to others who have participated in this debate on what the budget for public engagement in order to change behaviour is—and, if there is not one, when there will be. I asked about this some months ago and was told that in due course we would be given the figures, but we have not been. I would be really grateful for that.

Secondly, I thank everybody who has participated in this debate. I am very grateful to all the speakers, many of whom made excellent contributions to what I think we have agreed is an important subject. There has been consensus around the House for much more effort to be put into changing public behaviour through genuine public engagement. A number of important points were made about the importance of the UK leading the way, which the Minister said we will do. It has also been quite correctly stated by several speakers that time is not on our side and that there is a danger of promising a lot and then delivering too little.

[BARONESS BLACKSTONE]

I was particularly glad to hear the Minister state quite categorically that we will monitor and evaluate the contribution the Government are making to developing public engagement and changing public behaviour. I have no doubt that we will want to come back to what the results of such monitoring and evaluation are and will return to this important subject in the coming months.

Motion agreed.

Arrangement of Business

Announcement

3.06 pm

The Deputy Speaker (Baroness McIntosh of Hudnall) (Lab): My Lords, we come now to the next business, which involves a new acronym for us all to get used to: the repeat of a Statement made in the House of Commons today on AUKUS.

AUKUS

Statement

3.07 pm

The Minister of State, Ministry of Defence (Baroness Goldie) (Con): My Lords, I shall now repeat a Statement made in another place:

“Mr Speaker, with permission I will make a Statement about our friendship with Australia and the United States and the security of the Indo-Pacific.

Yesterday I joined President Biden and Prime Minister Morrison to create a new trilateral defence partnership between our countries, known as AUKUS. Australia has, for the first time, taken the momentous decision to acquire a fleet of nuclear-powered submarines and has asked for our help in achieving this ambition. I am delighted to tell the House that we have agreed to this request and we shall place the UK’s expertise in this field, amassed over decades, at the assistance of our Australian friends.

The first task of AUKUS will now be an 18-month trilateral collaboration to determine the best way of delivering advanced nuclear submarines for Australia, emphasising, of course, that they will be powered by nuclear reactors, not armed with nuclear weapons, so the nuclear non-proliferation treaty places no prohibition on this work.

The House will understand how Australia’s future possession of this capability will help to safeguard the peace and security of the Indo-Pacific. Nuclear submarines are the capital ships of our age, propelled by an effectively inexhaustible source of energy, allowing them to circumnavigate the world without surfacing, and deriving oxygen and fresh water from the sea around them. While on patrol, they keep silent watch over vast expanses of ocean, protecting shipping, gathering intelligence, deterring adversaries, and guarding the trade routes on which our livelihoods depend.

To design, build, operate and then safely decommission a nuclear submarine ranks among the most complex and technically demanding enterprises yet devised. Only six nations possess nuclear-powered submarines, and to help another country join this tiny circle is a

decision of the utmost gravity, requiring perhaps the closest relationship of trust that can exist between sovereign states.

I hope I speak for the House when I say that I have no hesitation about trusting Australia, a fellow maritime democracy, joined to us by blood and history, which stood by Britain through two world wars, at immense sacrifice. Today, the UK and Australia defend the same interests, promote the same values and face the same threats: we are as closely aligned in international policy as any two countries in the world, and one of the great prizes of this enterprise is that Australia, the UK and the United States will become inseparable partners in a project that will last for decades, creating opportunities for still greater defence and industrial co-operation.

The integrated review of foreign and defence policy described Britain’s renewed focus on the Indo-Pacific, a region that is fast becoming the geopolitical centre of the world—ever more important for British trade and therefore British jobs and British livelihoods. If there was ever any question about what global Britain’s tilt towards the Indo-Pacific would mean in reality, or what capabilities we might offer, this partnership with Australia and the United States provides the answer.

It amounts to a new pillar of our strategy, demonstrating Britain’s generational commitment to the security of the Indo-Pacific and showing exactly how we can help one of our oldest friends to preserve regional stability. It comes after the United Kingdom’s success in becoming a dialogue partner of the Association of Southeast Asian Nations and our application to join the trans-Pacific free trade area.

At the same time, this project will create hundreds of highly skilled jobs across the UK, including in Scotland, the north of England and the Midlands, reinforcing our industrial base and our national scientific expertise, exemplified by the British companies participating in this week’s Defence and Security Equipment International event.

A nuclear submarine programme exists within a different realm of engineering from any other marine project, requiring a mastery of disciplines ranging from propulsion to acoustics. In these fields and many others, we will have a new opportunity to strengthen Britain’s position as a science and technology superpower, and, by generating economies of scale, this project could reduce the cost of the next generation of nuclear submarines for the Royal Navy, helping us to renew our own capabilities. While our partnership will begin with nuclear-powered submarines, now that we have created AUKUS, we expect to accelerate the development of other advanced defence systems, including in cyber, artificial intelligence, quantum computing and undersea capabilities. This partnership will open a new chapter in Britain’s friendship with our closest allies, help to safeguard the security of the Indo-Pacific, create jobs at home and reinforce our country’s place at the leading edge of technology. I commend this Statement to the House.”

3.12 pm

Baroness Smith of Basildon (Lab): My Lords, I thank the Minister for repeating the Statement today. I am sure I am not alone in welcoming the fact that the

Statement was actually repeated, rather than our just jumping into questions on it. In thanking her for being here—I know she has made considerable efforts to do so—perhaps I may say that it is disappointing that the noble Baroness the Leader was not able to be present for the prime ministerial Statement. In fairness to her, she said that she could be here for the end of today's business, but I think it is much better that we have it earlier on, and I am grateful to the Minister that we can do so.

I have said many times at this Dispatch Box that the first duty of any Government is the security and safety of its citizens at home and abroad. International co-operation and strategy is essential to achieving that. Given that many on these Benches, and indeed across your Lordships' House, have long called for closer co-operation with our democratic allies, we all hope that this presents an opportunity to put that principle into practice. By sharing information, intelligence and resources, we should have the capacity to enhance security.

In their integrated review, the Government identified the region as being at the

“centre of intensifying geopolitical competition with multiple potential flashpoints”.

Assuming that that is the driver for this partnership, it would be helpful to hear from the Minister more detail about what this agreement means in practice and how it fits with—and what is—the Government's broader strategy. There are also implications for at least two other countries outside this partnership: the French, following what is now their previous submarine procurement arrangements with the Australian Government; and for our relationship with China, as illustrated not least by the comments of its Foreign Ministry this morning.

The Government have now termed China as a systemic competitor and have recognised its military assertiveness, but they also want the UK to maintain a strong commercial relationship with the country. As we need to work together on key global issues, such as climate change, and with COP 26 just six weeks away, this could not be more important. It is clear to everyone that, without a diplomatic strategy and enhanced diplomatic skills, those goals will come into conflict.

I do not know whether the Minister has yet had the opportunity to read the Lords' International Relations and Defence Committee report from last week, but it gave us a clear warning that:

“Current levels of China expertise within Government and the civil service are insufficient when compared to the ambitious agenda and the tilt to the Indo-Pacific”.

What are the Government doing to change that? I am sure that the Government have also considered how they can ensure that the AUKUS partnership increases, rather than decreases, our ability to influence China. If there is any detail, or at least reassurance, the Minister can provide on that, it would be helpful.

There are still questions about exactly what our role will be in this partnership. According to the White House, the US sees the partnership as an opportunity to

“leverage expertise from the United States and the United Kingdom, building on the two countries' submarine programs to bring an Australian capability into service at the earliest achievable date.”

The Minister alluded to this in the Statement, but is there anything more she can say about what UK expertise will be used in this programme? For those of us who are glued to Sunday night television, watching “Vigil”—for those who are not aware, it is about a murder on a nuclear-powered submarine—we just hope that life does not imitate fiction. As an immediate priority, the focus will be on delivering nuclear-powered submarines to Australia. With the expectation to develop other defence systems, including cyber, AI and quantum computing, will this time be used to identify other areas where the UK can contribute?

The Prime Minister's commitment that this pact will create hundreds of highly skilled jobs across the UK is welcome, but it would be helpful to understand exactly what those jobs will be. We need to know what jobs will be created and where they will be based, because we need to know what skills will be required. Whatever defence contracts result from the announcement, we need to make sure the UK gets its fair share of well-paid, highly skilled jobs within the defence sector. We need to be preparing now to ensure we take advantage of any opportunities available.

To get maximum benefit, we also need to secure our defence supply chains. The Minister will be aware that, recently, there have been a number of attempted takeovers of British defence companies by US organisations. The potential takeover of Ultra Electronics, which provides the control systems for Trident submarines, was referred by the Government to the CMA just last month. Can she explain how she thinks this new partnership will impact on such deals?

Finally, I just want to make the point that, with new international security partnerships, we should never forget or in any way diminish our long-standing relationship with our allies. NATO remains our most important strategic alliance. It has delivered peace and stability in Europe for more than 70 years. That stability in our immediate neighbourhood must always take precedence.

Can the Minister confirm whether any resources will be redirected from western Europe to the Pacific as a result of this new agreement? Can she also say something about what strategy the Government have to protect our bilateral relationships with allies who have raised concerns about the partnership? The Five Eyes sharing arrangements remain critical to our security, and I hope today she is able to confirm that we will act to ensure that AUKUS will not lead to a two-tier alliance or weaken our arrangements for intelligence-sharing capacity.

I hope the whole House will welcome this announcement and new partnership, but the agreement alone will not be enough to achieve the stated mission. The onus is now on the Government to ensure that the security pact allows us to better respond to emerging threats and better protect the existing alliances, but also ensure that we make the most of the economic opportunities for our defence industry.

Baroness Smith of Newnham (LD): My Lords, my welcome to the AUKUS announcement is possibly slightly more muted than that of the other noble Baroness, Lady Smith. Clearly, co-operation with the United States and Australia is important and, as the

[BARONESS SMITH OF NEWNHAM]

Statement said, clearly this is supposed to be part of global Britain and the tilt to the Indo-Pacific. However, could the Minister explain to the House how security concerns in the Indo-Pacific are more relevant and important to the United Kingdom than security concerns in our own region? We need to pay particular attention to the question of our relationship with our European partners, in particular with France. Could the Minister tell the House what conversations the Prime Minister might have had with President Macron, or what conversations the Foreign Secretary—if there was one in post at the right time—might have had with the French Foreign Minister ahead of this announcement?

Clearly, the response from the other side of the channel has been one of deep frustration. While on a business level it might be entirely appropriate for us to work with the Australians to deliver the nuclear-powered submarines that they apparently want, if that means that we are damaging our long-standing and vital relationship with France, that is somewhat unfortunate. We might have left the European Union and changed some of our relationships with our European partners, but that does not change our own fundamental security concerns and questions. As the noble Baroness, Lady Smith of Basildon, said, our other traditional alliances are important. Did the Government take them into consideration when making this announcement?

Beyond that, clearly it is important to look at our defence industry. I realise that the noble Baroness, Lady Bennett, might raise her hands or look up in horror but I attended DSEI this week, where I had the opportunity to talk to some British businesses which are indeed absolutely passionate about being able to export. They are small and medium-sized enterprises for whom the opportunity to work with allies, whether from Europe, the USA and Australia, is important. I therefore pay tribute to those companies. In the original Statement the Prime Minister mentioned them; have the Government thought through how supply chain issues and working with SMEs might be supported by the initiative announced last night? Clearly, there are some areas where there are opportunities.

I have a final point of concern. The American approach to leaving Afghanistan left the United Kingdom unable to look after some of the people we might have wanted to repatriate. It seemed rather redolent of Suez, when we could not rely on the United States or the Commonwealth and we were closest to France. How has the world changed so that AUKUS is now the right answer to British security concerns?

Baroness Goldie (Con): My Lords, I thank both noble Baronesses, Lady Smith, for their contributions—it is a pleasure to address both of them. I say to the noble Baroness, Lady Smith of Basildon, that my noble friend Lady Evans is extremely sorry not to be here. She found it difficult to avoid an impossible diary conflict between times suitable for the usual channels and times suitable for the House. I realise that I am a very inadequate and poor substitute but I am pleased to be standing here with pride on behalf of the Government—or at least just now, which is the relevant phrase at the moment. I shall do my best to respond to the points raised.

First, I thank the noble Baroness, Lady Smith of Basildon, for her welcome of the development. I think that, universally, this has been regarded as a positive development, for the United Kingdom, for the Indo-Pacific area and for our relationships, particularly with Australia, the United States and, of course, our regional partners in the area.

The noble Baroness, Lady Smith of Basildon, asked me what this agreement means in practice, and I will do my best to slightly fill that out. It will strengthen our collective ability to ensure our security and defence interests. We will enhance the development of joint capabilities and technology sharing and will foster deeper integration of security and defence-related science, technology, industrial bases and supply chains, which I know the noble Baroness was concerned about. I can say that it was also anticipated that AUKUS—as a Scot, I keep thinking of, “Och, it’s great—it’ll be fine” but I know that is somewhat unclear for this Chamber. I can say that it will promote a significant increase in other aspects of Australia-UK-US defence collaboration, with early focus on artificial intelligence, cyber capabilities, quantum computing and additional undersea capabilities. This could create hundreds of additional highly skilled scientific and engineering roles across the UK and secure further investment in some of our most high-tech sectors. That was an area in which, rightly, the noble Baroness, Lady Smith of Basildon, expressed an interest.

The noble Baroness also raised our relationship with China and indicated that she felt there was a perception that there could be a conflict between our diplomatic and defence strategies. I humbly suggest that that is not the case, and it is important that we put all this in context. Yes, this is about the long-standing and deepening defence and security relationship between the United Kingdom, Australia and the United States. Both are trusted allies that share our vision of the world and the international order in which free societies can flourish, and Australia has one of the largest maritime domains in the world. However, that is not exclusive of or inimical to a good or a positive relationship with China. We have been very clear that we want our relationship with China to be mature, positive and based on mutual respect and trust. I suggest to the Chamber that there is considerable scope for constructive engagement and co-operation but, importantly, as we strive for that positive relationship, we will not sacrifice either our values or our security. So, on the one hand we have a defence partnership that we are discussing this afternoon, which is positive and helpful to the geopolitical character of the Indo-Pacific but, on the other, we recognise that China is an important member of the international community. Its size, rising economic power and influence make it an important partner in tackling the biggest global challenges, and this provides enormous scope for positive, constructive engagement. However, as I say, where we have concerns, we raise them, and where we need to intervene, we will do so.

The noble Baroness, Lady Smith of Basildon, asked how this will help us to influence affairs in the Indo-Pacific. I suggest that it is reflective of the strength of partnership we have. Our record in the Indo-Pacific area is already proven; we recently had the carrier strike group in the area, which was very well received, and we have carried out joint exercises with a number of countries, not

least Australia. That is all part of reassuring south-east Asia that our interest in and commitment to the region and the area are real—not in some provocative, bellicose fashion but in a genuinely constructive fashion where we want to influence. Interestingly, I detect that that is exactly how our friends and partners in that region see the United Kingdom and our role. It is worth remembering that the genesis of what we are discussing this afternoon was Australia extending an invitation to the United Kingdom and the United States; it is interesting that it felt confident and impelled to do that. That is a very positive reflection on the United Kingdom and that is why the United States and the United Kingdom responded to that invitation. All this is therefore part of a holistic approach to the region, which is certainly about helping to create stability and support values.

The noble Baroness mentioned the Sunday night drama “Vigil”, which has certainly gripped my attention, although I emphasise that I regard it as a drama with a degree of dramatic licence. Nonetheless, it has good acting but we can all understand that the reality is somewhat different. The noble Baroness asked whether we were confident about the partnership and what we brought to it—what are our skills and experience in this? I observe simply that we have built and operated world-class nuclear-powered submarine capability for more than 60 years. So we bring deep expertise and experience to this partnership, not least, for example, through the work carried out by Rolls-Royce near Derby and BAE Systems in Barrow.

The noble Baroness also raised the specific issue of skills and jobs, to which I have alluded briefly. We anticipate that this partnership, particularly in phase 1—what is to happen in trilateral discussions over the next 18 months—will be an important contributor to skills and jobs.

The noble Baroness, Lady Smith of Basildon, echoed by the noble Baroness, Lady Smith of Newnham, also raised the role of NATO. That is a legitimate question. The noble Baroness, Lady Smith of Newnham, also asked: what about our regional partners in the area? These are important questions. I simply want to reaffirm that this is not about NATO operations but about enhancing the long-standing defence and security relationship between the UK, Australia and the US. NATO will continue to deploy and conduct operations as deemed appropriate by the organisation’s members.

Regional partners are important to us. I am pleased to say that we have strong relationships with a number of the countries within south-east Asia, not least Japan and the Republic of Korea. These relationships are cordial and constructive and those countries will see this partnership as an enhancement to what they all want—stability and an ability to trade effectively in that important part of the globe.

Finally, the noble Baroness, Lady Smith of Newnham, asked about France. I reaffirm that France is an important friend and ally of the United Kingdom. We have a long-standing security and defence relationship with France that is underpinned by the Lancaster House treaty and is exemplified by our combined joint expeditionary force. We are close NATO allies and we have co-operated in areas from the Sahel to the Baltic. That is a measure of the strength of the relationship

with France. We value and respect that relationship and would wish it to continue in a strong and sustainable fashion.

3.33 pm

Lord Ricketts (CB): My Lords, I welcome the Minister’s Statement. This is clearly a major strategic development and it will take time to digest all the implications of it. In the first place, it builds on a 50-year defence partnership with Australia on nuclear-powered submarines, with the United States. That is welcome. However, there are implications for our other allies, most particularly the French. The Minister is right to point to UK-French defence co-operation through Lancaster House but this agreement has been a major blow to France and it is important that we now find ways in which to work with the French as a major Indo-Pacific power themselves, and to find other ways in which to show that this partnership is not an exclusive relationship between the US, the UK and Australia. NATO allies such as Canada are also important players. Are there plans for specific proposals to put to the French to show that the western interest in Indo-Pacific security goes beyond this important new security partnership?

Baroness Goldie (Con): The noble Lord poses a pertinent question. I think I addressed his concerns partially in my response to the noble Baronesses, Lady Smith of Basildon and Lady Smith of Newnham.

Our relationship with France on defence is not some sort of sterile picking up of the phone now and again. We are committed to building on the achievements of the first 10 years of the Lancaster House accords in the decade to come. We will continue to consult each other daily and at all levels on key international defence and security matters. It is important to observe that, although we may no longer be in the EU, we cannot fractionalise security depending on where physical boundaries fall. The strength of security in the EU, and the strength of France’s ability to contribute to that security, matters to us in the UK, and vice versa. That is mutually understood and respected, so I assure the noble Lord that, yes, we anticipate continuing a very constructive relationship with France on defence matters.

Lord Cormack (Con): My Lords, I would like to say from these sparsely populated Benches how delighted I am with this Statement. However, I want to press my noble friend on one or two matters.

First, on the points made about France by the noble Baroness, Lady Smith of Newnham, and the noble Lord who just spoke, is it inconceivable that, if there were a mutual desire, France could join this alliance? That would seem to make a good deal of logistic sense. Secondly, when will this alliance be operational? How long will it take for the nuclear submarines to be built? What plans are there for command? Will it rotate between the three countries? Will the United States always be in command? I hope not. If my noble friend could throw a little light on these points, I would be extremely grateful.

Baroness Goldie (Con): I say to my noble friend that we see this as a partnership among three important global players. It is a partnership with important and

[BARONESS GOLDIE]

broad security objectives but its immediate *raison d'être*, as driven by Australia, is to seek help in being supplied with nuclear-powered submarines. That is the first focus of the partnership; it is therefore not something that it would be appropriate for France to be involved in.

On our broader relationship with France, I hope that my noble friend was assured by what I said in my earlier remarks. France is related to us and our defence relationships in a number of ways, not least on our bilateral front but also through NATO. There is a strong relationship there that we want to nurture and sustain.

My noble friend asked when the partnership will be operational. This is a technically challenging proposition. The first phase will happen over the next 18 months and will involve a tripartite, or trilateral, discussion among the three parties to the agreement as they work out what is possible and how matters might be taken forward.

My noble friend also asked about command. This is not a military operation; it is an alliance, first of all, to help with the specific project of building and delivering nuclear-powered submarines. The submarines will be under the command of Australia, and it will have autonomy of operation over them.

Lord Browne of Ladyton (Lab): My Lords, like the noble Lord, Lord Ricketts, I have had insufficient time to get my head around the implications of what I consider to be quite a momentous announcement. I assume that the Government worried those implications to death before they agreed to join, so I have two questions.

First, assuming that the method of propulsion for these boats will use highly enriched uranium—a fissile, weapons-grade material—and the safeguarding of this material will be outside the IAEA structure, who will take responsibility for that safeguarding? What steps can we ensure are taken, and how will they be reported?

Secondly, this is the first time in history that a non-nuclear arms state will acquire a nuclear submarine. What assessment have the Government and their allies made of the sort of signal this sends to our adversaries that are nuclear arms states? Have we considered that this will be interpreted by them as permission to equip all their allies and friends with nuclear submarines? If so, this has momentous consequences for the proliferation of these materials and weapons in the world.

Baroness Goldie (Con): I thank the noble Lord. He used an interesting adjective in relation to this agreement; he described it as “momentous”, which I think is an accurate and apposite assessment. His concern about nuclear materials was basically whether we have asked our URENCO partners for permission. In the next 18 months, we will consider a wide range of technical, legal and practical issues for this project and do not want to pre-empt those findings. I reassure the noble Lord that the usual high standards of security will be maintained. The UK’s nuclear enterprise has more than 60 years of experience of delivering world-class, nuclear-powered submarine capabilities safely.

On the interesting issue of the IAEA, we have spoken to the IAEA director-general and will keep in close touch. As the noble Lord indicated, it does not have competence for nuclear defence issues, but we will engage with it as appropriate during the consultation period to ensure that we are fulfilling our obligations and to give absolute confidence that no HEU will be diverted for weapons purposes.

Baroness Bennett of Manor Castle (GP): My Lords, in the foreword to the integrated review, the Prime Minister says that the UK

“will make tackling climate change and biodiversity loss its number one international priority.”

The *Climate Transparency Report* on G20 countries ranked Australia in the bottom bracket of every climate action area, except one. The report says that the Morrison Government have no national plans to expand renewable energy, phase out coal, phase out fossil fuel vehicles, retrofit buildings or reduce deforestation. This Statement says that handing over nuclear submarines is

“a decision of the utmost gravity, requiring perhaps the closest relationship of trust”.

How can the UK trust such a criminally negligent, environmentally destructive state, given our stated top international priority and our position as the chair of COP?

Baroness Goldie (Con): There is broad understanding that Australia is a responsible state, and that the United States and United Kingdom, in being asked to engage with Australia in producing nuclear-powered submarines, are contributing to improving the climate, because they are replacing polluting diesel electric submarines, which do not seem a particularly attractive environmental proposition to anyone. Where I suspect the noble Baroness and I diverge is that I take the view that, where we are possessed by a multifaceted threat around the world and are only too aware of the gravity and, at times, unpredictability of that threat, it is imperative upon responsible states throughout the globe that we take appropriate action to anticipate, resist and address that threat. That is exactly what we are trying to do in the Indo-Pacific area, which is why we are pleased and proud to be a partner of Australia, along with the United States, in this new proposition of AUKUS.

Lord Campbell of Pittenweem (LD): My Lords, since we are talking about relationships, it is important to remember that Australia and the United States have something of a special relationship because, at the request of Lyndon Johnson, Australia was willing to send Australian forces to Vietnam. I go back to France, as virtually every contributor has: it is perhaps not the substance of this announcement, but the grandiose and rather exclusive way in which it was made; it is hardly surprising that France feels somewhat alienated. Remember that France is not only our closest and largest European ally within NATO, but the other country that possesses a nuclear deterrent. The point I make is this: the relationship between France and the United Kingdom is rather delicate, at the moment, not assisted by the belligerent attitude of the Home Secretary.

Baroness Goldie (Con): Coming from Scotland, the noble Lord will empathise with what I have to say. I have a fondness for France. We have la vieille alliance, which was very important in our history when we were falling out with our near neighbours, with whom gladly we now get on far better. Traditionally, there is a cultural affinity with France. I have explained the degree of proximity that exists in our defence relationship with France. It is not a cosmetic proximity; it is underpinned by reality and regular dialogue. We have an agenda underpinned by the Lancaster House treaties.

The noble Lord is absolutely right that France will have been disappointed to be informed by Australia that it was not proceeding with these diesel-electric submarines. One can sympathise with France's disappointment on hearing that news but, at the same time Australia has made a decision because, to augment the point I made to the noble Baroness, Lady Bennett of Manor Castle, we need to be absolutely vigilant about being on the front foot addressing the threats of the new age. That is what Australia has identified. There is not a shadow of a doubt about using nuclear-powered submarines in the Indo-Pacific area. As the noble Lord will be aware, they travel longer and silently, they are very much more difficult to detect and they do not need to come up for oxygen, as diesel-electric submarines do. We are not in any way indifferent to the importance of our relationship with France.

Lord Foulkes of Cumnock (Lab Co-op): My Lords, I too welcome this Statement, as long as it is not just an elaborate cover-up for snatching the contract away from France and is a genuine defence co-operation, which is much needed. However, if it is a genuine defensive co-operation—the noble Baroness spoke about our long-standing defence and security co-operation—why are New Zealand and Canada, the two other members of the Five Eyes, not included? I understand that Jacinda Ardern said that she was not approached in relation to it. Why were neither New Zealand nor Canada approached if it is a genuine defence co-operation?

Baroness Goldie (Con): I remind the noble Lord that the initium of this was an approach by Australia. Australia identified a need that it wished to address, which was to replace its diesel-electric submarines with nuclear-powered submarines. It was Australia that then decided to approach the UK and the United States to discuss this. Obviously, to go back to what the noble Lord, Lord Campbell of Pittenweem, asked about the sensitivity and why it was so under wraps, the Chamber will understand that this is a matter of great sensitivity in terms of defence integrity but also commercial sensitivity. It is widely understood why it had to remain absolutely under wraps until it was appropriate, with the agreement of the other partners, to announce it.

I say to the noble Lord, Lord Foulkes, that this is the initial phase to help to build these submarines. That is not something in which Australia felt either New Zealand or Canada could play a role but it felt that the United Kingdom and the United States could. As to the unfolding of a further relationship, we see that this will integrate with and enhance the Five Eyes relationship, and I guess to some extent the Five Power

Defence Arrangements, which have powers other than the ones in Five Eyes. This is not simply borne out of some UK drive to get orders, it is the other way round: we received an invitation to get involved and we responded to it.

Lord McDonald of Salford (CB): My Lords, I agree with the noble Lord, Lord Browne, that this is a momentous agreement and I congratulate the Government. I am learning the disadvantage of intervening late, because the noble Lord, Lord Foulkes, just asked my question and the Minister just answered it.

The Deputy Speaker (Baroness McIntosh of Hudnall) (Lab): My Lords, it appears that there are no further questions for the Minister. If I am right about that we will move to the next business as soon as people have had a chance to change places.

Social Care Funding: Intergenerational Impact

Question for Short Debate

3.50 pm

Asked by **Baroness Greengross**

To ask Her Majesty's Government what plans they have to address the intergenerational impact of proposed changes to social care funding.

Baroness Greengross (CB): My Lords, I draw attention to my entry in the Lords register. I hope the Government will reflect further on this issue and commend them on bringing forward proposals to address the challenge of funding social care sustainably—something that has been ducked for far too long.

The Intergenerational Fairness Forum, which I am honoured to chair, in 2018-19 held a year-long inquiry that considered sustainable funding for social care and intergenerational fairness. I thank the noble Baronesses, Lady Altmann and Lady Watkins of Tavistock, Baroness Howe of Idlicote and the noble Lords, Lord Howarth of Newport and Lord Willetts, in particular, for the support they gave to that work.

Our inquiry report, *Grasping the Nettle: Sustainable Funding for Social Care and Intergenerational Fairness*, supported the Dilnot recommendations on a threshold below which people should not have to contribute to their care costs and a £35,000 cap on the total care costs that people should have to pay, which would rise in line with inflation. This lower cap than that planned by the Government would help more people with relatively modest total assets—for example, those whose homes are less valuable.

We recommended that the resources needed to fund social care should be raised by a distinct new, mandatory social care insurance contribution levy at a rate of 1%, which could rise to 2% for those aged 50-plus if additional resources are needed to meet rising care costs.

We also proposed that this new levy should apply only to adults over the age of 40 and that it should then be paid by all adults for as long as they continued to work. We proposed this age threshold because our

[BARONESS GREENGROSS]

aim was to develop a system for funding social care that met our test of intergenerational fairness—one in which all generations contribute, no one generation is impacted unduly and costs are not simply left for future generations to bear. Our recommendations would also ensure that the heaviest burden falls on those best placed to contribute.

We recognised that funding free social care through 1% social care insurance contributions on working adults over the age of 40 alone fails to meet the test of intergenerational fairness because the burden for paying for social care would then fall too heavily on these workers, while retired people would contribute little or nothing.

Like the Government, we rejected the use of income tax to fund better social care, because this is the system that has been tried, and has failed, in recent decades. Funding social care through income tax would mean that it continues to be at risk of suffering from rationing as a result of spending restrictions or when social care is not a high political priority in comparison with competing public services or tax cuts. A hypothecated, mandatory system of social care insurance is not exposed to this risk.

Apart from the absence of an age threshold for the Government's new health and social care levy, my two major concerns about the Government's proposals are that they will not deliver additional resources to the social care sector quickly enough and that, of the £36 billion that they expect to raise, only £5.4 billion is earmarked for social care. Yet again, the social care sector is playing second fiddle to the NHS, when its need for additional resources is at least as urgent.

Like many others, I also believe that, politically, it may be very difficult in the future for the Government to claw back from the NHS the money raised by their health and social care levy to allocate it to social care. Our recommendations also aimed to ensure that sufficient resources were raised to extend the provision of social care so that more of the people whose needs are currently unmet would be covered. So, in addition to a 1% social care insurance contribution levy, we recommended additional measures that would allow the Government to increase funding for social care significantly in the short term. These recommendations fell into two broad categories: those raising additional funds for the Government, which we wanted to be ring-fenced for social care, and those saving the Government money that we wanted to be redeployed to social care.

We recommended that people working beyond the age of 65 should pay national insurance contributions, albeit at a reduced rate of 6%. We recommended that the Government should replace higher-rate tax relief with a lower flat rate of tax relief. Some experts estimate that, if this were set at the rate of 20%, it could save up to £10 billion a year. We also recommended that the pensions triple lock be replaced by a double lock, whereby it rises in line with average earnings or inflation but not by at least 2.5% every year. We recommended rolling the value of the winter fuel payment up into a higher state pension, which would be taxable, making the system more progressive.

We also wanted the Government to incentivise people to save for their potential care costs—so we recommended that the Government should introduce a care ISA, with an annual contributions limit of £20,000 and a lifetime cap on contributions of £100,000. This would also have the benefit of raising awareness of the importance of saving for care costs—something that too many people fail to consider. To help people whose only savings—apart from their homes, if they own them—are their pensions, we also recommended that the Government should allow tax-free withdrawals from private pensions to fund the costs of care.

We did not recommend that employers should pay insurance contributions for social care because of the potential impact of this on jobs. We also did not recommend complicated new wealth taxes or increases in inheritance tax because we did not want to discourage people from saving for their retirement and possible later-life care costs. We also noted that the OECD estimates that, in 2017, the UK collected the second largest amount of property tax of any OECD country—more than double the average of OECD countries.

I hope that the Government will consider introducing an age threshold for their levy as soon as possible to mitigate the effect on young people. I hope that they will also make it a social care-only insurance contribution levy as soon as possible and that they will supplement their proposals with further measures to broaden the impact of their fundraising and to enable significantly more spending on social care much more quickly than under their current plans. The sector cannot afford to wait. If it does, a package of proposals will emerge for funding social care that better meet the test of intergenerational fairness, making it more politically and financially sustainable so that a change of Government will not see this work undone.

4.01 pm

Lord Howarth of Newport (Lab) [V]: My Lords, I thank the noble Baroness, Lady Greengross, with whom it has been a pleasure to work on this issue in the past, for tabling this Question for Short Debate and for setting forth her constructive proposals.

The failure of successive Governments over many years to reform the social care system has done as much as anything else to bring government and Parliament into disrepute. Now this Government have made a stab at the funding aspect of the problem. But the solution—though we cannot properly call it that—which they have come up with is enough to make one weep. Indeed, it will make many younger, lower-paid workers weep.

Of the various possible ways to raise money for social care, to increase national insurance contributions on their existing basis is the most regressive, unjust and destructive. The cynicism of the Government's approach is chilling. They did some polling and found that the public think, wrongly, that national insurance pays for the National Health Service. They concluded that they could get away politically with raising national insurance contributions rather than raising income tax, which would have spread the burden fairly. Here the noble Baroness and I may disagree.

Presumably, those polled did not understand that employees' national insurance contributions kick in at earnings of £184 per week, equivalent to £9,568 per

year, far below the £12,570 per year at which income tax starts. Presumably, they also did not understand that national insurance contributions are levied at a higher rate on lower earners and that retired pensioners who are comfortably off do not pay national insurance contributions at all. Therefore, the policy means that miserably paid care workers will be more highly taxed, while affluent retirees will pay no more tax. The Government's cunning plan is that young workers, struggling on low wages to save for a mortgage, will pay the new levy to enable pensioners who need social care to retain their homes and the bulk of their wealth through the cap on personal care costs of £86,000.

While it is far from certain that more than a derisory part of this national insurance increase will end up improving funding for social care, what we do know is that social care providers, paying higher employers' national insurance contributions, will find it harder to employ staff and those staff will find it harder to make ends meet. In seeking to ingratiate themselves with elderly homeowners at the cost of the young and low-paid, the Government will not commend themselves to the country. A far cry from one nation conservatism, this politics of division exposes the fatuity of the Prime Minister's levelling-up rhetoric. The policy drives a wedge between the generations, while it will fail to provide the resources required to address the social care crisis, by increasing the availability of social care to match actual need and developing the social care workforce.

4.04 pm

Baroness Tyler of Enfield (LD): My Lords, I congratulate the noble Baroness, Lady Greengross, on securing this important debate.

We live at a time when the notion of intergenerational fairness is under threat. The accepted post-war norm has been for successive generations to experience better lives than their parents. That is not true anymore for the younger generation, as they are experiencing worse outcomes in terms of pay, job security and housing.

While I welcome the fact that more money is being earmarked for health and social care—although in the first three years it will nearly all go to health rather than to social care—I am disappointed on a number of fronts. First, after so many years of inaction, we were presented with a quickly-hatched and suboptimal solution without the cross-party talks that we had been promised to secure consensus and a long-term sustainable solution. Secondly, the money will come from national insurance rather than through the broader-based and more progressive income tax, thereby hitting low earners and the young hardest. Thirdly, much of the debate has been couched in terms of preventing people from having to sell their houses at a time when so many young people are finding it impossible to get their foot on the first rung of the housing ladder. I have long argued that we should be looking for a solution through the prism of intergenerational fairness in which all generations contribute but no single generation is impacted unfairly. I think that is vital to ensure greater buy-in across the generations.

Despite the dividend taxation and the application of the new health and care levy to the earnings of working pensioners from April 2023, big intergenerational

equity issues remain. Tax rises via national insurance, as we have heard, fall disproportionately on the working-age population. A typical 25 year-old today will pay an extra £12,600 over their working lives from the employee part of the tax rise alone, compared to nothing for most pensioners. Some workers earning under £10,000 a year will be affected, but only those earning £12,750 pay income tax.

The extension of the levy to the earnings of working pensioners is welcome, but only one in six pensioner households have earnings. In contrast, two-thirds have private pension income that is exempted from the levy. A levy focused on earnings leaves other sources of income undertaxed, including a lot of rental income, and the package increases the tax gap between the self-employed and employees, raising the incentive for firms to use self-employed labour rather than employees.

Looking to the future and intergenerational fairness, I still hope it may be possible to move to a fairer system, with the majority of money raised through income tax but with a top-up that comes from the over-40s. I always had considerable sympathy with the recommendation of the Barker commission in 2014 that an additional percentage point of employees' national insurance contributions for those aged over 40, raising some £2 billion, could be earmarked for adult social care. I very much hope that that will be further considered.

4.07 pm

Lord Lipsey (Lab): My Lords, the noble Baroness, Lady Greengross, rightly highlights one of the central features of the Government's proposals—namely, the generational redistribution between poorer workers, who pay for the cap, and the older people who benefit from it. Actually, so far as I can see, in all the commentary the main redistribution that is going on here has not been noticed at all. It is not about generational redistribution; it is redistribution within the generations from the poor to the rich.

I shall try to explain this briefly. Half the recipients of care do not pay for it anyway; they have insufficient assets or income so are not affected by this measure either way. Of the remainder, half will be paying for care in a way that counts towards the cap. However, only costs that are strictly categorised as care count towards the cap—what are called hotel costs they will have to pay themselves—so it will take quite a while to reach that £86,000 cap; three years would probably be a generous estimate. On average, people are in care homes for less than three years, so most older people are not going to benefit from the cap at all. Of the rest, most will not benefit from it for long. Some people live in a care home for 10 years and good luck to them, but that is very unusual; sadly, most people will pass on soon after they reach the £86,000 threshold.

Let us think what this means. It is not these older people, for whom we probably have great deal of sympathy, who will benefit from this. There will not be a rash of cruises around the world or teas at the Ritz that they are going to enjoy: where the money actually ends up is in the pockets of their children, to whom they will bequeath it. The poor have to pay for their own homes; the better-off, because of this cap, will find it much easier to buy bigger, better homes, because

[LORD LIPSEY]

they are being saved the cost of Mummy's care by the Government with this measure. It is redistribution, yes, but it is from the poor to the better-off among the younger generations.

The Tories once described Labour's plans to pay for care as a "death tax". Now we have the Tory equivalent: an inheritance subsidy. That is why the case for paying for the cap through a tax on wealth—inheritance tax, capital gains tax, annual wealth tax—rather than through national insurance is so compelling.

4.11 pm

Baroness Bennett of Manor Castle (GP): My Lords, I thank the noble Baroness, Lady Greengross, for securing this debate.

First, a minute of history. In 1987 the NHS had more than 127,000 acute hospital beds and more than 52,000 geriatric beds. Some 20 years later, geriatric bed numbers had been cut by over 60% and acute beds by 20%. In 2010 the category of "geriatric beds" disappeared altogether. That followed a 1981 White Paper, *Growing Older*, and a DHSS consultation paper in the same year, *Care in the Community*, which both planned for transferring patients from hospital settings into the community. That meant handing over the frail elderly to be units of profit for the financial sector. For all the wonderful compassion of horribly underpaid, highly skilled care workers, that is their real status. Many care homes are loaded with unsustainable debt, owned by private equity and reliant on risky financial structures. A 12% return is expected, yet this should be, without the debt, an extremely low-risk financial sector, where a 5% rate of return is considered reasonable.

I look forward to the speech of the noble Lord, Lord Sikka, who I believe will be setting out further detail on this, but I want to look at the question posed by the noble Baroness, Lady Greengross. Where is the intergenerational problem here? We have a system problem: the exploitation of each generation in turn by the financial sector, and the exploitation of the workers whose caring humanity leads them to labour for utterly inadequate wages in poor conditions. The elderly today are being treated as cash cows, and the young are being expected, through national insurance, to pay in, before in their turn being forced into the same dysfunctional, exploitative system.

I saw some debate that insurance might fill this gap, but why do we not insure all generations, and all of our futures, as we do with a still inadequate and inequitable but basic state pension, by providing free social care to all who need it, funded—in another term, insured—by all of us through general, fair, progressive taxation; far more progressive taxation than we have now? That is society taking responsibility for all its members, sharing the responsibility for all who need care.

The Green Party calls for national insurance to be replaced with a single, unified income tax to reduce loopholes and raise £24 billion to fund social care. All income, including rental and investment income, would be taxed at the same rate, and this, of course, would remove the unjust loophole whereby earnings above £50,000 are charged only at the 2% national insurance rate. As with medicine, so with care: there should be no place for the profit motive in its provision.

4.14 pm

Baroness Watkins of Tavistock (CB): My Lords, I draw attention to my interests as outlined in the register, particularly as chair of Look Ahead, a housing association that works with vulnerable and homeless people. I congratulate the noble Baroness, Lady Greengross, on securing the debate and on her excellent introduction. Together with other noble Lords, I am committed to ensuring that social care is put on a secure financial footing to protect vulnerable people who rely on these essential services.

Many have argued that the younger members of our society should not be expected to contribute towards the extra funds to be raised through the addition to NICs. I think this is partly because the Government's presentation has dwelt on the funding challenges of older people when they experience the need for social care associated with frailty and dementia. However, a high proportion of social care budgets is spent on supporting younger people with long-term conditions, including, for example, multiple sclerosis, acquired brain injury and significant mental health and learning difficulties. Can the Minister explain how the proposed levy will be associated and allocated to improve the lives of these sections of society?

Crisis recently published an excellent report *Home for All: the Case for Scaling Up Housing First in England*. Rapid access to stable housing for young people, including care leavers and those already homeless, is demonstrably cost effective. Will the issue of housing for young people be a priority, together with developing supported-living housing for those over 65 years of age, which in turn can promote independence and reduce or delay the need for help with the activities of living?

Many young people cannot save the deposit to purchase a home, and access to social-rent accommodation is in very short supply, yet the future direction appears to be to enable older people to keep the value in their home if in need of significant social care, while, as other noble Lords have said, younger people are having difficulty getting on the housing ladder. The younger generations will become increasingly frustrated with making significant financial contributions towards health and social care, while also, in the case of recent graduates, paying student loan contributions, if they cannot see that their needs are taken into account in the provision of health and social care service development.

Can the Minister explain how intergenerational fairness in the provision of services will be made explicit in the strategy to fund social care from 2023? I believe we have time to resolve these issues before the full allocation of the levy goes to social care.

4.17 pm

Lord Davies of Brixton (Lab): My Lords, I first thank the noble Baroness, Lady Greengross, for initiating this important debate, albeit within the constraints of a three-minute speaking time limit. The noble Baroness has an unparalleled record of work and thought leadership on behalf of people in retirement. The report from the Intergenerational Fairness Forum, to which she has drawn our attention, is supported by distinguished Members of this House. It is an important contribution

to the urgent debate we need to have about social care. It provides a helpful analysis of the problems we face. But—noble Lords may have sensed that my remarks were heading towards a “but”—I am afraid that, for all its virtues, I do not share the report’s conclusions. This includes, but is not limited to, the proposals on the triple lock.

Others will talk about how to address the problem of social care specifically. My basic problem arises from the more general issue of the way the question is being framed. It is widely understood that the way you frame arguments is crucial, and whenever I see the word “intergenerational” I become concerned. How policies will affect different generations is of course a valid field of study, but framing the question in terms of generations presupposes that that is the answer, and I have to say that I profoundly disagree. I do not believe that there is a divergence of interests between young and old and that they are in any way in conflict. I have mentioned this before. As I said in Grand Committee in January in a debate on the report from the former Intergenerational Fairness and Provision Committee:

“The problems we do face are real enough, but they are political in nature and looking at them within a framework of intergenerational fairness does not help in any way in finding a solution.”—[*Official Report*, 25/1/21; col. GC 138.]

Where I think there is a divergence of interests is between rich and poor. I believe that the inequalities that permeate our society are based not on one’s age but on the wide and—if I might use the word—immoral inequalities of wealth and income. Until we recognise this, we will continue to struggle with issues of social justice, not least in the field of social care.

4.20 pm

Lord Griffiths of Burry Port (Lab): My Lords, I am very happy to follow that intervention. I recognise its accuracy and pointedness, but I cannot feel—yet anyway—that this is an either/or, although certainly the question of poverty runs through our society and needs to be addressed radically. However, “intergenerational” clearly means a lot more to me than it does to the noble Lord who preceded me. It raises a lot of questions that demand to be answered. I am most grateful for the report from the committee, which I found very helpful. I hope that the Minister can reassure all of us that it has been taken into consideration by the Government in reaching their conclusions.

Knowing that experts in this field were speaking in this debate, I decided to do something a little different. I had a little seminar with two young people, aged about 20, who are not far from entering the jobs market and are quite intelligent. They wanted to discuss how they face the future that is being posited by these rises in national insurance to pay for social care. Of course, I was the third participant in that seminar—the baby boomer, locked up three times in a prison cell and enjoying benefits that seem to be unchallengeable.

It was interesting that the two young men, Tim and Oliver, picked on a sentence that said, “We would argue that fully funded free social care through income tax or national insurance contributions in the near future, before a fund to help pay for it has been established, fails to meet the test of intergenerational

fairness because the burden for paying for social care would then fall only on the working-age population, while retired people would contribute nothing.” A little later, another sentence they picked up on was: “We would argue that older people should also make a contribution to the cost of social care”—of course, we must all agree with this.

From other sources, they plucked out comments like: the proposals currently before us would lead to “the breakdown of families and deter companies from hiring new staff and increasing wages”.

That source also quoted another leading figure as saying that the proposals would worsen social care by making private providers pay more national insurance. Finally, there was a newspaper editorial that said:

“Coming after a year of lockdown, with its catastrophic economic and psychological impact, to inflict yet more pain on the public is senseless and intolerable.

It said that the NHS has an intolerable backlog to clear and that

“We were ... promised a once-in-a-generation fix of social care, but the sum earmarked ... is paltry”.

Before the Minister comes to the conclusion that this is another rant from the Labour Party Benches, I will say that this was in fact from the Tory chair of the Local Government Association. This is the first time in my entire life that I have quoted from an editorial in the *Daily Telegraph*—from last Sunday. I hope that the Minister will answer these points seriously.

4.24 pm

Lord Sikka (Lab): My Lords, I thank the noble Baroness, Lady Greengross, for this debate. Nearly 50% of social care expenditure is on working-age adults in this country, and every one of us is just one event away from the need for social care—so it is an issue not just for the elderly but for the whole society. With 18.4 million individuals on an annual income of less than £12,500 and median gross household savings in this country of only £11,000, hypothecated taxes, a higher basic rate of national insurance for the masses or insurance for the benefit of the rich property owners is not really the answer.

The best legacy that we can give future generations is a system in which social care is free at the point of delivery. Governments have bailed out banks, provided £895 billion of quantitative easing to speculators, thrown billions at contracts for cronies and continue to give billions in subsidies to railway, gas, oil and other companies. The Government can surely find resources to improve people’s welfare, too.

If the Government want to think in old-fashioned ways of tax and spend, they still have plenty of options without increasing the basic rate of income tax or national insurance contributions for the masses. Redistribution, as earlier speakers mentioned, is the key. Here are some things that the Government could do.

By taxing capital gains at the same marginal rates of tax as earned income, some £17 billion in tax, plus another £8 billion in national insurance, can be raised. Taxing dividends as earned income can raise £5 billion plus nearly £600 million in national insurance. By abolishing the current regime of tax reliefs on pension contributions, which mainly benefits the 40% and 45% taxpayers, and instead giving all pension savers a

[LORD SIKKA]

flat rate of 20% relief, another £10 billion can be raised. Currently, 12% national insurance is levied on earned income below £50,284, and only 2% is levied above that—a highly regressive practice. An additional £14 billion a year can be raised by extending the 12% rate to all income. However, the Government do not wish to inconvenience their rich friends.

Those proposals redistribute income and wealth by removing anomalies and tax perks for the few. They do not impose higher taxes on the young or most workers. There are no shortages of resources for free universal social care; there is only a shortage of political will to improve social welfare.

The Deputy Speaker (Lord Brougham and Vaux):

The noble Baroness, Lady Brinton, is taking part remotely. I invite her to speak.

4.27 pm

Baroness Brinton (LD) [V]: My Lords, I declare my interests as a vice-president of the Local Government Association and a vice-chair of the All-Party Parliamentary Group on Adult Social Care. The quality of contributions from around the House demonstrates that this is a complex issue.

I agree with the IFF, the Resolution Foundation and my noble friend Lady Tyler that using national insurance is not equitable to those coming behind us baby boomers. That is why, on these Benches, we believe that income tax should be the mechanism, despite what the IFF says, given the combination that many people who retire after their retirement date pay tax up to that point, while many pensioners pay income tax because of the level of their private pensions, while the poorest pensioners do not. That is also progressive, as well as more generationally fair in terms of raising income.

By way of illustration, I want to make two brief comments about those affected badly by these proposals. The first is children who need to access social care and their families. If we think that the funding adult of social care is in crisis, social care provision for disabled children is much worse, with exhausted parents having to pick up the care 24/7. Can I ask the Minister, not for the first time, what plans there are to remedy that situation as a matter of urgency as such provision is excluded from these proposals?

My second point relates to those who care for our vulnerable elderly—the wonderful care home and domiciliary staff who will also be badly affected by the levy proposals. The 2020 Skills for Care workforce survey states that their average age is 44, average pay is £8.50 per hour and over a quarter are on zero-hours contracts. Worse, some are about to see £20 per week disappear from their universal credit at a time when energy and food bills have substantially increased in recent months. Now, they will also have to pay the increased national insurance contribution.

Worse, it appears that, unlike the NHS, social care providers will not get extra budget to cover the increased employer national insurance contributions, which means that there will be less funding available to increase the basic rate of pay of staff or spend on staff development and training.

However, the final unfairness for our younger staff and older people using social care is that it appears that, after the NHS has taken the bulk of the levy funding, virtually all the remaining levy will go towards the funding structures—as the noble Lord, Lord Lipsey, outlined—and not into care homes, meaning that funding for the essential front line of social care service just will not happen.

4.30 pm

Baroness Wheeler (Lab): My Lords, I congratulate the noble Baroness, Lady Greengross, on securing this debate and on her timely reminder of the intergenerational fairness report on social care funding, which she so ably chaired.

This is the first, brief, opportunity we have had since the usual hyperbole and razzmatazz of the Prime Minister's announcement last week to begin the step-by-step, detailed debate and analysis about what is actually in the proposals and their impact across the generations on the elderly, on working-age people, on younger people with disabilities and their families and on carers.

Reality is fast setting in, as noble Lords' wide-ranging and thoughtful contributions in this debate have shown. After the way it was treated during the pandemic, the hope and expectation must surely have been for social care to have been an up-front and equal partner in any future health and social care funding plan, but it certainly is not in what the Government have set out.

The funding allocated to social care from the health and social care levy over the next three years amounts to only £1 in every £6 of the total £36 billion raised. Figures from the Institute of Fiscal Studies clearly show that this is nowhere near enough to offset the £8 billion of cuts in per capita spending over the last decade. Local councils, social services leaders and providers are deeply concerned that the NHS will continue to absorb and swallow up the vast majority of the proceeds from the new tax, and there is no extra funding to deal with the crisis in social care now; a number of noble Lords pointed that out. As the National Care Forum put it:

“This is a recovery plan for the NHS ... The funding pot being talked about for social care is not sufficient to even address the issues of today.”

Although we do not agree with the intergenerational report's overall recommendations on funding, many of its findings nevertheless resonate with Labour's key concerns about the impact that the Government's proposals will have. Many of those concerns have been underlined today by noble Lords, particularly the noble Lords, Lord Howarth, Lord Davies and Lord Griffiths, and the noble Baroness, Lady Tyler.

We have made it clear that the plan is wrong on so many fronts. First, the national insurance increase will disproportionately affect younger and lower-income workers. It does nothing to tackle the chronic workforce shortages, which are getting worse by the day, and will mean care workers ending up £1,130 worse off as a result of this increase and the £20 cut in universal credit, which many rely on.

The cap will do nothing for a third of the users and half the budget for social care, which is for working-age adults with disabilities, as a number of noble Lords—

including the noble Baronesses, Lady Watkins and Lady Brinton, and the noble Lord, Lord Sikka—pointed out. The press stories of young disabled people having to stay in bed or sitting in a chair all day because their care hours and the other services they depend on stopped during the pandemic and still have not restarted are heartbreaking. Further, the cap will not kick in until 2023 and does not cover all costs. People will still need to sell their homes to fund their care and many people in care will never hit the cap, as the noble Lord, Lord Lipsey, pointed out.

Moreover, there is no commitment to addressing the urgent needs of the 1.5 million older people who are denied personal care for help with washing, dressing, toileting and other basic needs to help them to stay in their homes and be part of their local communities. Labour's key principle of "home first" must form a key part of the plan for sustainable funding. We have made it clear that the social care plan must be fair across generations, and that those who can most afford it must be asked to contribute more. It must deal with both the immediate and long-term funding needs, and give social care the parity with the NHS that it both deserves and needs.

4.34 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Bethell) (Con): My Lords, I say very sincerely that this was a powerful debate, very worthy of this Chamber. I congratulate the noble Baroness, Lady Greengross, for securing it and thank her for her thoughtful comments and the well-argued case she put before the House today. The noble Baroness brings an enormous wealth of experience on this subject. I pay tribute to her contribution to the House of Lords Intergenerational Fairness and Provision Committee, to which a number of noble Lords referred; to her role as a former commissioner of the Equality and Human Rights Commission; to her previous role as director-general for Age Concern England; and to her current role as chief executive of the International Longevity Centre.

I also thank the noble Baroness for the work she has done with the Intergenerational Fairness Forum, in publishing its report on sustainable funding for social care and intergenerational fairness. This report is informed, thought-provoking and extremely influential. There were a series of insightful points in that report with which I completely agree. First, funding social care is a problem not just for those who need it, but for all of us. Secondly, there should be greater integration between health and social care services, as I have said from this Dispatch Box many times over the last 18 months. Thirdly, catastrophic care costs should be capped, with increased risk pooling across society. Fourthly, those who are able to contribute towards their care costs should continue to, even in retirement. The steps that we have taken following the announcement last week, in the Health and Care Bill, show our commitment to exactly those principles. We are in complete agreement about the need for generational fairness. I will say a few words of context about that.

The future of adult social care is at the heart of this debate. Our country's adult social care system has never been under the pressure it is today, as the noble

Baroness rightly pointed out. The coronavirus pandemic posed unprecedented challenges to the sector and only strengthened the case for urgent reform. That is why, earlier this month, the Prime Minister took the bold step of publishing *Build Back Better: Our Plan for Health and Social Care*. The reforms presented will make a real difference to the front line of adult social care, and they include care users and—as many noble Lords, including the noble Baroness, Lady Tyler, rightly pointed out—the dedicated care workforce, who have been so brilliant during this pandemic.

Underpinning these reforms is a vital injection of funding over the next three years. This will end wholly unpredictable care costs and include at least £500 million to support the adult social care workforce. It also includes funding to enable all local authorities to move towards paying providers a fair rate for care, which should drive up the quality of adult social care services, improve workforce conditions and increase investment.

I remind the noble Baroness, Lady Bennett, who gave a powerful case for a completely alternative approach, that the current system, while not perfect, has a high level of satisfaction among those who use it. We do not think the moment is right to abandon the benefits of the market economy or that that would improve satisfaction rates. Let me set out how the reforms I have described will benefit future generations.

Of the two principal pillars of our reforms, the first is a cap on care costs, funded by the health and social care levy. This means that, for the first time, everyone will be protected from unlimited care costs. People who have done the right thing and saved for their old age have previously been hit hard by the roulette wheel of health and social care needs. That means that one in seven faces care costs of over £100,000. It is right that society provides a backstop against that. Introducing a cap means that they can keep more of their savings in assets, so people can leave some of their savings to their loved ones. I remind noble Lords, including the noble Baroness, Lady Brinton, who made a point on this, that this often includes many who provide unpaid care and fear for the loss of these assets.

Secondly, those who have limited or no savings will be protected by a much more generous means test. They and their loved ones will have the certainty of support when it is needed, and everyone will have more of their assets fully protected. I am very proud to be part of this, especially as the reforms this Government are bringing forward will increase the number of older adults receiving some state support by roughly two-thirds, up from about half at the moment.

The Intergenerational Fairness Forum report recommended a review of DPAs—deferred payment agreements—and the introduction of new equity release schemes. DPAs complement the reforms well, and I agree that equity release is a clear mechanism for protecting people from selling their homes within their lifetime. There are issues within the current system, including narrow eligibility criteria and low take-up, but I assure the noble Baroness, Lady Greengross, and the noble Lord, Lord Griffiths, that as part of the announcement last week we are committed to working with partners to review the existing scheme in order to provide more flexibility for people to defer their care

[LORD BETHELL]

payments. I would very much welcome and hugely appreciate the noble Baroness's insights into this area to inform that review.

These measures, which are being fully funded by a new, UK-wide health and social care levy, mean that we are not passing on the costs to future generations or increasing the public debt. I remind the noble Lord, Lord Davies, that by using national insurance contributions we are also ensuring that business contributes; it is not left just to the individual. It is progressive, in that those earning more will pay more, and has a clear UK-wide approach, meaning that everybody pays the same, wherever they live in the UK. Crucially, I remind noble Lords that we are tackling intergenerational fairness by extending the levy to all those over state pension age from April 2023, ensuring that individuals of all ages play their part.

I remind the noble Lord, Lord Howarth, that the new levy is not just for social care. It will fund the full range of health priorities and support people of all ages. New spending on the NHS will not just benefit older individuals, with recent evidence suggesting that more than half of NHS spending goes to people in households below retirement age. In adult social care, currently more than half of all public spending goes towards under-65s. Working-age people will also benefit from limits on what they will have to pay if ever they need care later in life. It is entirely consistent with the contributory principle for national insurance, whereby working-age employees pay NICs, which gives them access to contributory benefits when out of work, including the state pension.

I say to the noble Baroness, Lady Watkins, that we know there is no one-size-fits-all approach to the social care system. I acknowledge that in 2019-20 we had more than 250,000 younger adults and more than 375,000 older adults receiving state support. These reforms will provide support to people of all ages. Younger and older adults will benefit from the same cap on care costs. Once they reach it, they will no longer pay for their personal care from their income or any assets. This will provide certainty and reassurance, help people plan for their future and ensure that more people are able to pass on more to their loved ones.

Finally, I assure noble Lords that this Government completely recognise the real need for intergenerational fairness, the subject at the heart of this debate. I will try to persuade the noble Lord, Lord Lipsey, who spoke with such characteristic learning on this subject, that we are making changes to that effect in many areas of policy. First, the Government's new Environment Bill, which has taken up a lot of noble Lords' time this week, looks to the future, focusing on creating a new governance framework for the environment, setting a new direction for resources and waste management, improving air quality, securing our water services, enhancing green spaces, updating laws on chemical use, and so on. Secondly, the Government are committed to strengthening their management of the public sector's assets and liabilities to the benefit of future generations. Thirdly, our Kickstart scheme provides funding to employers to create jobs for 16 to 24 year-olds on universal credit.

I remind the noble Baroness, Lady Tyler, that we are working hard to drive up provision of affordable housing, and the new mortgage guarantee scheme launched in April will help increase the supply of 5% deposit mortgages for creditworthy households. We will support lenders to offer products through a government-backed guarantee on new 95% mortgages until 31 December 2022. These are some of the ways this Government are ensuring that we are building back better for future generations.

I reassure the noble Baronesses, Lady Wheeler and Lady Brinton, that we have made a bold step on the journey to reform, which will make a real difference to a great many people of all ages and backgrounds, including care users and the adult social care workforce, who have worked so brilliantly through the pandemic. I reassure the noble Baroness, Lady Greengross, and the noble Lord, Lord Griffiths, that we will work with partners in the development of these policies.

I thank the noble Baroness, Lady Greengross, who has been such an advocate for this important issue and secured such an interesting debate today. I thank all noble Lords who have taken part.

Government: Leadership Training

Motion to Take Note

4.46 pm

Moved by Lord Norton of Louth

To move that this House takes note of the case for enhancing the quality of government through the introduction of training in core leadership skills for (1) ministers, and (2) senior civil servants.

Lord Norton of Louth (Con): My Lords, when I joined your Lordships' House 23 years ago, I was in the middle of research funded by the ESRC into the role of senior Ministers and their relationships with senior civil servants. Many of the problems I identified then remain today. Over the past 20 years, there has been a growing recognition of the importance of training those who lead government, but the capacity to deliver that training has not kept pace with the aspirations.

My proposition is that those who head departments should have some training in how to lead. Leadership entails not just being able to manage an organisation in terms of ensuring that it runs efficiently but, crucially, creating a vision, getting others to buy into that vision—making them feel they have a stake in it and have contributed to it—and being able to turn that vision into action. Let me flesh out the two primary components of this proposition; the first covers who should be trained and the second what the training should—indeed, must—include.

We have a system of government where, historically, senior civil servants and Ministers have been generalists, lacking specialist knowledge and training in management. Although the importance of training civil servants has been variously recognised and led by bodies such as the Civil Service College, the National School of Government and Civil Service Learning, less attention has been accorded to the value of training Ministers,

even though it is Ministers to whom we look for leadership and generating the vision—the goals—that civil servants are then expected to deliver.

Ministers matter. The doctrine of individual ministerial responsibility is important not so much for ascribing culpability when things go wrong but for ensuring that senior Ministers have line control of departments. Despite recurrent claims of prime ministerial or presidential government, the resources of No. 10 are limited and Prime Ministers are rarely interested in the whole gamut of public policy. They may determine high policy, but middle-level policy remains with senior Ministers. I have argued that the baronial model of government is as applicable in British government as that of prime ministerial government.

Some Ministers have their own fiefdoms. Legal powers are vested in senior Ministers—formally the Secretary of State—and not the Prime Minister or Cabinet. Ministers matter not only for what they may decide to do, but for what they decide not to do. They are important gatekeepers. As Hecló and Wildavsky noted many years ago in their seminal study, Cabinet Ministers are

“chief executives of their own departmental empires”.

Ministers matter, not just in terms of the powers vested in them but in how they seek to use them. I generated a typology of Ministers, comprising commanders, ideologues, managers, team players and agents. I distinguished purpose in office from the skills necessary to achieve it. Ministers may have a vision, but they may not have the ability to turn it into action. Some may be skilful politicians, but they may lack any clear vision.

New Ministers will typically come into office with no training or experience in running a department and often with no experience in leading others. They learn by observation as junior Ministers or by seeking to translate experience from a previous occupation, which may not always be apposite. At the time of my research, it was very apparent that Ministers got very little, if any, guidance from No. 10 as to what was expected of them. Providing guidance is clearly important, but Ministers need leadership skills to deliver their policies. The recent report of Policy Exchange’s Reform of Government Commission, entitled *Government Reimagined*, recognised that Ministers must develop skills to lead a department successfully.

I am delighted that the National Leadership Centre has been created and is designed, as the name demonstrates, to offer a leadership programme. I note that the evaluation report on the first year of the NLC states that

“one leader considered the engagement in training to improve their leadership capability and capacity as being a duty of all public service senior leaders”.

However, it does not reach all such leaders. It is designed for only 100 of them. The programme is selective and, as the evaluation noted, the recruitment process lacks transparency. It should encompass all senior civil servants—and Ministers.

I therefore very much welcome the Cabinet Office and Civil Service *Declaration on Government Reform*, published in June, which recognises the need for training Ministers as well as civil servants. It recognises that the training should encompass skills. There is a commitment

not only to online provision but to a physical campus—in other words, a reversion to what existed before training was moved online for cost reasons.

Commitment to training Ministers is a major step forward, but within the declaration the focus is very much on the Civil Service. Of the 30 concrete steps promised for implementation this year, only one refers explicitly to Ministers, namely number 9:

“Put in place a training programme for Ministers, including project and commercial skills.”

Training in skills should not be confined to project and commercial skills, but should encompass how to develop strategy, crisis management and understanding the environment in which one has to work to achieve goals. Ministers who are commanders and ideologues will have clear future goals, but knowing what you want to achieve is different from knowing how to get there. Engaging in strategic planning is crucial; so too is crisis management. Training in crisis management is best practice in leading companies and, I was very pleased to see, appears to be included in the NLC leadership programme. Key to handling a crisis is, first, being able to recognise that there is a crisis—which is not as simple as it may sound—and, secondly, knowing how to respond.

In terms of the political environment, it is crucial not to be insular. Both Ministers and civil servants need to appreciate the significance of Parliament. Senior civil servants should not see it as an irrelevance or an adversary, or something to be left to the Minister to handle. I achieved an amendment to the Constitutional Reform and Governance Bill in 2010, which became Section 3(6) of the Act. It requires the Minister for the Civil Service to have regard to the need to ensure that civil servants who advise Ministers are aware of the constitutional significance of Parliament and the conventions governing the relationship between Parliament and Her Majesty’s Government. Although this forms part of the Civil Service Code, no record is kept centrally of what departments have done to give effect to it, and answers to questions I have asked on the subject have been notably unforthcoming.

It is not just civil servants who need to be trained in the significance of Parliament. Ministers will benefit from it as well. The fact that a Minister is an MP or Peer does not mean necessarily that they have a clear understanding of the body of which they are a Member. Some Ministers are notably dismissive or defensive in the Chamber and in Committee. Ministers in the Commons frequently lack an understanding of the role and significance of this House. I fear we even have on occasion a Minister in this House who does not fully understand or appreciate its role. Parliamentarians are among those whom Ministers need to buy into their vision.

Acquiring or honing leadership skills will enable Ministers to deliver on their policy goals. It is not a case of creating identikit Ministers. There is more a danger of that in imposing specific processes and potentially producing a tick-box approach than in empowering Ministers with the skills to lead and achieve the outcomes they seek.

I can find nothing in the declaration and the list of actions that addresses skills necessary for effective leadership. There are some very welcome commitments

[LORD NORTON OF LOUTH]

in terms of recruitment to the Civil Service and ensuring closer engagement with Ministers, but the emphasis is on establishing frameworks and processes. I am not decrying what is proposed—I very much endorsed it—but, rather, am drawing attention to what is omitted.

The same applies to the report of the Commission for Smart Government, chaired by my noble friend Lord Herbert, who I am delighted to see is speaking in today's debate. It recommends giving each Minister on appointment a formal and public "commission letter" stipulating what they are expected to accomplish and with public reporting on performance. As I read it, there are no recommendations on how Ministers are to be proficient, to provide leadership, in delivering what is expected of them. Checking that Ministers have delivered what is expected of them is important, but more important is ensuring that they are provided with the skills to do it.

I look forward to the contributions of other noble Lords—we have a quality line-up—and to my noble friend the Minister explaining the Government's plans to deliver training, especially for Ministers. Given that the June declaration embodies commitments to be implemented this year, how far advanced are plans for a physical campus and what skills training will Ministers be expected—indeed, required—to undertake, and will such training apply to current Ministers and not just new Ministers on appointment? I very much support the proposal for a mandatory induction package for the senior Civil Service, but what training will be provided for all existing senior civil servants? In particular, what steps are being taken to ensure that the senior officials who advise Ministers are fully cognisant of the importance of Parliament and the relationship between Parliament and the Executive? Simply saying that the requirement is in the Civil Service Code is not an answer to the question.

My Motion calls attention to the case for enhancing the quality of government through the introduction of training in core leadership skills for Ministers and civil servants. It is surely a public good. I beg to move.

4.59 pm

Baroness Taylor of Bolton (Lab): My Lords, I congratulate the noble Lord, Lord Norton, on this debate. I look forward to the quality of the answers the Minister will give to the questions he raised. Indeed, while he was speaking I recalled the preparations made in the 1990s for the then shadow Cabinet, and indeed the whole of the Front Bench. We were involved in seminars, training and away days at Templeton College; that was very good discipline and preparation, especially for a party that had so few people who had ever been in government before. I am not sure how long that approach lasted, and much of what the noble Lord said is an entirely timely reminder for everyone about what needs to happen.

I also recall that every time I became a Minister—several times—I was given a great deal of paperwork about my obligations and the way to behave, but I was also spoken to by the Permanent Secretary, and perhaps that was more important in outlining ministerial responsibilities. That approach might still exist, or

exist in theory, but I am not sure how successful it is for Ministers' obligations to Parliament. The noble Lord referred to that.

I will emphasise not the nature of the training that should take place but why it is so important that we have a new approach at this time. As I see it, the basic problem is the lack of respect for Parliament on the part of Ministers. We see that in the dismissive answers given to Parliamentary Questions and in announcements being made outside the House. The Speaker in the other place has tried to get the Government to behave more appropriately.

It is also a very significant problem in the way Ministers approach legislation. For the last number of years I have been a member of the Constitution Committee of this House. During that time, I have become increasingly concerned, and indeed alarmed, at the extremely unhealthy trends that I think are accelerating—trends in what government Ministers think they can get away with without properly consulting Parliament, in an attitude that I can describe only as cavalier. Time and again, the Constitution Committee has looked at Bills coming before the House and expressed very significant concerns at their skeletal nature and the vast number of Henry VIII clauses giving Ministers great delegated powers, allowing them to create offences and even to give effect to an international treaty by statutory instrument, as opposed to an Act of Parliament. Almost every time the committee examined a major Bill, we expressed serious concerns about the Government's approach.

The more significant problem is not the issues in each individual Bill but the underlying trend we are seeing of moving away from Parliament making our laws and Ministers increasingly taking powers to change the rules, regulations and guidance. This has obvious dangers for a parliamentary democracy—the Government must be accountable to Parliament and Parliament must make our laws—but it is also dangerous for Ministers. Ministers are much more likely to get legislation that is right, workable and not open to legal challenge if there is appropriate parliamentary scrutiny. We have seen this time after time.

The situation has been made worse in recent years. During the Brexit negotiations, and subsequently, the Government's brinkmanship meant that vital legislation had to be fast-tracked through Parliament. That was not inevitable. It was the Government's choice in their tactics with the EU, and their tactics in handling Parliament and minimising parliamentary scrutiny. We have also seen with Covid that the Government have taken unprecedented extra powers, using statutory instruments to change rules, regulations and guidance frequently and often very late in the day.

I think there is a very real danger that Ministers, and indeed civil servants—and maybe even parliamentary counsel—will think that this is a new norm and that the Government can actually get away with anything; that bouncing Parliament and riding roughshod over important conventions is the way the Government can operate in the future. That is very dangerous and should be resisted by this House. It is also why this kind of training for Ministers, civil servants and everyone involved—including Members of Parliament, who do

not always understand this House—is absolutely essential. People have got to learn not just the principles surrounding parliamentary democracy but how a functioning democracy actually works best. That is why I am very pleased to support the Motion moved by the noble Lord, Lord Norton.

5.05 pm

Lord Mackay of Clashfern (Con): My Lords, it is a great privilege to follow the noble Baroness, Lady Taylor. I must say that I agree with a great deal of what she said in relation to the conduct of the Government towards Parliament and the need for that particular relationship to be scrupulously observed.

It is a long time since I was a Minister but, in those days, it was a terrific fault if, by any chance, some proposal leaked out before it was put before Parliament; a complete investigation would normally take place into why that had happened and to prevent it happening again. I think partly that was due to the attitude of the most senior Minister in the Government—in my case, for most of the time, it was Margaret Thatcher—but it was indeed a very important consideration.

I am interested in the idea of instructing Ministers in what they should be doing. I am not sure whether this instruction would be given before they become Ministers, in the hope that they may become Ministers, or once they are in office, after they become Ministers. Whatever, it is certainly very important.

I looked through the papers that are recorded in the back of the brief that the Library has prepared for us and I took out this phrase:

“We will also ensure Ministers receive training in how to assess evidence, monitor delivery, and work effectively with Civil Service colleagues.”

The best I can do is to say just a word or two about my own experience as a Minister in two departments—both a long time ago, but I think the principles remain.

The first principle is that the Minister and all the staff of the department, whether they are civil servants or other agents that are used in the particular office in question, are one team. The Minister is responsible for that team and must take responsibility for any errors that take place. We all make mistakes—I have not met anyone yet who has never made a mistake; I look forward to that possibility but, so far, it has not materialised—and it is absolutely essential that the Minister takes responsibility for his department and what it does in his name. It tends to be a very divisive matter if the Minister starts to make out that something or other has happened that he did not want.

The second point I want to make is that the Civil Service and the other advisers in various departments are there to assist. I think it is vital for the Minister to give time to these people to express to him or her what their view is of a particular matter.

When I became Lord Chancellor, a long time ago now, I was very interested to hear what the civil servants, staff and officials had to say about quite difficult decisions that from time to time we had to make. I was told by my private office a week after I came into the office that they had doubled the amount of time allowed in my diary for consultations with officials. I think that indicates that I felt that the only way to be really sure that you were doing what was

right was to try to find out what the advice was and discuss why that advice was given. As I look back on it now, I think that most of the decisions I took were agreed between myself and the official responsible for looking into the matter.

The whole position of being a Minister is surely very responsible, and one of the things a Minister is responsible for, in the public interest, is having a relationship with the press. When I became the Lord Advocate, there was no connection between my office and the press: rather, it was thought of as a rather unworthy kind of connection. I did not agree with that and I was determined to try to raise it. Help was given by my Secretary of State, George Younger, from the Scottish Office. One of the officers there told me that, if you have a case, the thing to do is to say when you are going to make a statement on it, make a complete investigation and, when that has been given, say “That’s all”—otherwise, the thing drags on and becomes an impediment. These are just some little advices I got out of practice, and I suspect they are pretty good advices still.

5.11 pm

Lord Judge (CB): My Lords, it is not merely because the noble and learned Lord, Lord Mackay, recommended me for appointment to the High Court Bench in 1988 that I say that it is a privilege to be following him—noble Lords will discover why in a moment. It is also a privilege to be following the noble Baroness, Lady Taylor, whose chairmanship of the Constitution Committee when I was on it was absolutely marvellous.

We all know that we do not know it all. Look at us: very modest, very humble, and we recognise our own limitations. But there is a very strange thing about humanity: we must recognise also a tendency, when people suggest that we do not quite know everything—particularly on something we think we do know about—to slightly resent it. If a group of us is being asked to examine whether we know it all, we think, “Well, who are these people questioning whether we know very much?” We do not like criticism, and I say that because it was the noble and learned Lord, Lord Mackay, who was such a stalwart supporter of training for judges.

You may not believe this, but when I was a junior judge and went into court to sit as a judge—I had had quite a lot of years of experience prosecuting, defending, and seeing other judges, some good, some not so good—I just sat as a judge, trying two policemen on corruption judges. It was very small corruption: just taking bribes to stop people being prosecuted for speeding. But I had not had a day’s training. More importantly, very significantly impressive people with wonderful brains who worked in the commercial world were sent out on circuit to try murder and rape trials who had never spent a day in a criminal court.

When it was suggested—I was a very strong supporter of this, rather ahead of my time, I regret to say—that there should be judicial training, the judges largely—we are talking about the 1970s—thought that this was a bit of an insult. They thought it was not appropriate. I remember them saying to me, “This is an interference with judicial independence; the Government’s trying to tell us what to do.” This is where I particularly draw attention to the privilege of following the noble and

[LORD JUDGE]

learned Lord, Lord Mackay, because he gave the most astonishing support to the idea that we had got to go through a judicial training process. I think, as all his career has shown, that he put principle ahead of any fleeting unpopularity.

Listen to my own experiences when I was running part of it. There was the day a black civil servant came to tell us, when we were setting up a body to look into and train us in diversity and prejudice, that he had been stopped 38 times driving a good middle-class car in 37 years. He then asked us, “And how many of you have been stopped by the police driving your car?” There were about 40 of us there, and not one of us had been.

The other remarkable moment was with that extraordinarily brave young woman who was the victim in the “vicarage rape case”, which all noble Lords will remember. I asked her, and she agreed, to come and talk to judges about how she had steeled herself to give evidence that would not give the perpetrator a moment’s satisfaction that she was still upset by what he had done to her—which led the judge to say that there was no sign of great trauma. We learned from all sorts of people. It is not possible for a judge now to sit on the Bench and to try sex cases, family cases—any sorts of cases—without having been trained.

Junior Ministers are rather like I was in my first trial. You are a Minister, you follow more senior Ministers, you move up the ladder, you are picking up all the habits that your Ministers have—some good, hopefully, and some not so good, inevitably. By the time you are a Secretary of State, you are ultimately, as the noble Lord, Lord Norton, pointed out, responsible for the legislation. If I were in charge of training—and I did do it for some time for judges—I would train Ministers in constitutionality. It is a funny word, that, but it embodies everything that the noble Lord, Lord Norton, and the noble Baroness, Lady Taylor, were talking about.

Since 2005 we have not had a proper Lord Chancellor. The old Lord Chancellor would be sitting at the Cabinet table, occupying a different function from the other Members of the Cabinet, there to tell them, “This won’t do, this is not the rule of law”—or whatever it might be. Now Mr Raab has become the Lord Chancellor, and everybody regards it as a demotion. As for the Minister for the constitution—this is not at all a personal criticism of Chloe Smith—she is not in the Cabinet. The Minister for the constitution is not a member of the Cabinet. This is why I suggest constitutionality.

I would have a day’s course with the chairs of our three committees—the Constitution Committee, delegated legislation committee and the secondary legislation committee—going down to talk to Ministers. No doubt they would take them copies of their reports. Perhaps they could be reinforced by the opportunity of having their legal advisers there, too—not the whole lot of them, just those three people. If the Government of the day said, “Ah, well, they’re not in our party,” then have the previous one. That way we would alert Ministers to the reality of what is going on; they are not paying sufficient attention to our constitution.

I will just add this. This is not a particular party I am arguing against. They all do it. Power does tend to corrupt.

5.18 pm

Lord Maude of Horsham (Con): My Lords, I declare my interests in the register, particularly my chairmanship of FMA, which provides support to Governments outside the UK on public sector and efficiency reform.

I congratulate my noble friend Lord Norton on securing this debate, which is very timely. What better day to be debating the need for training Ministers than when the reshuffle has just happened and a raft of new Ministers are taking up their posts? I recall, in the early days of the coalition Government, a Minister from our coalition partners, the Liberal Democrats, describing how he felt that he had been parachuted deep behind enemy lines with no map, no compass and no one to give him support in how he should execute the quite senior office to which he had been appointed. I have believed for a long time in the need for Ministers to have support and training.

Before the 2010 election, when I was leading the work of preparing the Conservative Party for the possibility of being in government, we drew on the activity that the noble Baroness, Lady Taylor, described. We organised a number of sessions; we wheeled out some of the old warhorses, such as my noble friend Lord Heseltine, with a reputation for knowing how to get things done in government. Subsequently we organised, on a very informal basis, some induction sessions after each reshuffle for new Ministers—but it was voluntary and not as well organised or as rigorous as it should have been. I deeply believe that this is really important.

The Institute for Government—IfG—supported the work that we did before that election and afterwards, and it can play an important role in this area. I am delighted to say that the Major Projects Leadership Academy, based in the Saïd Business School at Oxford, which we set up in 2012, now has a programme for Ministers, where they spend eight one-hour sessions over an eight-week period learning about many of the things that my noble friend Lord Norton has described: the need to articulate a vision and knowing how to turn that vision into reality. That is a positive development, but again I think it is voluntary when it should not be so.

The second part of my noble friend’s Motion, civil servants, are something with which I have had a great deal to do. For five years in the coalition Government I had responsibility in the Cabinet for the Civil Service, and I have a few reflections coming out of that. The first is that in the Civil Service we still have a class divide. There is a white-collar class of policy mandarins, to use the word, who basically sit above the salt and essentially have a stranglehold on the top jobs, and then there are the blue-collar civil servants who are specialists in finance, procurement, IT and major projects but rarely get the top jobs. There is not parity of esteem, something that we must work towards. We need to have the scope for civil servants who have skills and much-needed capability beyond the ability to provide analysis and policy support, and they need to have at least as good a chance of securing those top jobs.

Some 53 years after the Fulton committee report, there is still too much of the cult of the gifted amateur. My noble friend referred to generalists; that is another

way of putting it. It is not that they are not gifted; many of them are extremely gifted and many very professional, but we still appoint people into very responsible posts—Permanent Secretaries of departments with budgets of tens of billions of pounds—who are woefully underprepared, and then we complain when they fail.

I tried to address this issue by starting a programme where younger Permanent Secretaries with a period ahead of them would attend top leadership courses at the best business schools in the world, where they would mingle with people from other sectors, including the private sector. These courses at Stanford, Harvard, INSEAD and others are incredibly valuable. I was told by the then Cabinet Secretary that we could not justify the cost because they cost \$70,000 or so. These are people who we are putting in charge of tens of billions of pounds a year, but I was told that the *Daily Mail* would not wear it. My response was, “If they want to have that argument, bring it on. I’m very happy to make the case for making this investment in the people we are asking to take on these roles.”

We eventually got agreement that this would happen about 18 months before the 2015 election. I was consistently told that it was happening and all under way. By the time the election happened and I moved on, instead of 10 Permanent Secretaries going through three months at Harvard, Stanford and INSEAD, one Permanent Secretary, my own, had done one week at IMD in Lausanne. He said, “Minister, it was good, it was fine, but it wasn’t what you had in mind.” I have never understood why there was such resistance to giving these people, on whom we make such important demands, the support and backing they need to be able to undertake these public responsibilities.

We owe my noble friend a serious debt for drawing attention to the need for us to step up a good deal on this subject.

5.24 pm

Lord Lipsey (Lab): My Lords, I think that, like the noble Lord, Lord Norton, every Member of this House would be in favour of better training for Ministers, though I must say it would be a bit of a challenge to train Gavin Williamson. I have been involved in one or two attempts, and it is not always easy to get Ministers or people who expect to be Ministers to accept training. Tony Blair was very superstitious about it, because he thought that if he allowed his shadow Ministers, as they then were, to be trained, that would somehow put a jinx on the election and the gods would take their revenge on him. There are of course also some politicians—I certainly do not say many, but there are some—who think that they are omniscient without any training at all.

There are some difficult issues in training; it is not altogether straightforward. I want to draw attention to just one which is part of my experience—and, as it happens, of that of the Minister who is responding today. The appointment and use of special advisers is quite contentious. Some of the contention has revolved around appointments, most famously when the Government lost a very competent Chancellor because Dominic Cummings insisted that he, Cummings, should control the special advisers. What the role of special

advisers should be relative to other advisers to Ministers is also contentious. I can say with complete confidence that there is no comparison between the job I was brought in to do for Tony Crosland in 1974 as a special adviser and the jobs that special advisers do today. They are much more powerful, and in Cummings’s sad case, he was for a brief period the second-most powerful person in the land.

Good special advisers still work with civil servants, but when you are training Ministers what doctrine are you to teach as to the role of special advisers? Who decides what is to be taught? It really is not easy, though I am sure there are ways forward.

I hope I am not being too frivolous in saying that there is one essential difference between training civil servants and training Ministers. Civil servants can be incentivised to do the right thing by training—the noble Lord, Lord Maude, has just told us some of the things he did to try to do it: they get promoted better and they get performance bonuses and so on. However, much of this does not apply to Ministers. They are paid by grade rather than performance; there is no scope for awarding them for good performance by giving them more cash. As for incentives for civil servants, number one in most Ministers’ lists is not making sure that the public get maximum value for money out of some big spending programme. Most Ministers want to rise, and the incentive on them is to do what helps them to rise: perform well in the House of Commons or the House of Lords, appeal to powerful factions in their parliamentary parties by saying what they think will please them, look good on TV, and, above all—we saw an example of that yesterday—please the Prime Minister. I do not want to be too pompous about all this—this is what Ministers do; it is part of politics, and I do not expect it just to go away—but we must remember that these are not incentives that lead to better government.

5.29 pm

Lord Young of Cookham (Con): My Lords, I commend my noble friend Lord Norton on his timely choice of subject and his speech. Yes, more should be done to train Ministers, but for some jobs there are no readily available courses. For Government Chief Whip, for example, you need a PhD in behavioural psychology, some time as a regimental sergeant major and a spell as director of adult services in a local authority in special measures.

More seriously, we all speak from our own experience. I started my ministerial career in 1979 and made many mistakes; it ended 40 years later in 2019, hopefully with fewer. I did 22 ministerial years in eight different departments under five different Prime Ministers. Like others, I had no formal training whatever. I bought Gerald Kaufman’s book *How to be a Minister* and learned by watching Ministers in the Chamber and in the media when we were in opposition. This can give one a basic grounding in some of the qualities needed to do the job, but it does not cover everything.

If I had to select one piece of advice, from many, for prospective Ministers—which may not be mentioned by anyone else in this debate—it would be to understand exactly how government accounting works. One of the most vital tasks of any Minister is negotiating your

[LORD YOUNG OF COOKHAM]

department's budget, now under way in Whitehall. This can determine the success or otherwise of your department's policies and sometimes your own future.

In the 1980s, that meant understanding the intricacies of the so-called Ryrie rules. Ten years ago, it meant knowing exactly what the DEL/AME switch was, DEL being departmental expenditure limits and AME being annual managed expenditure. Yes, one can rely on one's civil servants for much of the briefing, but when it comes down to a bilateral with the Chief Secretary or a solo appearance before star chamber, or indeed an interview with a well-briefed journalist, you need to be right on top of your department's finances. It may not be the most exciting part of the job, but it is crucial. If you are forced to make concessions, do not expect a Treasury Minister to appear on the "Today" programme to defend the cuts you are obliged to make.

Much of my party's emphasis has been on getting the number of civil servants down, and when I became a Minister in 1979 there were certainly parts of government where sheep could safely graze. But I want to make the opposite point and argue that there are now too many Ministers in the Commons; Lords Ministers are overburdened. As a former Chief Whip, I understand the attraction of a large payroll and extensive patronage, but I believe the numbers are too high.

In 1979, when the Department of Transport was responsible for the nationalised airlines, railways and airports, it had two Ministers, my noble and learned friend Lord Clarke of Nottingham and the noble Lord, Lord Fowler. There are now six. In 1979 I was a Minister in the DHSS, which combined the responsibilities of the DWP and DHSC. There were five of us. There are now seven in DHSC and six in DWP. It may not make me popular with the Government, but I believe the numbers could usefully come down. It would enable us to reduce the cost of government and do away with the inequity of unpaid Ministers, not least in your Lordships' House.

Related to that, Ministers are moved too soon and too often. In my first nine years as an MP there were two Housing Ministers, Reg Freeson and John Stanley. Between January 2015 and July 2019, there were six. I know from my own experience that it takes time to build up a relationship with social housing providers, local authorities, planners, architects and other stakeholders, and to understand the legislative and financial framework in which you operate. It took me two years before I was really confident in the job—and I was lucky; I did it on and off for nine years. There are too many other examples of swift turnovers. Between May 2015 and July 2019, there were five Lord Chancellors. Between March 2016 and September 2019, there were six Secretaries of State at the DWP.

I have a lot of respect for the Civil Service, but it is not only Ministers who move too quickly. Read my noble friend Lord Freud's recently published book, *Clashing Agendas: Inside the Welfare Trap*, in which my noble friend Lord Maude of Horsham stars. Of the introduction of universal credit, he writes: "In practice, I found that I was the only senior figure with an institutional memory for the totality of what we were trying to do ... there were no fewer than six senior responsible owners and six programme directors

in the first five years of building Universal Credit". That is the other side of the coin, reversing the usual picture of transient Ministers and permanent civil servants.

He makes another point about the Civil Service with which I agree. The capacity of the Civil Service has been reduced by contracting out. My noble friend Lord Freud suggests bringing some of that capability back in-house. He says:

"Purely in terms of IT, the lessons learned imply bringing development capability back in-house; building big integrated teams to adopt agile technology".

This debate is about becoming a Minister and I end, appropriately, with a wish that Ministers learn when to stop. More should resign when their behaviour is unacceptable or, as my noble friend Lady Sugg did, to her credit, when they disagree with government policy. Far from detracting from the authority and credibility of government, more resignations would actually enhance it.

5.35 pm

Baroness Neville-Rolfe (Con): My Lords, I congratulate my noble friend Lord Norton of Louth on this very interesting debate. My noble friend Lord Young of Cookham is right about the importance of accountability and the dangers of transience. I rise to speak because I was both in the senior Civil Service for 14 years—much of this at its heart in the Cabinet Office and No. 10—and a government Minister for three years, at BEIS, DCMS and the Treasury. Today, I will emphasise the importance of education and experience as well as training, the need for apposite training and the importance of diversity of thought and cost-benefit analysis.

In my experience, what happens in early life and in your career before reaching senior positions is every bit as important as any training. Even William Pitt the Younger would have struggled as Prime Minister at such a young age without his elite education. Most good Ministers have had a number of government roles on the way up, learning from discussions on Bills, in debates, from crises and how to get departments to act effectively in the desired direction. They learn leadership on the job and from effective, and ineffective, Secretaries of State.

Most leading civil servants have strong academic credentials and many years of experience in different but related roles. Many serve Ministers extremely well. Many of us will have specific examples in mind. This was the Northcote-Trevelyan model, and it is a pity that it is being steadily undermined. Most of the best Ministers are bright and educated, and they bring wider experience—for example, in the services, the law, business and so on—and not just years as spads, good though some spads definitely are. Spads' focus is usually on their Minister's star, not on the longer term, and their value is limited accordingly.

How can training help? Here I draw on my 15 years of experience as an executive director of Tesco, at a time when we were a growing and global business. Many were from modest backgrounds, and all shared a laser-like focus on the end goals and an ability to lead, motivate people and get them to deliver—or go elsewhere. We had good training programmes, but they were sponsored and led by the key directors, not

just by the training function. Every manager helped their staff to do better where they were weak or had potential, and training was designed to help with that. We gave our teams wide discretion. We were all taught not to spend time on doing things just because we liked doing them but to delegate wherever we could and to address training needs. We cut out needless layers of management so that everyone's jobs were more challenging and satisfying. These are not skills that you can suddenly learn when you get to the top.

My observation of Civil Service training was that it is self-selecting and that those who needed it did not get it, although they might be attending other courses that they fancied, at public expense. Training should be directed at those who need it, not at those who want it. My only training in my ministerial capacity was in dementia, which was a rather good initiative of David Cameron's, I have to say. I also learned some excellent Dispatch Box skills from my noble friends Lord Howe and Lady Noakes.

Another problem is the prevalence of fashion in politics, which has, in my lifetime, extended down into the Civil Service. Diversity is a good example. As a woman who started her career as often the only female fast-streamer or executive in the room, I welcome aspects of diversity and have tried to help others on the way up. However, diversity of thought seems to have gone out the window as a desirable characteristic. Unfortunately, this reflects the position in even our best universities, where holding certain political opinions seems to be almost a requirement for employment. The sooner the Civil Service and universities reverse this unwelcome trend, the better. Overall, a great deal of attention is given to diversity, without dealing with this area where it is lacking: diversity of thought.

Finally, I want to make a specific point. I am well known as an enthusiastic supporter of impact assessments. The principal reason for my enthusiasm is that they enable all of us to judge the cost benefit of the action that the Government propose to take. This is the most important area of decision-making in government. The academic side of the process is well developed, and all Ministers and senior civil servants, without exception, should be properly trained in its mysteries—another one for the list of my noble friend Lord Norton. A broad cost-benefit assessment, prepared while decisions are being taken, can help a Minister and a senior civil servant to identify the likely perverse effects of a policy—one that may even end a successful career—and reach a sound conclusion.

I do not have time to deal with all the ideas outlined in the helpful Library Note. Suffice it to say that some are more realistic than others. I look forward to a further discussion with my noble friend Lord Norton.

5.40 pm

Lord Bilimoria (CB): My Lords, is it not serendipitous that we are having this debate at the time of a reshuffle? The Institute for Government paper, *Professional Development for Ministers*, states:

“New ministers have to pick up their duties almost immediately and have a limited time to make a mark. From 1997 to 2015, secretaries of state stayed in post for an average of two years and two months, with junior ministers only getting one year and eight months in the job.”

George Freeman, a former Minister, is quoted as saying:

“There's no training, no guidebook, no manual, no induction! You leave the Cabinet room with promotion ringing in your ears ... and walk straight into the department and start doing the job.”

In fact, in a survey carried out by the institute, the most frequently mentioned negative factors determining ministerial effectiveness were “Rapid turnover of Ministers” and

“Lack of adequate preparation, induction or development”.

I thank the noble Lord, Lord Norton, for initiating this timely debate. He said that Ministers matter. He said that Cabinet Ministers are the CEOs of their departmental empires. The noble Lord, Lord Maude, with all his experience, spoke about the tens of billions of pounds of expenditure and hundreds of thousands—millions, in the case of the Department of Health and Social Care—of employees that many Ministers have.

Yet it is a revolving door. The average tenure of a FTSE 100 chief executive is five and a half years. I am proud to be the chancellor of the University of Birmingham. Our vice-chancellor, Professor Sir David Eastwood, is about to retire after 13 years. Birmingham is among the top 100 universities in the world. He did not achieve that overnight; you need time to be able to do it. I served as the senior independent director of Booker. Charles Wilson, the chief executive, took Booker—including its board and its team—from being a £300-million, AIM-listed company, as it was when I joined in 2007, to merging with Tesco nine or 10 years later, with a value of £4 billion. It was not overnight; he needed the time to do it.

How many Ministers have genuine business experience? Look at people such as Nadhim Zahawi, who did such a fantastic job with the vaccination programme, or Sajid Javid, with his global experience working for American and German banks in east Asia, America and Europe. How many of them attended business school? The noble Lord, Lord Maude, talked about that. I have a degree from India and a law degree from Cambridge. I am a qualified chartered accountant. When I started Cobra Beer, I thought, “That's it, I've done enough education for generations”. Then I realised the value of lifelong learning. I am now a proud alumnus of three business schools: the Cranfield School of Management, the London Business School and the Harvard Business School.

The Institute of Chartered Accountants in England and Wales, of which I am proud to be a fellow, says that the concept of continual professional development is embedded in you from the time you start as a trainee accountant right through to now, when I have to certify to that. In 2019, the CBI, of which I am president, produced the report *Great Job: Solving the Productivity Puzzle Through the Power of People*. It states:

“Great people practices make business sense. A business's most important source of value is its people ... firms that attract and retain people by improving leadership and management, and the practices that develop and engage staff, do better. Even small improvements in firms' people practices are associated with sizable productivity increases ... UK businesses primarily invest in staff development through training”.

It makes sense to do this.

[LORD BILIMORIA]

The Commission for Smart Government had a piece about learning from the pandemic's successes. I was very privileged to learn so much from my late father, Lieutenant General Bilimoria, who was commander-in-chief of the central Indian army, with 350,000 troops. One of the things he always said was that the true test of leadership is not in the good times but in adversity—and, wow, have we had the chance to learn about leadership from adversity. The report quotes Dame Kate Bingham:

“The instruction I was given by the Prime Minister was to save lives as soon as possible, so we had a very clear goal.”

And she did it, thanks to that empowerment. In eight months, she created what we have had: one of the best, most impressive vaccination programmes. So, we have had great lessons over here, and I have learned as well about the collaboration with business that we have carried out with the CBI.

This document—the *Declaration on Government Reform*—co-signed by the Prime Minister and the Cabinet Secretary is excellent news. The recommendation it makes about people, performance and partnership is fantastic. That is just what we need to do. Michael Gove spoke at the Ditchley Foundation, where I am proud to be a governor, last year. He made a speech on the *Declaration on Government Reform* and called for more training for both Ministers and officials to meet present and future challenges. He was absolutely right on that. On this document that both the Prime Minister and the Cabinet Secretary, Simon Case, signed, it says:

“We have superb people at every level of public service”, which I could not endorse more, but that:

“We will invest in training for civil servants and for Ministers”. Could the Minister update us on that?

The document also said:

“We will set a new standard for diversity and inclusion”.

I am proud to have launched Change the Race Ratio at the CBI to promote diversity across all business. I give full credit to this Government for diversity: just look at the Cabinet table and the diversity around it. I have always said that we will have a member of the ethnic minorities as a Prime Minister of this country. I have been saying that for years, and that day is imminent.

We should be sending our Ministers to the Blavatnik School of Government at Oxford, the Saïd Business School at Oxford, the Cambridge Judge Business School and the London Business School.

To conclude, I attended a virtual session with my fellow Harvard Business School alumnus, Prime Minister Mitsotakis of Greece. In this meeting last year, when Greece was doing very well with the pandemic, he said, “I am accused by my opponents of treating Greece like a company—and I take that as a compliment”.

5.47 pm

Lord Herbert of South Downs (Con): My Lords, I congratulate my noble friend Lord Norton on securing this timely debate. We have heard many interesting speeches.

The challenges that face any Government are clear; any Government would have faced rapidly rising demand and a second digital revolution. But, of course, those challenges have been exacerbated by Covid, which has now produced an overhanging deficit. This Government

already had a very bold levelling-up agenda before Covid arrived. As noble Lords have said, Covid revealed weaknesses in our system of government—particularly failures of preparation, delivery and execution—but it also revealed potential strengths and solutions. As the noble Lord, Lord Bilimoria, just referred to, the Vaccine Taskforce is one very good example of that, and of fusion government: the bringing together of talent from inside and outside government, real leadership being shown, real expertise deployed and, crucially, individuals being empowered with specific tasks and budgets and being held to account—and yet that appointment was very strongly attacked before it was revealed to have been so successful. I think we should reflect on that.

My own qualifications for speaking in this debate may be said to be limited, having been a Minister for a short period only. But I actually have a long-standing interest in government reform as the co-founder of the Reform think tank, of which our new Foreign Secretary is an alumna, and as the chair of the Commission for Smart Government—which the noble Lords, Lord Norton and Lord Bilimoria, referred to—set up last year to look at how we could deliver more effective government.

I want to emphasise that this independent commission was cross-party and non-party. It consisted of former politicians, former Permanent Secretaries, senior advisers, very senior businesspeople and a number of noble Lords, including the noble Lord, Lord Bichard, who is of course a former Permanent Secretary, the noble Baroness, Lady Cavendish of Little Venice, the noble Lord, Lord Nash, who is the current government lead non-executive director, the previous government lead non-executive director, and the noble Baroness, Lady Stuart of Edgbaston. Our commission concluded that, regrettably, our system of government is no longer world-class and we should be honest that in many respects it does very good things and in other respects it fails to deliver; that without transformative change, no Government will meet their policy goals; and that an understanding of that is absolutely crucial.

I want to put on record my strong view that we should not allow any sensible, objective and calm critique of our system of government to translate into an attack on the Civil Service. I am proud to be the Prime Minister's special envoy on LGBT rights. As such, at the moment I am working with simply brilliant civil servants in the Foreign, Commonwealth and Development Office and in the Government Equalities Office; I see their commitment and passion, how hard they work and their abilities. It is not a criticism to say that we need to ensure that we have a system that is resolutely focused on better performance and on the capabilities of civil servants.

No other organisation would look at itself and consider how much more training it needs to give, the quality of that training, the quality of its people, whether it has the right people and whether they have the right skills and somehow make that an attack on itself or see it as an attack on its own people. Of course it is not. It is about instilling a high-performance culture in the organisation and ensuring that any organisation is equipped to meet today's challenges. There is so much evidence that we are not. We must move on, and I believe we have moved on, from the

idea that this is about Whitehall wars—an attack by politicians on civil servants. We must do so for two reasons. First, because that attack is not merited, and, secondly, because, frankly, politicians are part of the problem. It is our system of government which is not working properly and which we have to sort out. That is why the *Declaration on Government Reform* is so welcome.

Our report made a number of important recommendations in relation to civil servants, including setting up a “world-leading MBA-style executive training programme ... and ... A rigorous test of knowledge and experience of technology”—which all senior officials should have to undertake—and an

“in-house Crown headhunter to help bring in high calibre people from outside government”,

because we have seen that that can be so effective.

But crucially our report also focused on Ministers. We noted that, as has been said, Ministers begin their roles unprepared, suffer from a lack of clear directional mandate, feel that they do not have enough support, and feel that they can be held accountable for mistakes which others have made and which they are powerless to address. We therefore said that ministerial training should be a crucial new focus, and that Ministers and civil servants together should be trained in the new Queen Elizabeth II school of public service, which should be set up specifically for this task. We said that Ministers should be able to appoint outside advisers but that they should be held properly to account. We said that the commission letters that new Ministers will now be receiving, setting out their new role, should be made public, so that Ministers can be held properly to account.

In conclusion, we also said that the red box should be scrapped. If there is one obvious metaphor—one obvious exemplar of a system that is, frankly, completely antiquated—it is that papers are printed off, Ministers read them and then they are carried around in vehicles in wooden boxes. It is an absurdity and an anachronism, and it points to the fact that our system is simply not up to date. Let us introduce modern workforce management methods, proper training and proper accountability, and better performance will follow.

5.54 pm

Baroness Fox of Buckley (Non-Afl): My Lords, I have never been a Minister, MP or civil servant, so the noble Lord, Lord Norton, will have to forgive me if I make my remarks as an erstwhile civilian. But I have worked in education and am familiar with the training world. I am afraid that, when I hear the words “advocacy of training” and “leadership skills”, my heart sinks. My dread is that it treats leadership as a technical matter, reduces virtues to techniques and can rip the heart out of what it means to lead. To be honest, if ever there was an example of our soulless technocratic era, it is the proliferation of leadership skills courses over recent years, comparable only to the ever-growing number of organisations that pay consultants to write their mission statements—always to me a worrying sign of an institution’s lack of mission.

Of course, I am all for reform, effective government and professionalising Whitehall. I want new Ministers and staff to be able to upgrade their technical skills,

and to understand procedure and how to improve drafting legislation and so on. Any measures that make government more accountable and less opaque and arcane are admirable, but I query whether leadership skills training is the remedy, and worry it might turn leadership into performative competence with too little regard for content.

In introducing this debate, the noble Lord, Lord Norton of Louth, talked of the need for Ministers to have the skills to sign up their teams to their vision. My worry is that they do not have a vision, not that they are not trained in how to share it. It reminds me of Debating Matters, a national debating competition for 16 to 18 year-olds that I set up over 15 years ago but is now a charity in its own right. It reminds me of that because its slogan is “substance over style”, and it was set up as an explicit antidote to traditional schools’ debating, which tends to emphasise clever rhetorical tricks and devices, even employing voice coaches and drama techniques. Pupils’ speeches can be stylistically elegant but, while beautifully delivered, can often be banal clichés; some of the Debating Matters pupils might have stuttered and stammered their way through their speeches, but they were content rich. Leadership requires us to give due regard to content.

This morning, I turned on Sky News to see a representative from Rights for Residents, who was eloquently and forcefully explaining the petition that she and others were handing into No. 10 today, in support of residents and their relatives in care homes, who have been denied visiting rights. The Rights for Residents campaign did not exist before this pandemic, but the awful, cruel treatment of residents forced it to exist. It is led—that is my point—by a group of brilliant women who had no experience of public life before this and who have never been on a media training course. They took a lead because it mattered, and they showed courage, integrity and principles. I sometimes think we do not talk about that enough when we talk about leadership skills.

I also feel anxious when I hear proposals about the creation of a physical campus—a school of public service—which we have heard about. This school would apparently be

“a world leading ... executive training programme, equivalent to the leading business school offers”,

in which aspiring civil servants, public sector leaders and politicians would be trained together, based on a redefined set of leadership requirements. I immediately thought about the destructive impact that MBAs and managerialism have had on public life. I am sorry, but I do not think this is the solution: think of all the damage that has been done to our language by the gobbledegook and acronyms of managerialism, the performance management frameworks and so on. Then I noticed that a priority for this new school will be to lead high-quality research to develop better understanding of the relationship between leadership, well-being and productivity. I appeal to people not to waste money on that research, because it should be obvious that there is a connection between those things. If you need to be taught that, what kind of a leader are you?

I am also worried that setting up this kind of campus might end up aping other aspects of campus culture. Think of the debacle of the Valuing Everyone

[BARONESS FOX OF BUCKLEY]

training. It was supposed to make us better leaders, but it was condescending and, if anything, did not make us value others and led to the cancelling of several of our Peers for not doing it, because of the rubric and rules. Then there are the endless stories of civil servants being forced to ape the worst of the divisive aspects of student identity politics, when they are sent on training courses on unconscious bias—which is, by the way, pseudoscience—and how to champion diversity, as defined by organisations such as Stonewall.

I make this point because, rather than just saying that what we need to do is to train Ministers and civil servants, we need sufficiently to scrutinise what that training consists of, because it can actually be dangerous. I was struck by the description of the problems at the heart of government given by the noble Baroness, Lady Taylor. I agree with her and the shocking examples that she gave of the contempt shown to parliamentary accountability of late and the broader disdain for democracy shown across both Houses for popular sovereignty in relation to the Brexit vote—not because they did not know what the mandate was but in defiance of our electors.

That seems to me not something you can train people out of. It is not a skills deficit, but a democratic political deficit. That should be our focus, and we should not get distracted by all going off on training courses.

6 pm

Lord Farmer (Con): My Lords, I join other noble Lords in thanking my noble friend Lord Norton for this timely debate, which I fully support. I follow the noble Baroness, Lady Fox of Buckley, by admitting that I come to it somewhat humbly, acknowledging my lack of experience as a Minister, an MP or a civil servant.

Over the past 18 months, we have become more aware than ever of the importance of effective government, which requires excellence in leadership. When the control of the state extends over our social lives, our access to workplaces, healthcare and leisure facilities and our ability to travel freely, it is terrifying to think that incompetence might hold sway for want of core leadership skills. Among those, I give pre-eminence to the ability to exercise courage and servant leadership, which are mutually interdependent, in pursuit of the common good. Political elites should always be focused on pursuing this, but their hypercompetitiveness and electoral short-termism make courage and servant leadership particularly elusive traits.

Moreover, “Gotcha!” politics has become supercharged by cancel culture: pitiless condemnation of what people say—let alone do—which makes it more difficult than ever to act with courage. Anonymous social media bullies seek to destroy through fear the man or woman who, in Theodore Roosevelt’s words,

“is actually in the arena, whose face is marred by dust and sweat and blood; ... who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds”.

Good governance always requires taking risks, for the present incumbents to realise long-term rewards which may accrue to other political parties and leaders.

The implementation of my two reviews commissioned by the Ministry of Justice required political and civil service leaders to invest faith and money in the ability of healthy relationships with families and others to reap significant rehabilitation rewards. In the short term, this meant, for example: allowing access to iPads for video visits; home leaves on temporary licence; and enabling more women to stay with babies born during or shortly before their sentence. Retrospective research findings, such as reoffending being 39% less likely when prisoners had received family visits, suggest good outcomes will ensue from such measures, but prospective, longitudinal studies showing reductions in intergenerational crime and long-term desistance, are likely to take more than a decade to yield the irrefutable data that many leaders prefer to act on when making seemingly risky decisions.

Academic business studies expose the limits of such “vigilant” leadership. This is when decision-makers work

“to the best of their limited abilities, within the confines of available organizational resources, to exercise all the caution they can to avoid mistakes in the essential tasks of information search, deliberation, and planning.”

To me, this emphasis on caution, avoiding risks and bureaucratic decision-making can and does stifle initiative and innovation and quenches the spirit of adventure. It can eliminate the need for courage, whereas judging risk/reward ratios and courageously acting on them demands it.

Research on how senior leaders in the US federal Government made their most difficult decisions considered whether they employed this “vigilant” approach to decisions involving informational, technical or political complexity. Notably, leaders said that their most difficult decisions required courage. Those courageous decisions were made after personal reflection and/or consulting a small number of trusted advisers, rather than in ways that could be described as “vigilant”. The researchers concluded that complex decisions required leaders and their advisers to be “ambidextrous”—systematic and highly rigorous but also able, when courage was needed, to stick their heads above the parapet and take risks to reap potentially great rewards.

However, how does one train to develop a courageous risk-reward mindset? It has to be modelled from the top and is closely linked to servant leadership that focuses on the growth and well-being of those being led. I am a Christian and follow the most successful servant leader of all time, who was fundamentally characterised by humility, Jesus Christ, who described his heart as humble and lowly. He is not a bad model to look at even for those who are not Christians.

For the purposes of this debate, servant leadership includes demonstrating loyalty to those above and below oneself in the ministerial hierarchy or Civil Service grade structure and, of course, ultimately to the people of this country—again seeking their common good. Organisational culture experts describe how servant-led employees do not fear being punished for taking risks and trying to do the right thing, as long as their actions align with their organisation’s goals, mission and core values. This makes them perform at more of a risk-taking level. Imagine if the whole of government—politicians and the Civil Service—were infused throughout

with courage and servant leadership, where responsibility lies where it should and subordinates are not sent over the top to take the flak.

I know that there is a view that those most senior should be protected where possible from the full force of opposition, but preparing for this debate put me in mind of the Battle of Waterloo, where my great-great-grandfather lost an arm. As many in this House will know, Waterloo was a slaughterhouse, the worst carnage in the Napoleonic wars, with huge pressure on British officers, a vast amount of whom were killed or badly wounded. In those days, officers led from the front, exposing themselves to great risk of loss, balanced with the reward of glory in service to their country. We need to see a revival of that courage and servant-mindedness in Whitehall and Westminster today.

6.07 pm

Lord Wallace of Saltaire (LD): My Lords, I start by apologising to the House and the noble Lord, Lord Norton, that I am the only speaker from the Liberal Democrat Benches. There were four Liberal Democrat names down but, unfortunately, my three colleagues had to return to distant parts of this country—the Scottish Borders, the West Country and East Anglia. I have heard from a number of Conservative Peers over the past few months the suggestion that all the Liberal elite are metropolitan. That is not the case. I suspect that the illiberal financial elite is a good deal more metropolitan than we are.

I have some interests to declare. My wife was for some years a civil servant, including a period teaching at what was then the Civil Service College. A number of my other relations and former students are in the senior Civil Service. I taught in a number of Civil Service College courses in the 1970s and 1980s, in senior management courses in the 1990s and in executive courses at the London School of Economics provided by the Spanish Government and a number of multinational corporations and banks.

The noble Lord, Lord Maude, reminds me of the embarrassing occasion some 25 years ago when I arrived at the Kennedy School of Government at Harvard to teach a series of seminars on British foreign policy and recognised among the students the newly-appointed Permanent Secretary of the Foreign and Commonwealth Office. These things are not entirely new.

The noble Lord, Lord Herbert, also reminded me of the story of the Liberal Democrat Minister under the noble Lord, Lord Maude. The Minister's private office explained that he could not have a car to take him back to his constituency. When he replied, "So I can take my red box on the train and work on it there?", the answer was, "No, Minister, you can't. The red box cannot be allowed on a train. It will be sent ahead by car."

The Motion refers to the "introduction" of training for Ministers and senior civil servants. Civil servants have been trained, as I have suggested, for some time. Ministerial training presents an existential problem in a political system in which, as the noble Lord, Lord Young, and others suggested, Ministers are expected to answer in Parliament and to the media within a day or two of their appointment. There is a very strong case in general for a slower process of government formation.

I agree with the Commission for Smart Government's proposals for a longer transition period between Governments—the noble Lord, Lord Herbert, suggested up to two weeks, on the Canadian model—and for "an interval between announcement and taking up position, to enable incoming Ministers to read up and be ... fully briefed before they start work."

Effective use of junior ministerial appointments as training for senior roles would also help, although some Secretaries of State, in my experience, are remarkably uninterested in treating their junior Ministers as part of a team. Expert advisers—which is what spads were when first introduced—are also highly useful and desirable.

However, there is an underlying issue about political recruitment. Fewer lawyers now become MPs than 50 years ago, as do fewer with experience in local government or elsewhere managing within the public sector. The Commons offers a narrow talent pool. The emasculation of local democracy means that MPs now spend more and more of their time on local issues and less on national or international ones. A Commons Public Administration Committee report in 2015 recommended a parliamentary Civil Service scheme along the lines of the Armed Forces Parliamentary Scheme. That should be considered further.

However, more Ministers in the Lords, or even non-parliamentary Ministers, will not win support from MPs. I agree strongly with the noble Lord, Lord Young, that fewer Ministers must be part of the answer.

Training for civil servants, by contrast, has a long history, from the Fulton report to the Civil Service Department, then to the Civil Service College, which became the National School of Government. A Conservative Minister abolished the NSG in 2010 and sold off the campus. The PACAC report *The Minister and the Official* noted in 2018:

"It is now widely accepted that the closure of the National School of Government has left a gap" in the training and professional development of civil servants that has not yet been closed.

What is now proposed is in many ways reinventing the wheel—which does not make it any less desirable. I have heard highly critical remarks from some civil servants about the contracted-out courses that have been provided since 2010 and I strongly support proposals to reconstruct a physical centre for Civil Service training, which would also bring together people with experience across the wider public sector and beyond—what the senior management course used to do.

Mutual trust between Ministers and officials is essential to effective government. Ministers too easily treat efforts to point out the complexities of policy changes as attempts to resist or undermine what they want to do. Many Labour Ministers in 1997 assumed when they came in that officials were naturally conservative and therefore unsympathetic to Labour proposals. Many Conservatives in 2010 believed that officials were pen-pushers and bureaucrats, who would be out making more money in the private sector if they were any good and were concerned primarily with defending their own jobs and privileges. Some still believe that today.

Attacks by Michael Gove and others on "the Blob", which, for Simon Heffer in last Sunday's *Telegraph*, covers the Civil Service, higher education, the Church of England, the BBC—of course—and the leadership

[LORD WALLACE OF SALTAIRE]

of the NHS and the Metropolitan Police, do not help build confidence that this is a Government open to challenge and willing to listen to argument, and who value a well-trained and politically neutral public service. The quality of ministerial leadership in recent Governments has been, at best, mixed. Bad Ministers blame their officials, as bad workmen blame their tools. Ministers have to earn the respect of their officials and hold it. I have seen Conservative Ministers expressing their distrust of the Civil Service in front of senior officials—a leadership style that does not strike me as very effective. I have noted excellent senior officials with whom I worked in government leaving because they felt they could no longer work with Ministers who dismiss reasoned argument. That does not promote smart government either.

I felt there was an air of fantasy about the declaration on government reform this June and the speech by Michael Gove that accompanied it. It spoke of the success of the management of the pandemic, of rational policy-making without concern for tactical advantage, press presentation or partisan patronage. There was no mention of the fiasco and excessive cost of test and trace, of the smell of corruption in the way contracts were handled or the enormous profits that outsourcing companies have made by providing services that local authorities and local public health officers could have managed more cheaply and effectively.

The Commission for Smart Government report also has some fantastical elements. If departmental boards are really intended to provide vigorous challenge to ministerial and official groupthink, then recent appointments of non-executive directors have been extraordinarily ill chosen.

The government of England is dreadfully over-centralised. Ministers in Whitehall concern themselves with the details of issues that were entirely within the hands of local government 40 years ago. Sending bits of Whitehall departments to Middlesbrough or Manchester will not do much to bring citizens and government together. That requires a revival of effective and democratic local government, which would enable Westminster and Whitehall to reduce the numbers of central Ministers and officials, and even to shrink our bloated Cabinet to a size where it might again become an effective body. It is time for a careful review of the cost effectiveness of outsourcing of many public services after a pandemic in which the profits of outsourcing and consultancy companies have risen sharply, with the Government supporting far larger salaries for the flood of consultants than in-house experts would have cost.

If we are to be really smart about good government, we should attempt reforms that will last longer than the life of any one party in power. The Fulton report managed that. I encourage the rational reformers, such as the noble Lord, Lord Herbert, to resist the uber-partisans within the Conservative Party who want to push ahead without consulting anyone outside the Conservative Party, and try to create reforms with wider support that will outlast the next election or two. This is the sort of issue that might usefully have been covered by a constitutional commission, as promised in the Conservatives' 2019 manifesto. Sadly, the promise to establish such a commission has been broken.

6.17 pm

Baroness Smith of Basildon (Lab): My Lords, like other noble Lords I thank the noble Lord, Lord Norton, for giving us the opportunity for what has been an extremely interesting and, as we have heard, timely debate. I doubt that I can do justice, in winding up, to the contributions that have been made. It just shows the breadth of experience in your Lordships' House that, from different experiences, we come to debate and look at the same issue.

One of the interesting comments the noble Lord, Lord Norton, made at the beginning was about joint learning, in terms of management, for both civil servants and Ministers. I find it interesting, and perhaps worth developing more, how that would work. I thought the noble Lord, Lord Lipsey, had a point when he said that the role of the Minister and of the civil servant is very different. Indeed, the role of a junior Minister is very different from that of a Secretary of State, who would rarely deal with legislation in Committee. So I think there are lessons to be learned, if there is to be training, about how we would do it better.

What this debate is really about is enhancing the quality of government. Part of that is recognising the partnerships that exist between Ministers, their civil servants, as we have heard from other noble Lords, Parliament and, indeed, stakeholders. I thought it was interesting that when the noble Lord, Lord Norton, referred to the training that was taking place, he said that what was in the spec, as it were, was project or commercial management. It would give me cause for concern if that were to be the extent of this, because it is so important, as we heard, particularly from the noble Lord, Lord Maude, and noble Baroness, Lady Taylor, that Ministers and civil servants understand Parliament and the role of Parliament and are able to develop their leadership skills. I take the point of the noble Baroness, Lady Fox, that these cannot be taught, but I would hope that if someone had got to be a Minister they have them latent within them somewhere so they can be brought out and improved. They need to understand the roles that each have and they need to develop the skills to manage their private office, their civil servants and, indeed, their own work. Gerald Kaufman's book, which was referred to earlier, is quite a useful starting point for many a Minister just to learn some of the tricks of the trade. Perhaps the noble Lord, Lord True, will say whether he has a copy—if not, we can send him one.

The noble Baroness, Lady Neville-Rolfe, talked about the kind of information available. Other noble Lords will know that, when you first arrive at your department, the induction package is paper—lots of it. It can be quite daunting on the first day, because it is not necessarily relevant to what you are doing but to what the whole department is doing.

On Ministers who come into office without having parliamentary experience, I always feel for noble Lords who come straight in and make their maiden speech from the Dispatch Box, because of their attitude to Parliament and how they manage. It is terrifying for them and unsatisfactory for many others.

Some very useful comments were made about the culture of Parliament by my noble friend Lady Taylor, the noble Lord, Lord Maude, and the noble and

learned Lord, Lord Judge. It seems that the culture of Parliament and of governance comes from the top. My noble friend Lady Taylor, from her experience on the Constitution Committee, gave examples of where Parliament appeared to be an inconvenience to the Government. I have to say that the acts of government, in passing legislation, do not necessarily mean good governance. The Government might get a law through, but, if there has not been good governance and the process has just been, “We’ve got the numbers, we can get this through”, the quality of that legislation so often has to be unpicked later.

The noble and learned Lord, Lord Judge, made an interesting point about the role of the Lord Chancellor. The situation is actually worse than he fears, because Dominic Raab, who has the roles of Lord Chancellor and Secretary of State for Justice, is also the Deputy Prime Minister. That would never have happened in the past; it seems quite a conflict of interest to hold those positions.

The noble and learned Lord, Lord Mackay of Clashfern, made some really important references to cultural changes. In last week’s debate on standards in public life—it seems to be the Thursday night entertainment for the noble Lord, Lord True, and I to be at the Dispatch Box—we looked at issues where, in the past, Ministers such as Lord Carrington and Hugh Dalton resigned over something that nobody now would bat an eyelid at, but the criteria at the time were that they had been disrespectful to Parliament, or they felt that they had shown bad judgment and they felt it was their duty to resign.

I will make a few personal observations. One of the things that I think is very important for a Minister in their private office when they first become a Minister is to establish what that relationship is and the expectations of the private office. One thing I would say to my private office and team of civil servants was, “I have multiple roles. To you, I am your Minister. That is the role you see for me. I am also a parliamentarian, and it is important that I am in Parliament every day that I am able to be. But I also have a constituency; I am a politician.” Those three roles sometimes come into conflict, but, if your private office understands the roles, they will help you manage that. The noble and learned Lord, Lord Mackay, made a very strong point about teamwork between civil servants and Ministers to get the best results from decision-making.

The example from the noble and learned Lord, Lord Judge, on the value of training was quite an emotional one that did him huge credit. Obviously you cannot train somebody to have good judgment, but you can train them to understand the mechanics of how the process works, on what to look out for and on how to get the best out of the system. It is not like training a dog to sit or to beg; it is about training people to bring out the best of themselves.

My noble friend Lady Taylor and the noble Lord, Lord Maude, spoke about the training they had in opposition. Given that I was on the receiving end of most of the noble Lord’s Parliamentary Questions when he was in opposition and I was Minister at the Cabinet Office, I perhaps wished he spent more time doing the training than writing questions to me. I think they were about the census, which he was going

to abolish when he came into government—but perhaps on the strength of my answers he decided not to. My impression is that training reduces over time when you are in government. With new Ministers always coming through, perhaps that should be a constant process for both Government and Opposition so that, as we move forward, the skills are always there and inherent in whoever takes office.

The noble Lord, Lord Young, reminded me of some personal examples. He made amusing reference to the kind of training that he had had, or not, and to how you learn on the job. One of my most formative times as a new Minister was going in to watch another Minister take an SI. I learned more about how not to do an SI on that occasion than how to do it—and, having seen how not to do it, I was able to tailor my approach very differently.

In 2002, I was in a school in my constituency and got a call to say, “We need you to go to Northern Ireland. The Assembly is going to be suspended. You don’t have to fly out now, but you need to go tomorrow.” I had been to Northern Ireland once in my entire life at that point. It was not public that the Assembly was going to be suspended. It was the Chief Whip who phoned me, because the Prime Minister was out of the country, and then the phone call ended and there were follow-up calls. I then became the next day the Minister responsible for three Northern Ireland departments—scary or what? I have to say that that was probably the steepest learning curve that I have ever had to navigate. However, it was the support I got from my other Ministers, particularly my noble friend Lord Browne of Ladyton, who is now in this House, and my Secretaries of State, my noble friend Lord Murphy and my noble friend Lord Reid, as well as from civil servants, that was so important. A civil servant wants to get the best out of their Minister and protect them. But I have to say that those first few weeks were daunting, and I suspect that I am not alone in saying that, as a new Minister, the hours I worked were beyond anything that any trade union would ever find acceptable.

My next experience was when I was at the then Department for Communities and Local Government. Having come from Northern Ireland and having had that workload, with a high turnover of letters and Questions, I was quite strict about how I liked my letters to be written and Parliamentary Questions to be answered, because they go out under your name. At one point, I was called in by the Perm Sec to be told in respect of the Questions I had sent back—I kid you not—“That’s very courageous for a new Minister.” I pointed out that neither was it courageous nor was I new, but it was his expectation that I would accept what was given to me and not question. The noble Lord, Lord Young, talked about how important engagement with stakeholders is to Ministers. I remember once defending a Minister who was being criticised for seeking information outside the Civil Service, which was quite extraordinary.

I also think that it is the job of a Minister to support and empower the Civil Service as well. I recall one occasion when a group of us Ministers had decided that we would independently lower the level at which we would be notified of consultants being employed to undertake certain business and asking the civil

[BARONESS SMITH OF BASILDON]

servants, “Why do you want a consultant to do this?” The reason was that they wanted to be protected from any criticism of the work they had done. My answer was, “Can you stand across the work you’ve done?” “Yes,” they said. I said, “If you give me a good case, I will defend that. It doesn’t need to go to consultants.” So when we look at the issue of consultants undertaking work, we have also to ensure that we empower civil servants to have the confidence in their work and that the Minister has their back.

I pay tribute to the work of the noble Lord, Lord Herbert of South Downs, on smarter government. I was reading that earlier today, and some of his comments about not apportioning blame but learning and moving forward were really important.

In conclusion, our democracy rests heavily on good governance. That means integrity, respect, hard work and a willingness to learn, share and make mistakes. We have not touched on the issue of risk, but we have to learn to manage that risk and see a mistake not as something to be criticised but something to be learned from. At the end of the day, we want to enhance our democracy, and we do that only by having the best governance possible.

6.28 pm

The Minister of State, Cabinet Office (Lord True) (Con): My Lords, first, I thank my noble friend Lord Norton of Louth for bringing us here again, as the noble Baroness opposite said, on a Thursday afternoon. I said just before the Summer Recess that I did not know what I had done to the Chief Whip for him to put me on to answer the last debate before the recess—and here I am again, so perhaps I should see that as a bit of useful training.

Of course, it has been an outstanding debate. I would think that a debate such as this ought to be read and considered in all the forums that we have mentioned and discussed in this debate. There is so much experience from which people can learn and so much wisdom that has been imparted, and I have felt it a privilege to listen to it.

Despite a couple of elements of mild criticism, no doubt justified in the eyes of the bestower of the criticism, I think all noble Lords who have had the honour of participating in a Government, an Administration or Parliament know that we strive for the best. I do not know anybody who does not strive to do their best in public service and in the performance of their duties. But I suppose it is a condition of man and a condition of this profession of politics that—as I think Enoch Powell expressed it in that famous dictum in his biography of Joseph Chamberlain—all careers in politics, unless interrupted by untimely death, end in failure. So, I suppose we do sometimes fail and fall short of the objectives that we set ourselves. That is a reason to seek to do better. I certainly hope to convince your Lordships that this Government are trying to do better and encourage better performance in the way that your Lordships would like.

I confess to being a bit of a beached whale. I suppose I am one of those old-fashioned generalists: I was educated in classics and history and have spent a life studying history. I learned my trade in the hard school

of local government. I strongly agree with the noble Lord, Lord Wallace of Saltaire, that it would be a fine thing to be desired if more of those in the political world cut their teeth in local government because it is public service at the coalface and at its most intimate.

It was a fascinating debate and there was a general trend of agreement. The noble Baroness, Lady Fox, as ever, made a stringent and an important red team style comment against falling into the complacent view that everything and every training course is either the whole answer or necessarily always the answer. That was an important advisory. My noble friend Lord Farmer, in his short speech about leadership also offered an important advisory.

I was struck by my noble friend Lord Herbert’s antipathy towards the red box. I wondered if one had fallen on one of his toes at some stage in his career. I have in fact never had a red box. It did not seem particularly necessary and one of my colleagues was rather more keen to have it than I was—wild horses will not draw that name from me. Frankly, methods of working have moved on, but paper-based work is none the less sometimes necessary.

Without disparaging training—which I do not, I am going to support it—it is worth noting that the best trained Prime Minister of the 20th century was probably Anthony Eden and the least trained was Tony Blair. I have little doubt which of those was the more effective in office.

I agreed with so much of what my noble friend Lord Norton and others have said. The remarkable speech made by my noble and learned friend Lord Mackay of Clashfern, for example, followed in the huge light of his experience. He gave us a fascinating and compelling example, along with the particulars of the importance of judicial training given to us by the noble and learned Lord, Lord Judge.

I was sad at the suggestion that Ministers do not respect the House, and that is not to be chippy or an individual worrying about the criticism of the general. I think that Ministers, if they do not respect this House or the other House, are exceedingly ill advised. Any Minister, whose first duty is to be accountable to Parliament, who comes to this place and the other place without a sense of respect and trepidation—perhaps even a scintilla of fear—is either arrogant or foolish. Parliament is the root of government and the strength of government. I agree with the comments that the noble Baroness, Lady Taylor, made in that regard.

It is still the case that Ministers have inductions and meetings with the Permanent Secretary. I can say to those who asked that it is not just paper-based. The training now provided to new Ministers, and available to Ministers in situ, is also based on verbal and interactive training, not simply a folder of paper, though I have no doubt that somewhere in Whitehall—probably in my office—a file is being prepared. Covid-friendly files are all over Whitehall at the moment, ready to be perused.

We know that both Ministers and the Civil Service have had their skills greatly tested in the last 18 months. There have been exceptional circumstances—the noble Baroness, Lady Taylor, referred to issues relating to Brexit—in Parliament in particular, from which I do

not think we should draw generalities. The same goes for the exceptional powers taken in relation to the pandemic, which have been supported across your Lordships' House. I agree, however, with the point that we must have a care that these particulars do not become generalities. Ministers and civil servants have been required to adapt quickly, work through immense ambiguities and solve unpredictable and unprecedented problems.

We all know, and this has been the underlying message of your Lordships' debate, that, in order to achieve our ambition for our country to emerge from this pandemic stronger and more resilient, we must have the best people leading and working in government. That was set out, as many noble Lords have referred to, including by my noble friend Lord Norton in his opening and the noble Lord, Lord Bilimoria, in the recent *Declaration on Government Reform*, and I welcome what noble Lords have said about that.

To deliver the Government's priorities, public servants must be technically competent, bold and imaginative, and they must have both specialist and generalist knowledge, skills and networks. We therefore believe, and this is the sense of your Lordships' debate today, that it is the time to invest further in the leadership capabilities and experience of Ministers and civil servants, ensuring that all are offered high-quality and relevant training and development. Perhaps the pandemic is an inflection point to push that further.

We are aware of weaknesses in the way in which we recruit, train, assess, retain—an important point made by many noble Lords—and develop our Civil Service and public sector leaders. The pandemic and, yes, the opportunities opened up by Brexit have been moments of recognition that while excellent training exists, there are gaps and missed opportunities. I have listened carefully to the advice and comments from noble Lords today.

We are placing particular emphasis on improving digital and data literacy and providing training on the vital skills of management: managing projects—as referred to by my noble friend Lord Maude—people and budgets. The last are a hugely important factor, as my noble friend Lord Young of Cookham pointed out. We recognise that we must move fast to fix things. UK Ministers and civil servants should be learning unrivalled management and leadership skills. We must not fall behind.

We also need leadership training to encompass broader themes than just leadership itself, preparing our leaders to deal with the biggest challenges through a precise, tangible, case-method approach. The recent *Declaration on Government Reform* emphasised the need to focus on knowing things, practising things and learning by doing, particularly in digital technologies and data use—things that all our leaders should understand at a basic level—making the most of the expertise that we have across government to achieve good outcomes for citizens.

The *Declaration on Government Reform* was agreed in June at the first joint meeting of Cabinet Ministers and Permanent Secretaries. It committed to immediate action on three fronts: people, performance and partnership. The declaration sets out 30 actions that will be taken in the first year to begin the process of

modernisation and reform. Work is under way to implement those actions, with flagship projects already being delivered. The declaration has been warmly received and, from think tanks to trade unions, welcomed as a first step in the Government's reform agenda.

We have been greatly assisted by the advice of others. In a compelling speech from my noble friend Lord Maude—it is 30 years ago that he and I worked together in some rather faltering steps in public service reform—we heard advice to the Government on improving effectiveness of functions, which was warmly welcomed by the former Chancellor of the Duchy of Lancaster. His recommendations are centred on a strong functional model, with those three essential elements of leadership, capability and mandate.

Strong progress is being made on this functional reform activity. An example of progress so far includes the Infrastructure and Projects Authority's publication in January of its mandate, which clearly sets out its responsibilities and those of departmental accounting officers for major government projects and programmes. This is critical to making sure that they are set up for success from the outset, supporting the Government to meet their ambitions.

Multiple functions are actively exploring how this should be achieved. Investment in professional expertise, recognising its importance, will be an integral part of this work. For example, the training and accreditation of contract managers across government is being led by the Government Commercial Function, which is critical to driving excellent value for money for taxpayers. The learnings from this exercise and the experience being acquired and invested are of great importance, and I pay tribute to my noble friend for the work that he has done and is doing in this area. As I said, I agree with my noble friend Lord Young of Cookham on the importance of the knowledge of government finance. Having referred to local government, I must say that you might think that central government finance is important, but you should try local government finance.

I am also grateful for the work done by my noble friend Lord Herbert of South Downs, who also made a fascinating speech. We welcome the Commission for Smart Government's contribution to the intellectual effort to reform government. This is indicative of the fact that the Government want to listen and learn from all those, on all sides, who have wisdom to bring to this discussion. The previous Chancellor of the Duchy of Lancaster was present at the launch of the report, and he made it clear that the case that the commission makes overall is powerful. It strongly aligns with the *Declaration on Government Reform* in its focus on digital and data capability and accountability as priority areas for reform, emphasising the need for priority and leadership as vital to the success of government reform. We cannot just do this through changes to organisational structure; civil servants must engage teams and departments with this mission.

On the report's specific recommendations, the call to establish a school of public service with a campus base is effectively covered by article 6 of the declaration, and we agree that the capability of civil servants is a critical issue. More specifically, the report calls attention to the importance of training senior civil servants in technology to improve efficiency and service delivery

[LORD TRUE]

for the public. We are making progress with this, with the creation and rollout of an SCS data master class and, shortly, the creation of ministerial digital and data master classes. I look forward to this to ensure that all SCSs and Ministers have a core foundational understanding and can use digital and data expertise effectively.

We also agree with report's recommendations that "digital transformation" of public services should be at the heart of government reform. This does not necessarily mean that there should be no red boxes, but we take the point. We have established the Central Digital and Data Office to ensure that digital services can be deployed across departmental boundaries.

The Government Skills and Curriculum Unit was established last September to address training issues directly. Its mission is to ensure that there are suitably qualified and experienced civil servants from entry to senior leadership and to create that properly resourced campus for training in government. The intent is also to equip Ministers, on whom many have focused, with the essential knowledge and skills that allow them to be effective in the fiendishly complicated context of modern government.

We have heard a lot of the theoretical construct, from which I do not demur, but it is all too difficult. It may be no excuse when the bullets fly, but in action it is not always possible to adhere to the theoretical constructs. A toolkit of critical insights to smooth the way for Ministers is important in those circumstances. The goal here is not to define or teach a single model of ministerial leadership, which would be counter-productive and unhelpful. I heard what the noble Baroness, Lady Fox, said. The induction and skills programme assembled for Ministers by my former colleague Minister Lopez is optional, but it does emphasise the first principles of working in government and will be available to new Ministers.

In the *Declaration on Government Reform*, we committed to investing in training for civil servants and Ministers. Consistent and pragmatic ministerial induction and training will help new Ministers navigate the Civil Service and all aspects of their new role, so that they can be as effective as possible as quickly as possible.

The ministerial induction programme focuses on three areas. The first, in response to overwhelming feedback over many years, is a better induction. We have heard from noble Lords with experience in government, including the noble Baroness opposite in her fascinating and entertaining speech, that Ministers need the most support in their initial days and weeks in understanding the machinery of government and Parliament and knowing how to be effective leaders in a department.

It will also offer clear and more accessible bite-size training relevant to their role and to their requests for more knowledge and skills to enhance their impact. There are also bespoke programmes, in partnership with others, to enhance Ministers' networks and help them to be resilient leaders.

This induction programme will provide practical support in weeks 1 to 6, from how to work and manage a private office to understanding the Civil

Service and, yes, the responsibilities of Ministers to Parliament: how legislation should be taken through and how Select Committees can inform and enhance and must always be respected. A series of master classes complements the induction and draws on the experience of other Ministers, in addition to experts sharing their knowledge on topics including data, digital finance, procurement processes and science. Like all good training and development, we will evaluate the impact of this offer.

As my noble friend Lord Maude said, the Prime Minister and Chancellor of the Exchequer have set out their intention to initiate a significant long-term improvement—this is so vital; it has been true under successive Governments—in government delivery of major government projects. To support this, the Infrastructure and Projects Authority—my noble friend referred to this, or perhaps it was the noble Lord, Lord Bilimoria—and the Oxford Saïd Business School have developed a short, modular training programme on major project delivery for Ministers, tailored to their role as client sponsors of strategic projects. To date, four cohorts of the programme have run, with 41 Ministers attending, three of whom are Cabinet Ministers. A fifth cohort is proposed for the autumn. The programme has been well received and strongly endorsed by the Public Administration and Constitutional Affairs Committee.

There is a lot more to say and a lot more listening. I will study *Hansard* enormously carefully. We know we continue to have a challenging road ahead, both to help the country build back better and to reform government. We owe it to citizens to be the very best public servants—and, as Ministers and civil servants, the very best partners in public service—that we can be. We know that the demands on us as Ministers and civil servants will continue. Through the implementation of training in core leadership skills for Ministers and civil servants and the establishment of a dedicated government campus, we can work together to provide the best possible service for our country. We can build back not only better but in the best way possible, Ministers and civil servants together, as our country deserves.

6.48 pm

Lord Norton of Louth (Con): My Lords, I said in opening that there was a quality line-up of speakers, and the debate has rather proved it; we have had some stellar speeches. One of the things that has been clear is the common theme about the sheer importance of this.

In response to the noble Baroness, Lady Fox, I say that it is not just a case of using external providers and a one-size-fits-all form of training. I distinguished between purpose in office—what Ministers seek to achieve—and the skills necessary to achieve it. You will get variety and different qualities of Minister. You cannot ensure you are necessarily getting all good Ministers, but you can ensure you are getting the best you can by giving them the skills to deliver. That is the key point.

It is not just using external providers; one of the things that I drew from my own research was the importance of best practice drawn on the experience

of former Ministers. When I interviewed those who had held senior office, it was quite clear that when new Ministers come in they reinvent the wheel rather than draw on those who have already invented it. There is a lot of experience out there that we can draw on, from those who have the experience; that is absolutely vital.

In terms of providing training, as my noble friend Lord Maude has clearly indicated, and the noble Lord, Lord Bilimoria, has reinforced, there are the courses available. The supply is there, but a key problem, as my noble friend indicated, is that they tend to be optional—the danger there is that you end up preaching to the converted. The ones who want to do it are the ones who go and do it. It is the ones who are the most resistant who need to be reached.

As the noble and learned Lord, Lord Judge, said in his excellent contribution, there tends to be resistance to training when you first introduce it. Once it is in place, you start to wonder how you coped without it. It is about overcoming that resistance and getting it in there. It then becomes part and parcel of good government. That is absolutely the point that we must stress, as the noble Baroness, Lady Smith, was saying. We are talking about good governance. This is such an important debate. What could be more important than ensuring the quality of government of the United Kingdom? This is a way of facilitating it.

I am very grateful to my noble friend the Minister for his response demonstrating that we are making some progress. It is a case of building on that and particularly, as I was stressing, not only providing skills training for civil servants but really developing it for Ministers as well. That must be the driving force.

The noble Baroness, Lady Smith of Basildon, was making the point about the distinction between Ministers and civil servants; there is no reason why they cannot both be engaged in order to understand the role of the other. That is particularly important to achieving what we seek to achieve.

The exemplar of what we seek to achieve is embodied in my noble and learned friend Lord Mackay of Clashfern, because he demonstrated what a good Minister does, which is to work as part of a team, to bring people on board and to ensure that they feel that they are part of the process, because loyalty must be earned; it cannot be dictated. Ministers must have a vision to bring others within that vision, to ensure that they feel part of it. That is the way to deliver this.

We recognise what needs to be done and are moving in that direction. The more that we can do to achieve that, the better for the governance of the United Kingdom. I beg to move.

Motion agreed.

Safeguarding (Code of Practice) Measure

Motion to Direct

6.53 pm

Moved by The Lord Bishop of Blackburn

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

The Lord Bishop of Blackburn: My Lords, it has been a long day and we are on the cusp of a party conference recess. I do not want to detain your Lordships more than is necessary. I am somewhat anxious, and feel, to use the words of a noble Lord a moment ago, a scintilla of fear, standing here for the first time and hearing much of the previous debate about the importance of good leadership and of doing everything well. Perhaps I am a candidate for all that further training that was talked about. It is a great privilege to be allowed to spend this week as duty Bishop in this House and to lead Prayers each day.

I am grateful for your Lordships' presence this evening, not least because the Measure before us is significant in its application and is about safeguarding. As noble Lords will know, the Church of England has been on a long journey of putting in place appropriate staff, policies and practices to make the Church a safe place for all people, especially children and vulnerable adults. That has been essential as a response to church often being unsafe and to stories—historic and current—of appalling cases of abuse by those in positions of power who should have known better and whom many were willing to trust.

This Measure updates the legislation concerned with the safeguarding of children and vulnerable adults by the Church of England. In particular, it responds to a recommendation made by the Independent Inquiry into Child Sexual Abuse, known as IICSA. In 2019, the independent inquiry issued a report on case studies it had carried out into abuse committed by Peter Ball, a former Bishop of Gloucester, and on past abuse in the diocese of Chichester. The report recognised that steps had been taken by the Church to tackle abuse, including the passing of the Safeguarding and Clergy Discipline Measure 2016. But the independent inquiry considered that the way the 2016 Measure imposed obligations on individuals and Church organisations to follow correct safeguarding practice was less clear than it should be. This recommendation focused on the requirement in the 2016 Measure that a relevant person must have “due regard” to safeguarding guidance issued by the House of Bishops. The independent inquiry considered that the effect of a statutory requirement to have “due regard” to guidance was not well understood and should be replaced with a requirement that was more explicit in its terms.

The Archbishops' Council accepted the recommendations contained in the report of the independent inquiry and has been taking steps to implement them. This Measure, passed by the General Synod in April this year, will implement the recommendation I have just described. It replaces the existing duty to have “due regard” to safeguarding guidance with the duty to “comply with” requirements imposed by a safeguarding code of practice. The concept of complying with a requirement should be more straightforward than having “due regard” to guidance.

The code of practice itself, and any subsequent amendments to it, will be subject to prior consultation, including with those who have suffered abuse, as well as with representative bodies of the clergy and the laity. The code will also be subject to scrutiny by the General Synod. The code of practice, and any amendment to it, will be sent to every member of the General

[THE LORD BISHOP OF BLACKBURN]

Synod and published online. If 25 or more members of the synod give notice, a code will not come into force until the synod has debated and approved it.

The opportunity has also been taken in this Measure to update the list of “relevant persons”—that is, those individuals and bodies to whom the code of practice will be directed and who will be under a duty to comply with its requirements. Under the 2016 Measure, the list of relevant persons already includes clergy, licensed laypersons, church wardens and parochial church councils. Cathedral chapters will be added by the Cathedrals Measure 2021. This Measure will add diocesan boards of finance and diocesan boards of education to the list. It will also add staff working in the Church of England’s national safeguarding team, meaning that they too will be obliged to comply with relevant requirements contained in the code of practice.

During the passage of the Measure through the General Synod, the issue was raised as to how compliance with the requirements of the code of practice would be enforced, should that become necessary. So far as the clergy are concerned, non-compliance would potentially be a disciplinary matter, as it would be for licensed lay ministers. Bodies such as parochial church councils and diocesan boards are charities, and the Charity Commission takes the safeguarding responsibility of charity trustees very seriously and has statutory powers to intervene where they are not being properly carried out. Cathedrals are subject to visitation by the bishop and will shortly become subject to the jurisdiction of the Charity Commission.

7 pm

The sole lacuna in terms of enforcing compliance was found to be the case of churchwardens. As matters stand, there is no power to take disciplinary or other action against a churchwarden who refuses to comply with correct safeguarding practice. The Measure therefore includes a power for the bishop to suspend a churchwarden where he or she has failed to comply with the requirement of the safeguarding code of practice. This is a discretionary power and builds on powers that bishops already have to suspend churchwardens who present a direct safeguarding risk. As with the exercise of those existing powers, a churchwarden who is suspended for non-compliance with the safeguarding code of practice will have a right of appeal to an independent judge.

I must conclude by acknowledging the serious past failings of the Church of England in protecting children and vulnerable adults from abuse—a failure which the most reverend Primate Archbishop of Canterbury has acknowledged on many occasions. As he said in his evidence to the independent inquiry in 2019:

“Overall, I remain utterly horrified by what we have done in the past, our failures, and no doubt there will be failures going on ... We have made some small progress. We have a long way to go.” I hope and pray that this Measure will be another step in making the Church of England a safer place for children and vulnerable adults. I beg to move.

Lord Cormack (Con): My Lords, I rise as one who has been a churchwarden—although no longer—for a total of 36 years in three different churches, who has served on the General Synod of the Church of England for 10 years between 1995 and 2005, and who is still

actively involved in church affairs. I have also served on the Ecclesiastical Committee, whose report is what we are officially discussing tonight to approve it, for nearly 50 years. I therefore have a fairly long background.

I am so delighted to see my noble friend Lord Lexden here—I think we are the only two members of the committee here. I know that our chairman, the noble and learned Baroness, Lady Butler-Sloss, was very sorry not to be able to come, and I know that the noble Baroness, Lady Harris of Richmond, was also particularly sorry not to be able to come. I support the Measure, but I agreed with my colleagues on the committee that between us, we need to make some rather important points.

I support this Measure as being expedient but I hope it will also be effective and will not create some of the tragedies and difficulties that the ham-fisted handling of safeguarding has resulted in in recent years. I speak with some passion and some anger. The right reverend Prelate the Bishop of Lincoln, a Member of your Lordships’ House, was suspended—the first time a bishop had been suspended in centuries; I believe the previous one was suspended for shooting his gamekeeper—for 20 months and was then allowed back with a mild rap on the knuckles. He had done nothing serious—he himself had done nothing of a criminal nature—but he was held not to have handled a case drawn to his attention with sufficient expedition. It was a difficult case; I do not know all the details, and it would be wrong to give just a few. However, this man, who served the Church for many years and who was installed as bishop in November 2011, the day before Remembrance Day, having had almost two years of his episcopate suspended, is now somewhat broken, and has announced that he is retiring at the end of this year. I am pleased to say that he has been able to take Prayers in your Lordships’ House on a couple of occasions; I hope that he will be able to do so again. This was a disproportionate handling.

It would not be so bad if this were an isolated case. But staying in Lincoln, the chancellor was suspended because he was facing a criminal charge; that is fair enough. He was acquitted unanimously by the jury and was then exonerated by the Church authorities, but it took 789 days. Again, it was said that some further accusations were trivial and unsubstantiated. We must be careful when dealing with public men and women who have contact with their parishioners, or with a wider congregation if they are in cathedrals and so on. We must have regard for them as people.

For instance, it was said in Committee—my noble friend Lord Lexden was there—regarding the right reverend Prelate the Bishop of Lincoln, that part of the delay was due to the fact that the police were investigating and had to report to the Church authorities. He suggested that the police had held this up for well over a year when they had not done so at all. Within a few months of the action taken in May 2019, the police said that they had no further interest in the case, and yet the Church dragged its feet.

Of course, there are many examples of clergymen—not of an exalted rank—who have had their lives completely wrecked by malice. There is recent example in the London diocese of a clergyman who committed suicide.

I am not for a moment suggesting that safeguarding is unimportant. As a Christian and an Anglican, I am deeply ashamed of some of the things that have happened historically. But I am also deeply ashamed of the way in which certain things have been handled, as I have indicated.

Let me make a historical reference. One of the saintliest bishops of the 20th century was, without doubt, Bishop Bell of Chichester, formerly the Dean of Canterbury. He was a man of great spirituality and is regarded as so important that he has a day devoted to him in the Church calendar. He stood up and spoke out against mass bombing. He did not always endear himself to our great Prime Minister of the day, Winston Churchill, or to others—although Churchill did say some very kind things about him, and meant them. This man, dead in 1958, was, a matter of just three or four years ago, suddenly traduced on the evidence of a woman in her late 70s, who alleged that she had been interfered with by the bishop as a girl of five. There was no corroborative evidence. An investigation was conducted with great forensic skill by the noble Lord, Lord Carlile of Berriew, who delivered what can only be called a damning report on the way in which the Church of England had handled this.

I welcome the Measure before us tonight—not that the bit of paper that colleagues have been able to pick up tells them very much about it, and so I am grateful to the right reverend Prelate for his concise but good explanation. I wish our colleagues had had a better piece of paper; they might then have been more tempted to come and take part in this debate. It is also a pity that this is a debate without a list of speakers, as I think we would have attracted more with one.

However, it would be wrong to let this debate take place without seeking to stress that this safeguarding business has not been handled well. It is important because any man or woman is innocent until proven guilty. It is important that if there are further cases they are handled with greater dispatch and compassion, and if the man or woman is guilty then of course they must be appropriately dealt with. If that means they must be unfrocked, as the term is when a priest loses holy orders, fine, but we have not got the balance right up to now.

I pray devoutly that this Measure will enable us to get the balance right but it is crucial for the reputation of the Church of England, which is going through a rough patch at the moment. I have not lost my faith, but I have come close to losing my faith in the Church of England from the experiences I have witnessed in the last few years. We have got to get the balance right. This Measure must work in a way that is fair to the accused as well, of course, as rooting out those who do evil. What we are talking about is that there are some people who do evil, but the vast majority of clergy men and women in the Church of England are honourable to their vocation. They deserve to be treated fairly and properly, as the right reverend Prelate the Bishop of Lincoln recently has not been.

Lord Lexden (Con): My Lords, my noble friend Lord Cormack referred at the start of his powerful remarks to the passion and anger that he felt because of some recent events. I feel very deep passion and anger, as I shall explain.

I have had the honour of serving on the Ecclesiastical Committee for a few years, but I am afraid I cannot continue my membership of it. I can no longer support the Clergy Discipline Measure, in view of the harm it is capable of inflicting on innocent clergy caught up in sex abuse allegations. Doubts about the Church's capacity to devise a fair and just system for dealing with accusations of sex abuse laid against its clergy have long been simmering in my mind, not least because of the terrible way in which the reputation of the great George Bell, to whom my noble friend referred, was damaged—and damaged so unfairly. But worry and concern have now given place to total despair; my faith in the Church's institutional integrity has been completely broken.

Long ago I was briefly close, perhaps for no longer than a single summer, to a witty and clever Cambridge contemporary. He was a classicist who became a lecturer at Exeter University and later took holy orders. His name was Alan Griffin. In November last year, the Reverend Dr Alan Griffin committed suicide. After the end of the inquest into his death in early July this year, the coroner wrote a detailed report on the way that the Church had investigated his suspected sexual misconduct. She revealed that when he died, the Church's investigation had been going on for over a year. The coroner stated that

“he could not cope with an investigation into his conduct, the detail of and the source for which he had never been told”—

I repeat, the detail and source for which he had never been told.

Worse, when the coroner probed the evidence against him, she found it was non-existent. There was, she said, “no complainant, no witness and no accuser”.

The Church had acted on the basis of mere gossip and innuendo. Could there be a clearer example of the denial of natural justice?

7.15 pm

And how did the Church carry out its investigation during the year in which Alan Griffin was kept in ignorance of the so-called accusations against him? The coroner states:

“nobody took responsibility for steering the direction of the process from start to finish and for making coherent, reasoned, evidence based decisions”.

And so the scene was set for a terrible tragedy.

The last element of the Church's behaviour in this case which I want the House to note is very serious indeed. The coroner records that submissions

“on behalf of the Church of England ... urged me not to include any concerns that may be taken as a criticism of clerics or staff for not filtering or verifying allegations.”

This is not from some shady organisation or business with suspect moral standards, but from our country's established Church. These are the circumstances that led to the death of a friend of mine from long ago, and that is why my faith in the Church's institutional integrity has been broken.

The Lord Bishop of Blackburn: My Lords, I am grateful to the two noble Lords for their contributions in this debate and for speaking from their experience and their expertise and involvement not only in this House but in the Ecclesiastical Committee, and bringing that experience to this matter.

[THE LORD BISHOP OF BLACKBURN]

I would be the first to put my hand up and say that we have not been getting things right, and the national safeguarding team is seeking to improve its way of working. There are a number of cases that have been referred to which are inexcusable, and the Archbishop of Canterbury, in particular, has expressed his deep regret over the 20-month suspension of the Bishop of Lincoln and has expressed that that should be something that is never, ever repeated. I am not aware of all the details of the other incidences that have been referred to, whether it is Bishop Bell or the Reverend Dr Alan Griffin, but there are obviously important lessons to be learned through those experiences and those stories that the Church of England needs to take on board and listen to very carefully.

There is a real sense in which it is important that there is a balance between the concern for safeguarding of children and vulnerable adults within the life of our Church, where terrible abuse has occurred, and for that to be dealt with firmly and rightly, but also a right case for compassion for those who are being accused of something and for that to be looked at both quickly, so that it does not drag on endlessly, and to be looked at quickly enough so that the evidence can be brought to light to see whether there is a case to answer or not. I am horrified to hear the stats just referred to about the Reverend Dr Alan Griffin, that he was never told what the accusation was and that, when it was looked at, it was found to be non-existent and it was all gossip and innuendo. That is not acceptable as a way for a Church to behave in trying to deal with safeguarding matters.

There is a real difference that needs to be drawn between the call to comply with guidance on safeguarding and dealing with those people differently from those who are subject to an allegation of some sexual abuse. There are cases where, sometimes, a person who has just not complied with a particular line of guidance has been treated as though they themselves are a safeguarding risk. That is an unacceptable comparison and there needs to be a distinction drawn between the two. My hope is that this Measure that talks about having to “comply with”, rather than having “due regard” for, will help sort some of that issue out in the days that lie ahead.

I am sorry to hear the stories that have been relayed. I hope that expressing them here in your Lordships’ House is helpful so that they are on the record and we know they have been told and heard by someone in the House of Bishops. I will do my part to relay something of this back to those who seek to carry out that safeguarding function for the Church of England and the national safeguarding team. I will undertake to report something of what I have heard today to them.

I will finish by saying that I and my colleagues commit to seeking to make the Church of England a place where it is safe for children, vulnerable adults and all people to be part of a church gathering and a church family, and for the Church not just to exercise good practice in those areas but to be a model to others of how to do this, because sometimes people have looked to the Church and said, “If the Church doesn’t do it, why should anybody else?” The Church has a call to model something to others in a way it has not done up to this moment. There is a challenge.

Although I am glad for the support for this change in the Measure to ensure good and better practice in the days that lie ahead, it is not the whole answer. We shall have much more to do. I will play my part in doing what I can to relay this back to others and encourage the House of Bishops to do the same.

Lord Lexden (Con): Could the right reverend Prelate comment on the quotation from the coroner’s report that I read out at the end? The Church of England seeking to interfere with the content of a coroner’s report in order to diminish the extent of the criticism it would sustain: is that not utterly reprehensible?

The Lord Bishop of Blackburn: It is reprehensible and unacceptable. One of the big issues has been the whole matter of cover-up and trying to silence voices. That is a very clear example and should never, ever be repeated. I will report that back to the national safeguarding team and others. We are in the business not of covering up but of being transparent and open, so that these things can be brought to light and people can learn from them. It is reprehensible and completely unacceptable.

Motion agreed.

Money Laundering and Terrorist Financing (Amendment) (No. 2) (High-Risk Countries) Regulations 2021

Capital Requirements Regulation (Amendment) Regulations 2021

Motions to Approve

7.22 pm

Moved by Baroness Evans of Bowes Park:

That the Regulations laid before the House on 12 July be approved. *Considered in Grand Committee on 14 September*

The Lord Privy Seal (Baroness Evans of Bowes Park) (Con): My Lords, on behalf of my noble friend Lord Agnew and with the leave of the House, I beg to move the two Motions standing in his name on the Order Paper en bloc.

Motions agreed.

Merchant Shipping (Prevention of Air Pollution from Ships) (Amendment) Regulations 2021

Motion to Approve

7.23 pm

Moved by Baroness Evans of Bowes Park:

That the draft Regulations laid before the House on 6 July be approved. *Considered in Grand Committee on 14 September*

The Lord Privy Seal (Baroness Evans of Bowes Park)
(Con): My Lords, on behalf of my noble friend Lady Vere, I beg to move the Motion standing in her name on the Order Paper.

Motion agreed.

House adjourned at 7.23 pm.

