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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

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The following abbreviations are used to show a Member's party affiliation:

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

Wednesday 30 March 2022

3 pm

Prayers—read by the Lord Bishop of Worcester.

Prisons: Death Statistics Question

3.06 pm

Asked by **Lord Harries of Pentregarth**

To ask Her Majesty's Government what assessment they have made of the statistics in the report by the Ministry of Justice *Safety in Custody Statistics, England and Wales: Deaths in Prison Custody to December 2021, Assaults and Self-harm to September 2021*, published on 27 January; and in particular the finding that the number of self-inflicted deaths in prison custody had increased by 28 per cent in the 12 months ending December 2021.

The Parliamentary Under-Secretary of State, Ministry of Justice (Lord Wolfson of Tredegar) (Con): My Lords, every death in custody is a tragedy. Although in 2021 there were more self-inflicted deaths than in 2020, the number was the same as in 2019. The number of self-inflicted deaths in 2020, used in this Question as a benchmark, was in fact the lowest since 2012. However, each death is one too many. We continue to do everything we can to ensure and improve the safety of those in our care.

Lord Harries of Pentregarth (CB): I thank the Minister for his Answer. As he says, every suicide is an occasion of great sadness. That there were 86 in prison—an increase of 28% on the previous year—is seriously worrying. Does he agree that the figures reveal something interesting and important? All 86 were males, nearly all were white and they were predominantly in the age groups 21 to 25 and 30 to 39. So many of these deaths occurred in the first 30 days in prison—15 in the first week. The rate was particularly high among prisoners on remand. In the light of these figures, what precautions will Her Majesty's Government take to address people who fall into this profile, because it seems clear that a particular group of people is at risk?

Lord Wolfson of Tredegar (Con): My Lords, I accept there are particular risks with people on remand, and with those who have just come into or been recalled to custody. We do focus on those particular groups. However, I point out that, although they were all men, as the noble and right reverend Lord said, that is because there were no self-inflicted deaths of women in custody that year. Historically, we have had female deaths in custody, so the figures also show an improvement because of the work we have been doing in the female estate.

Viscount Hailsham (Con): My Lords, one factor that may have contributed to the increase is the extended period in cells in custody due to the pandemic. If that is correct, does it not strongly argue that, if we are to reduce the number of suicides, it is important to increase the amount of meaningful out-of-cell activity for prisoners?

Lord Wolfson of Tredegar (Con): My Lords, my noble friend is right and we do want to do that. We also want to do two other things: to increase videoconferencing, so to speak, between prisoners and their families, as we found during the pandemic that it has been very successful; and to make sure that trials come on more quickly, so that people are on remand for a shorter time. That is why, next year, we are planning to hold 20% more jury trials than before the pandemic.

Lord Morris of Aberavon (Lab): My Lords, in my various capacities, I have had a lifelong concern for all deaths in custody. Since death by hanging accounts for 83% of self-inflicted deaths and that bedding is the most commonly used ligature and a window is the most commonly used ligature point, what lessons do the prison authorities learn from these statistics and what steps are being considered to take account of the availability of these trigger points?

Lord Wolfson of Tredegar (Con): My Lords, we are aware of that extremely important point. As we set out in the *Prisons Strategy White Paper* at the end of last year, we have committed to delivering 290 ligature-resistant cells, the architecture of which prevents prisoners hanging themselves. That is in addition to the other interventions about which I have already spoken.

Baroness Burt of Solihull (LD): My Lords, the Prison Service is in the midst of a perfect storm, with high volumes of staff shortages and a projected increase in the number of prisoners. How will the Government improve this situation for the people who have to suffer the consequences, both prisoners and officers, including in privatised prisons?

Lord Wolfson of Tredegar (Con): My Lords, I do not recognise the phrase “staff shortages” when put in context. Between the end of October 2016 and the end of December last year, the number of prison officers increased from just under 18,000 to over 22,000. That is about 4,000 additional full-time equivalent officers.

Lord Brown of Eaton-under-Heywood (CB): My Lords, is the Minister as concerned and unsurprised as I am that the highest rate of self-inflicted deaths, and indeed of other instances of self-harm, is among the indeterminate prisoners, the IPPs—higher even than life prisoners and getting higher as the period of their post-tariff detention extends, so that the vast majority have done more than 10 years than their punishment required?

Lord Wolfson of Tredegar (Con): My Lords, we have discussed IPP prisoners on several occasions. I acknowledge the work the noble and learned Lord has been doing in

[LORD WOLFSON OF TREDEGAR]
this area. As he knows, the Justice Select Committee has been looking at this issue. I have already committed to reviewing the position as soon as we receive its report.

Lord Lexden (Con): Do prison chaplains keep a particularly careful and watchful eye on the prisoners in the categories to which the noble and right reverend Lord, Lord Harries, made reference?

Lord Wolfson of Tredegar (Con): My Lords, prison chaplains do a lot of very good work. They are astute at looking out for signs of prisoners who are at greater risk of self-inflicted harm, but that is something that prison officers are doing as well. We have put in place a strategy to identify on a prisoner-by-prisoner basis those who are at higher risk, and we focus more on them.

Lord Harris of Haringey (Lab): My Lords, it is almost seven years to the day since I submitted to the Minister's department a report on the self-inflicted deaths of young people in the prison estate. Since then, all the figures seem to have got worse. An increasing number of people are self-harming. What has been done in the intervening seven years, primarily to stop young men entering the criminal justice system and to ensure that, when they are in prison, they are properly supported, supervised and advised? That is what is lacking.

Lord Wolfson of Tredegar (Con): My Lords, I am sure the Prisons Minister will be familiar with the document; I confess that I am not. However, with respect, it is not right to say that the number of self-harming incidents has gone up. In the female estate, it is right to say that the rate of self-harm is higher than it was pre-pandemic; in the male estate, it is lower. Therefore, one has to look at the figures carefully.

Baroness Hussein-Ece (LD): My Lords, the Minister just mentioned the rise in female self-harm in the prison estate. The figure I saw for up to October last year was a 47% rise in self-harm among women and a rise of one-fifth for young people. Does he accept that this is a failure of the duty of care? What is being done to review mental health services and support for women and young people in prison?

Lord Wolfson of Tredegar (Con): My Lords, without getting into the statistics too much, comparing the 12 months to September 2021 with the 12 months to September 2019—post and pre pandemic—it is 23% higher. On the female estate, which is quite small, we acknowledge that female prisoners are overwhelmingly those who have had significant problems in their lives pre prison, and they are therefore a particularly vulnerable group coming into prison. That is why we focus on the female estate in particular. I am very pleased that, as I pointed out earlier, we had no self-inflicted deaths in the female estate last year.

Lord Ponsonby of Shulbrede (Lab): My Lords, in the 12 months to December 2021, there were 371 deaths in prison, including the suicides referred to earlier.

This is despite recent reductions in the prison population. Over about the same period, there were 7,780 assaults on prison staff, which is an 8% reduction on the previous year. Does the Minister think that those two statistics are connected to each other? Does he agree that the key to improving prisoner and staff safety is the recruitment and, crucially, the retention of prison staff?

Lord Wolfson of Tredegar (Con): My Lords, the figures are perhaps connected in this way: we want to make sure that we have as few self-inflicted harm incidents as possible and as few assaults on staff as possible. On staff, we have rolled out body-worn video cameras and we have better drug testing coming into prisons. But I and the Government are far from laid back about the current situation; we want to get these figures down further. But I point out to the House that we have seen some significant improvements in the figures recently.

Baroness Butler-Sloss (CB): My Lords, what training and support are prison officers given to deal with these appalling problems?

Lord Wolfson of Tredegar (Con): My Lords, prison officers go through rigorous training and are given significant support. We have put in place a system whereby prison officers who are working with particular prisoners who are perceived to be at risk of self-harm have time in their schedules to sit down and focus on those prisoners. As opposed to having to fit this in among their other tasks, particular time is set in their programmes so that they can devote it to their prisoners.

Housebuilding: Target *Question*

3.17 pm

Asked by Lord Young of Cookham

To ask Her Majesty's Government what progress they have made towards meeting their target of building 300,000 homes a year.

The Minister of State, Home Office and Department for Levelling Up, Housing & Communities (Lord Greenhalgh) (Con): From April 2019 to March 2020, more than 242,000 homes were delivered—the highest level for over 30 years. Despite the pandemic, we enabled construction sites to stay open, allowing us to deliver more than 216,000 homes in England in 2020-21, well above the 186,500 forecast for the whole of the UK.

Lord Young of Cookham (Con): I am grateful to my noble friend, but is he aware that the House of Lords Built Environment Committee has warned the Government that they will miss their targets by about half over the period of time in question? In order to catch up, will my noble friend consider greatly accelerating the number of homes built off-site, using modular construction? These are quicker, built to a higher quality and less susceptible to the weather than traditional

methods. Within that, will he consider more homes for the elderly, which are in short supply, so that those who want to can downsize, freeing up their homes for families?

Lord Greenhalgh (Con): My noble friend has extensive experience of housing. The department recognises the importance of modern methods of construction, both volumetric and non-volumetric as well as those designed for manufacture and assembly, and we have a target within the affordable homes programme of delivering around 25% through these methods. Obviously, we recognise the need for housing of all types and tenures, and both supported and private housing for the elderly, and retirement communities are a very important part of getting the built environment right.

Lord Carrington (CB): My Lords, in order to maximise the funding for the building of affordable housing, there is a need to bring in willing and able institutional investors. However, the Government must create a level playing field in terms of the tax positions and grant agreements between housing associations and institutional investors to encourage much-needed collaboration between the two. Please could the Minister comment on this and other measures to attract private investment?

Lord Greenhalgh (Con): My Lords, I recognise the important role that registered providers have played in building affordable housing but also note that, increasingly, councils are building council homes again, which is a good thing. We will look at whatever it takes to remove those barriers to enable people who are building affordable housing to access institutional investment.

The Lord Speaker (Lord McFall of Alcluith): My Lords, we have a virtual contribution from the noble Baroness, Lady Brinton.

Baroness Brinton (LD) [V]: My Lords, research by Habinteg has shown that the lifetime homes standard—that is, part M4 category 2—costs only £1,000 extra on new build, reducing the need for expensive adaptations later in life and keeping people independent. The LGA says that, at the current rate of housebuilding, it will take 2,000 years to achieve this standard. Worse, under 2% of new housing is required to be built to category 3, for wheelchair users, when a minimum of 10% is needed. How many units that meet category 2 and 3 have been built in the past five years?

Lord Greenhalgh (Con): My Lords, I cannot give that particular statistic; what I can say is that we recognise the importance of getting these standards right. We have consulted very recently on options to raise the accessibility of new homes and we continue to focus on ensuring that we have homes that work for people of all ages and are suitable for older and disabled people.

Baroness Jones of Moulsecoomb (GP): My Lords—

Lord Mackenzie of Framwellgate (Non-Aff): My Lords—

The Lord Privy Seal (Baroness Evans of Bowes Park) (Con): My Lords, we will hear from the Green Party.

Baroness Jones of Moulsecoomb (GP): Thank you. How many of the homes that have been built are net-zero carbon and, therefore, how many are left to be very expensively retrofitted for energy efficiency later?

Lord Greenhalgh (Con): My Lords, we seem to be going around every type of housing that we could possibly build, but it is very important to recognise that we have a future homes standard, that we have set that to be in place by 2025 and that we continue to build homes that are reducing our carbon footprint—and, actually, modern methods of construction are precisely the way to do it.

Baroness Neville-Rolfe (Con): My Lords, our Built Environment Committee report made it clear that, if the number of new homes is to be increased, improvements are needed in several areas of public policy, especially planning. More than half of all authorities have no local plans, with Slough the latest to drop its plan because of uncertainty. Will the Government do everything possible—there are examples in the report—to ensure that the defect is remedied and that we have homes of all tenures for everybody to live in?

Lord Greenhalgh (Con): I thank my noble friend for all the sterling work she does on the Built Environment Committee. I recognise that there is a problem around local plans. Indeed, it is the planning lawyers who point out that we need more robust timetabling again, to ensure that local authorities undertake their duties to have a plan to shape their areas.

Baroness Hayman of Ullock (Lab): My Lords, local authorities are crucial to meeting the Government's housebuilding targets, but, if they are properly to master-plan and create the new communities that we need, they need new powers. So will the Minister support the reform of our arcane land compensation laws?

Lord Greenhalgh (Con): I look at whatever it takes to support councils in being able to build and shape their areas. An increasing number of councils are doing precisely that. This Government have enabled councils to borrow more liberally against the housing revenue account, but we will look at whatever measures we can to encourage local authorities to take a leadership role.

Lord Best (CB): My Lords, the skills shortage in the construction industry is set to be a major problem for years to come. A solution is to attract more women into this industry, since, as your Lordships' Built Environment Committee points out, only 4% of the construction trade's roles are held by women. Does

[LORD BEST]

the Minister agree that, when rejuvenating the failed apprenticeships scheme, it would be particularly helpful if a special effort was made to recruit apprentices who are women?

Lord Greenhalgh (Con): My Lords, of course we want to ensure that we get both men and women, and particularly women, involved in construction, but, as the Building Safety Minister, what I want to see above all is an increase in the quality and competence of the people who build our homes.

Lord Mackenzie of Framwellgate (Non-Afl): My Lords, it is agreed that there is a national shortage of housing in this country. Although greeted as a laudable policy in the Thatcher years, the sale of council houses depleted the capacity of local authorities to provide much-needed housing during emergencies. Can the Minister tell the House what steps the Government are taking to encourage and assist all local authorities to increase the renewal of the socially provided housing stock in the immediate future?

Lord Greenhalgh (Con): I can, because it is an unprecedented amount of money: £11.5 billion for the affordable homes programme. In this programme, more than double the number of homes, 180,000 homes, will be for social rent, and a great number will be for sub-market rent. So there is a real commitment in this Government to deliver housing of all types and tenures, and in particular socially rented housing.

Viscount Waverley (CB): My Lords, are the Government mindful that noise is a great irritant? Should local authorities consider airport growth when determining their local housing needs and avoid approving development in the proximity of airports that may be impacted, in the future, by the current and future operations of that airport? As an example, North West Leicestershire District Council, as I understand it, has a number of proposals for housing around East Midlands Airport.

Lord Greenhalgh (Con): My Lords, there is quite a lot of noise today, but what I will say in answer to the noble Viscount's question is that local authorities need to think about how to develop their areas for the benefit of the local community. This obviously includes building homes, but in the right place, in the right way and going with the grain of the local area. Indeed, economic development is a fundamental part of local leadership.

Lord Berkeley (Lab): My Lords, one of the recommendations of the built environment report referred to by the noble Lord, Lord Young—and I have the honour of serving on the committee under the noble Baroness, Lady Neville-Rolfe—was that the Government should encourage more small builders to build houses, rather than having a smaller number of big developers. Small, local builders will bring more local employment and new ideas, and they will generally speed up the overall housing construction.

Lord Greenhalgh (Con): That is an incredibly good point, because the wider public sector counts for about a third of the money that is spent in the construction industry in any given year. We need to encourage small and medium-sized builders who are more innovative and bring new things with them, rather than simply the large-volume builders.

Baroness Pinnock (LD): My Lords, I am sure that the Minister understands the difference between affordable housing and housing for social rent. In response to a previous question on social housing, the Minister's answer was "Affordable"—which is not the same thing at all. So can the Minister help the House to understand, with construction costs soaring and social housing dependent on government grants, whether the Government will increase the size of the grants so that more social housing can be built to meet the desperate need in this country?

Lord Greenhalgh (Con): My Lords, the House will be unsurprised to know that I do understand the difference between types and tenures of housing. What I said in response to a previous question was that we had pledged to build 32 socially rented homes, and that the amount in this current programme is double that of the previous programme. To be clear, I meant 32,000 and not 32—I must get my numbers right. There is a real commitment to build not only socially rented homes but the houses between that and outright home ownership.

British Museum: Ethiopian Sacred Altar Tablets *Question*

3.29 pm

Asked by Lord Carey of Clifton

To ask Her Majesty's Government what discussions they have had with (1) the British Museum, and (2) the government of Ethiopia, regarding the return to that country of 11 sacred altar tablets held by the British Museum.

The Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport (Lord Parkinson of Whitley Bay) (Con): My Lords, the British Museum operates independently of government, meaning that decisions relating to the care and management of its collections, including these tablets, are a matter for its trustees. The museum has said that it recognises the significance of the tablets and has held meaningful talks with the Ethiopian Church on this issue. The museum's stated ambition is to seek to lend these objects to an Ethiopian Orthodox Church in the UK. The Government fully support the trustees. We have had no recent discussions with the Government of Ethiopia on this matter. We are gravely concerned by the current conflict in Ethiopia, and have called for all sides to begin peace talks and to facilitate humanitarian access.

Lord Carey of Clifton (CB): My Lords, I thank the Minister for his guarded reply. The issue for me is respecting another nation's culture and religious values. In the light of the fact that the tabots entered the collection of the British Museum after British troops led by Lord Napier in 1868 looted them, following the Battle of Maqdala, would not he agree that Her Majesty's Government bear some basic moral responsibility? As that is surely the case, would the Government give some words of encouragement—and I believe that they have implied something—to the trustees of the British Museum to do the right thing and return the tabots to Ethiopia?

Lord Parkinson of Whitley Bay (Con): My Lords, the noble and right reverend Lord alludes to the complexity of this case, and the 150 year-old matter that it concerns. The expedition to which he refers was, of course, to free hostages who have been taken, including an Anglican missionary whose two servants had been beaten to death by Emperor Tewodros II. But the main issue is the way in which these items are now cared for by the British Museum—and he is absolutely right to point to their religious significance. The tablets are housed in a special location which is maintained in consultation with the Ethiopian Church; they are well looked after by a committed curatorial and conservation team and available to be visited only by Ethiopian Orthodox priests. As I say, the museum has had constructive conversations with the Ethiopian Church on this, and would welcome further discussions.

The Lord Bishop of Worcester: My Lords, apart from the way in which these artefacts were obtained, and the responsibility of the British Museum and its independence, I wonder whether the Minister would agree that what sets these artefacts apart, as he has intimated, from any others in the British Museum and other museums across our land, is that they are sacred. As such, they relate to a living faith—the Ethiopian Orthodox Church. Whereas these tabots mean very little to anyone here except as stones of limited historical value, and no one is able to see them anyway, they are of profound religious significance in Ethiopia. Would not the Minister agree that they should therefore be returned to those who understand them to be holy and will cherish them as such?

Lord Parkinson of Whitley Bay (Con): The right reverend Prelate is right that these items remain of enduring importance to people, and the British Museum is very sensitively discussing those matters with the Ethiopian Orthodox Church, so that those sensitivities can be understood and reflected and so that the future of the items can be discussed appropriately. The past may be distant, but it remains around us, and the issues of sensitivity and importance are of course considered very carefully by the British Museum and all other cultural institutions.

Lord Sassoon (Con): My Lords, as a former trustee of the British Museum, may I ask my noble friend the Minister whether he agrees with me that, more generally, museums have a responsibility to be clear about the provenance of contested objects and that the British

Museum's website provides a model of openness and transparency for museums globally on how to deal with, and explain the provenance of, such objects?

Lord Parkinson of Whitley Bay (Con): I completely agree with my noble friend, and am grateful to him for alluding to the British Museum's work in this area. The pages on its website that explain both these items and, more generally, the museum's approach to issues of restitution and contested heritage, are a model of transparency. They set out the facts very clearly so that people can understand the past and make their own decisions—and also so that they can understand the claims for restitution that have been made to the museum, and how the museum is dealing with them.

Lord Bassam of Brighton (Lab): My Lords, while I appreciate that there are some legal complexities surrounding the return of the sacred tabots to Ethiopia, these highly significant religious artefacts have resided unseen in the British Museum's stores for the best part of 150 years. As I understand it, not even students, researchers or historians are able to view them. This cannot be right. Can the Minister give some comfort to Ethiopia by encouraging the trustees of the British Museum to find a solution that satisfies curatorial concerns and the understandable desire from Ethiopia for them to be returned to their rightful home?

Lord Parkinson of Whitley Bay (Con): The noble Lord touches on the core sensitivity of the matter. Some of these items are considered so sacred and holy that they can be looked at only by Ethiopian Orthodox priests, which would be the case in Ethiopia as in London. That is why the British Museum is in discussion with the Church. There are other items, however, from Maqdala that can be found in the museum's public galleries or changing displays. Together and individually, they demonstrate some of the great artistic traditions of Ethiopia, showing the breadth and explaining the diversity of the religious traditions in that country, including Christianity, Islam, Judaism and many other faiths.

Lord Foster of Bath (LD): My Lords—

Lord Boateng (Lab): My Lords—

Viscount Stansgate (Lab): My Lords—

The Lord Privy Seal (Baroness Evans of Bowes Park) (Con): My Lords, we have time. It is the turn of the Liberal Democrats and then the Labour Benches—if they could work out which one of them is going to stand up.

Lord Foster of Bath (LD): My Lords, recognising that only a handful of priests of the Ethiopian Orthodox Church live in the UK, that not even the director of the British Museum can view them and that there is, in this case, no legal impediment, would it not help the trustees of the British Museum to come to the right decision if the Government indicated their support for the return of the tabots to Ethiopia? If the Minister agrees, would he instruct the trustees of that view?

Lord Parkinson of Whitley Bay (Con): My Lords, the museum is independent of the Government; it is up to the trustees. The Government support the trustees in their earnest work and the discussions they are having on these sensitive issues with the Ethiopian Orthodox Church and others.

Lord Boateng (Lab): My Lords, these items, which are of huge religious significance, were looted. They were stolen after a brutal, punitive expedition—that is the reality. Given that reality and given the fact that they are not able to be seen, venerated or studied by anybody, would it not be the right thing to do—the moral thing to do—and would it not enhance the moral position of the trustees and the British Government in their discussions with the Ethiopian Government about human rights, if they were to be returned without delay?

Lord Parkinson of Whitley Bay (Con): My Lords, the items have a complicated provenance. They were indeed taken by British troops after the expedition, but some of the items in the collection were themselves stolen by Tewodros II to assemble the collection in the first place. Some of the items have been given back, including by Her Majesty the Queen in 1965 to Emperor Haile Selassie. The British Museum is looking at the complexity of this issue, talking sensitively to the Ethiopian Church and others to decide the best way of caring for them and reflecting that complex past.

Viscount Colville of Culross (CB): My Lords, I declare an interest as a trustee of the Museum of the Home. Museums across Ukraine are desperately trying to save internationally important works of art from being looted by invading Russian forces. Can the Minister tell the House what the Government are doing to help them?

Lord Parkinson of Whitley Bay (Con): My Lords, I had the pleasure of addressing the All-Party Parliamentary Group on the United Nations yesterday where there was a special parliamentary briefing from UNESCO on this important matter. The Government are providing initial funding through the Prince Claus Fund to help with the preservation of cultural objects in Ukraine.

Lord Kirkhope of Harrogate (Con): My Lords, may I say to my noble friend that I fully understand his difficulties with this matter. It is a complex matter, as it is with many countries and these arguments about artefacts. Can I ask him whether he has ever had any discussions with his Danish opposite number about the large amount of Anglo-Saxon silver that is held by Danish institutions—more than is held by English institutions? What is the prospect of having these artefacts returned to this country?

Lord Parkinson of Whitley Bay (Con): I am grateful to my noble friend. I have had no such discussions with my Danish counterpart, but my noble friend's question does allude to the complexities of these issues. There are sensitivities that remain very present, on which museums and cultural organisations do such

important work in helping us to understand in their fullness, but we must always come to terms with the past and draw our own conclusions.

The Future of the Northern Ireland Assembly Question

3.39 pm

Asked by Lord Moylan

To ask Her Majesty's Government, further to the Written Statement by the Secretary of State for Northern Ireland on 24 March (HCWS716) in which he stated his willingness "if necessary" to commission abortion services in Northern Ireland after the Assembly election in May, what assessment they have made about the future of the Northern Ireland Assembly.

The Parliamentary Under-Secretary of State, Northern Ireland Office (Lord Caine) (Con): My Lords, the Government's assessment is that the future of the Northern Ireland Assembly should not be affected in any way by any decision arising from my right honourable friend the Secretary of State's Written Statement of last week.

Lord Moylan (Con): My Lords, with most of Northern Ireland's economic laws being made in Brussels without any democratic input, and with unpopular decisions in the Assembly with which the Government disagree being yanked back to Westminster by Ministers, do the Government believe that devolved government in Northern Ireland really has a future?

Lord Caine (Con): I am tempted to give my noble friend a one-word answer, which is yes. However, I assure him, if he needs assuring, that this Government believe, head, heart and soul, in the Belfast agreement and the devolved institutions it establishes and we wish to see the restoration of a fully functioning Executive after the Assembly election on 5 May. My noble friend will be aware that the background to my right honourable friend's Statement of last week is the clear legal requirement placed upon him by Section 9 of the Northern Ireland (Executive Formation etc) Act 2019 regarding the commissioning of abortion services, a legal requirement which still stands.

Baroness Ritchie of Downpatrick (Lab): My Lords, will the Minister use his good offices to ensure that democratic values are upheld in Northern Ireland following all the attacks on democracy this week and on those who uphold peace and reconciliation? Will he also use his good offices to ensure that the institutions are up and running following the election—that is, all the institutions according to the three-stranded approach of the Good Friday agreement—so that local decisions, as per the devolution settlement, can be made by local MLAs who understand and appreciate the issues of their constituents—

Noble Lords: Too long!

Baroness Ritchie of Downpatrick:—and that the threats to the stability of the institutions by certain parties are ended forthwith?

Lord Caine (Con): My Lords, I am very grateful to the noble Baroness, Lady Ritchie of Downpatrick, and I completely agree with her points. In respect of the elections, of course people ought to be able to campaign, put up election posters and canvass without any intimidation or fear of intimidation in any part of Northern Ireland. That is part of the democratic process. On the re-establishment of the institutions, I absolutely agree with her. It is essential for Northern Ireland that all the institutions established by the Belfast agreement, under strands 1, 2 and 3, function properly and in accordance with the way they were set out in the agreement. We are fully committed to ensuring that happens after the election.

Lord Rogan (UUP): My Lords, I will be briefer. The inability of the Northern Ireland Executive to meet following the resignation of the First Minister has led to a major backlog of decision-making, including the release of significant public funds. If the Secretary of State is able to step in to make decisions relating to the commissioning of reproductive health services, with which I agree, why can he not order the immediate release of £36.2 million of UK taxpayers' money to Northern Ireland football clubs through the sub-regional stadia programme?

Lord Caine (Con): I am grateful for the comments of the noble Lord, Lord Rogan, regarding duties under Section 9 of the Northern Ireland (Executive Formation etc) Act. He will be aware that Northern Ireland departments are still able to spend money into next year and I hope the matters to which he refers will be decisions taken properly and rightly by an incoming Executive after 5 May.

Lord Coaker (Lab): My Lords, does the Minister agree that it is not acceptable, two years after Parliament passed regulations setting up the framework for safe abortion services, that women and girls in Northern Ireland still do not have access to high-quality abortion and post-abortion care? Is it not the case, as the Minister expressed in his recent Written Statement, that without access to services in Northern Ireland, women and girls are placed at high risk of harm? If the Secretary of State is in the unfortunate position of needing to pass further regulations following the Assembly elections in May, what is the expected timeframe for these regulations and for the provision of services?

Lord Caine (Con): I thank the noble Lord, Lord Coaker, for his question and for the constructive and bipartisan manner in which he approaches this issue, and many others, when it comes to Northern Ireland. I agree with him completely. The amendment put forward by his honourable friend in the other place was in 2019, and since then this Parliament has passed regulations setting out a framework for the delivery of

abortion services. It has passed a directive from the Secretary of State on the Executive to have services in place by tomorrow—that is the deadline. We are still waiting for those services to be delivered, so our view is that the Executive have had ample time to resolve this issue. So far as a timetable is concerned, I cannot give the noble Lord precise dates, but we expect the Department of Health in Northern Ireland to move quickly on this. Should that not be forthcoming, the Secretary of State will intervene after the elections in the way in which he set out in his Written Statement.

Baroness O'Loan (CB): My Lords, is it not the case that abortion was imposed on the people of Northern Ireland by this Parliament in 2019 against their will, and in the event that the power-sharing Executive is not reformed after the election and there is no Assembly, what plans do the Government have to address the consequential democratic deficit, and to make arrangements to ensure that the voice of the people of Northern Ireland is heard?

Lord Caine (Con): I completely understand the strength of feeling of the noble Baroness, Lady O'Loan, on this issue, and her very long-standing interest in it. I cannot pre-empt the outcome of the election and what will happen immediately thereafter. As I have said, we would like to see an Executive up and running as quickly as possible after the election. But the devolution settlement itself does not absolve the Secretary of State from the responsibilities placed upon him by this sovereign Parliament of the United Kingdom.

Baroness Eaton (Con): My Lords, what assessment has my noble friend made of safeguarding provisions for young women under 18 in assessing abortion in Northern Ireland—in particular, for the penalties for abortion coercion?

Lord Caine (Con): My noble friend—my Whip—makes a very important point. The commitment set out in the Northern Ireland (Executive Formation etc) Act 2019 is that the commission services in Northern Ireland should be compliant with the Convention on the Elimination of All Forms of Discrimination against Women. The framework that we set out in, I believe, 2021, to give effect to that will be CEDAW-compliant and deal with the issues raised by my noble friend.

Baroness Hoey (Non-Aff): My Lords, it might be worth pointing out to your Lordships' House that the reality is that there will be very little chance of an Executive being formed after the May election unless the protocol has gone. Following on from the question of the noble Lord, Lord Moylan, everything that is disagreed about in the Assembly comes to this House, so what is the point of having an Assembly in Northern Ireland?

Lord Caine (Con): In preparing for this question, I would never have anticipated in a million years that the noble Baroness would have raised the protocol. She is aware of the Government's position on the protocol; as the Secretary of State said to the Northern

[LORD CAINE]

Ireland Affairs Committee last week, it is not sustainable in its present form, requiring very drastic and radical change, and the Government are working with the EU to try to bring that about. In the absence of agreement, she is aware that we will take whatever action is required to remedy the situation. Regarding interventions in devolved areas, I remind the noble Baroness that she was a member of a government who in 2000 intervened directly in a devolved matter: the Northern Ireland Executive could not agree on the flying of flags from public buildings, and the Labour Government legislated here.

Lord McCrea of Magherafelt and Cookstown (DUP):

My Lords, rather than interfering in sensitive matters devolved to the Northern Ireland Assembly, does the Minister not accept that the Secretary of State would be better to use his efforts in removing the Northern Ireland protocol, thus protecting Northern Ireland's constitutional position within the United Kingdom, because failure to do so will undermine the possibility of any Executive being restored?

Lord Caine (Con): In respect of the constitutional position of Northern Ireland, the noble Lord, Lord McCrea, will be aware of my very strong unionist convictions and my strong personal support for Northern Ireland's position as part of this United Kingdom. So far as the protocol is concerned, I think I have set out the Government's position: we are committed to making the necessary changes to the protocol, which is unsustainable in its current form.

Hereditary Peers By-election

Announcement

3.50 pm

The Clerk of the Parliaments announced the result of the by-election to elect a Conservative hereditary Peer, in place of Lord Rotherwick. Thirty-seven Lords submitted valid ballots. A notice detailing the results is in the Printed Paper Office and online. The successful candidate was Viscount Camrose.

Lord Grocott (Lab): My Lords, I am sure we are all grateful to the returning officer for announcing the result of another thrilling by-election. I thank him as well for arranging for notice of the by-election to be put on the annunciator. It has been there for a few hours now, and I for one have certainly sensed the mounting tension as we awaited the result.

I must also congratulate the winner; not only does it provide him with a seat in the Lords but it admits him to an elite group of people who have picked five new Members of Parliament in less than 12 months—that is, the 46 hereditary Peers in the Conservative group. It is a pretty astonishing business that they have selected five Members of Parliament in less than a year, by a method which is very helpful to the governing party.

Normally in by-elections, the tradition in this country is that it is possible for the governing party to lose. But with the way in which we operate in this House—which is often different from other places—it was quite impossible for the governing party to have lost any of these

by-elections because in this particular case all nine candidates were Conservatives and all 46 electors were Conservatives.

That is good for the ruling party. I imagine that it must be the envy of ruling parties across the world. I have found it difficult to find any comparators anywhere in the world—except that there are some similarities with the situation in North Korea.

That brings me to the topical subject of voter identification. As the House knows, the Government are very keen on this. In order to vote in future elections for the House of Commons—general elections or by-elections—it will be a requirement to present some identification, such as a driving licence, a concessionary fare card or a passport; any of those will do. The purpose of this, of course, is to ensure that the person presenting themselves to vote is in fact that person.

I have been thinking about how this might apply to hereditary Peers' by-elections, where, for example, those in the electorate need to have inherited a title. We are in a situation where the grandson, great-grandson or great-great-great-great-great-grandson—several more greats—of the Earl of this or the Duke of that has to demonstrate that he is the person he is claiming to be. That could present difficulties. I am trying to present this in a sensitive way, but how can we be sure that, over perhaps several hundred years, there have been no shenanigans? All I can say is that I do not think it will help to be able to present to the returning officer as documentary evidence a copy of your driving licence.

These are very important issues that I am raising, which the Government are very keen on—I am not so keen on them, but they want this voter identification. I think the Government should hand this whole very serious matter over to the Electoral Commission to consider.

Social Security (Contributions) (Amendment No. 2) Regulations 2022

Motion to Approve

3.55 pm

Moved by Baroness Penn

That the draft Regulations laid before the House on 17 March be approved.

Relevant documents: 34th Report from the Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 28 March.

Motion agreed.

Nuclear Energy (Financing) Bill

Third Reading

3.55 pm

Bill passed.

Arrangement of Business

Announcement

3.56 pm

Lord Ashton of Hyde (Con): My Lords, we are about to begin consideration of the National Insurance Contributions (Increase of Thresholds) Bill. I thought it would be helpful to outline how today will work.

Amendments for Committee can be tabled in the Public Bill Office. The deadline for Committee amendments will be 30 minutes after the Second Reading concludes. After the Second Reading, we will have questions on two Statements made in the House of Commons earlier this week. During this time, the Marshalled List of amendments will be produced and an updated version of today's list circulated. The Committee stage of the Bill will start after the Statements and once all the necessary documentation is ready. The time at which the Committee will start will be displayed on the annunciators and the Government Whips will make announcements as required.

Looking further ahead, but without wishing to pre-empt any decisions the House may make, if the Bill is not amended in Committee, we will move directly to a formal Report stage and then to Third Reading, so there would not be a further break after Committee. Further announcements about arrangements for the Bill will be made as required during the course of the day.

National Insurance Contributions (Increase of Thresholds) Bill

Second Reading

3.58 pm

Moved by **Baroness Penn**

That the Bill be now read a second time.

Baroness Penn (Con): My Lords, I beg to move that the Bill be now read a second time. At a time when the UK faces the twin challenges of recovering from the Covid pandemic and responding to Putin's appalling attack on Ukraine, my right honourable friend the Chancellor's Spring Statement set out how we will build a resilient and growing economy that will allow us to respond to such crises at home and help our friends abroad in times of need. At the heart of that Statement was a three-part plan to support families with the cost of living, support growth in the economy and ensure that the proceeds of that growth are shared fairly.

While our tax plan will deliver significant benefits to both people and the economy, it is also underpinned by the principle of fiscal responsibility. We have ensured that we maintain space against our fiscal rules, we have continued to be disciplined and we have carefully considered the macroeconomic outlook. It is particularly important that the Government take this prudent approach because, in the next financial year, we are forecast to spend £83 billion on debt interest, the highest amount on record and almost four times the amount we spent last year.

These figures underline why the Government cannot shy away from some tough decisions. That is why the health and social care levy announced last year will remain in place. We need to safeguard a source of funding for our NHS and for those who need care throughout their lives. However, as the Chancellor pointed out, a long-term funding solution for the NHS and social care is not incompatible with reducing the tax burden on working families. This brings me on to the specifics of this national insurance contributions Bill, which is a key element of the Chancellor's tax plan.

The Bill legislates for the two employee and self-employed NICs measures set out by the Chancellor in his Spring Statement. Noble Lords will be aware that it has long been the Government's ambition to promote tax cuts for working people and to simplify the tax system. That is why since 2010 we have taken millions of people out of income tax by raising the personal allowance from £6,500 to its new level of £12,570. However, as my right honourable friend the Chancellor explained, the equivalent national insurance thresholds remain at around £3,000 lower. As a result, at the last general election the Prime Minister pledged to increase NIC thresholds, and in 2020 the Government took a significant step forward to this by increasing the threshold to £9,500.

The Bill's first measure will increase the NIC primary threshold and the NIC lower profit limit to £12,570 from 6 July. These are the thresholds at which employed and self-employed respectively start to pay NICs. The increase in these thresholds of around £3,000 will equalise the NICs and income tax thresholds and in doing so create a fairer and simpler tax system. As the Chancellor has explained, this means that people will be able to earn £12,570 a year without paying a single penny of income tax or national insurance. This is the largest increase in a starting threshold ever and the largest single personal tax cut in a decade, reducing the tax burden by £6 billion for 30 million people across the United Kingdom.

On an individual level, a typical employee will see their tax bill reduce by £330 in the year from July, while the equivalent saving for a self-employed worker would be worth over £250. In addition, around 70% of all workers will have their NICs cut by more than the amount that they will pay through the new health and social care levy. Further, over 2 million people will be taken out of paying class 1 and class 4 NICs and the health and social care levy altogether, so many people will feel the benefits of this tax cut very soon.

However, the Government recognise that this is a big change for many employers and payroll software providers. We believe that the July implementation date strikes the right balance between ensuring that individuals benefit from the increase as soon as possible, while giving employers and payroll software providers time to update and test their systems. This avoids millions of taxpayers having to make manual claims for refunds at the end of the tax year and employers having to make payroll corrections.

The Government are also aware of the huge pressures faced by those working for themselves but earning low amounts due to the rising cost of living. To support this group, the Bill gives the Treasury the power to lay an affirmative statutory instrument. This will mean that, from April, those with profits between £6,725 and £11,908 will not pay class 2 NICs, and this will rise to £12,570 from April 2023. This measure will benefit half a million self-employed people, saving them up to £165 a year. This group will still be able to receive NIC credits just as they have done in the past. As a result, their ability to access the contributory benefits and build up state pension entitlement will be unaffected. Taken together with the increase to the primary threshold and the lower profits limit, the

[BARONESS PENN]

Government will meet in full their commitment to ensure that the first £12,500 that an individual earns is free of tax.

The Bill represents the largest cut to personal tax in a decade. It rewards workers while supporting those lowest earners and, ultimately, the Government believe that the Bill will make a real difference to people's lives at this challenging time. I commend it to the House and beg to move.

4.04 pm

Baroness Ritchie of Downpatrick (Lab): My Lords, I thank the noble Baroness, Lady Penn, for presenting this technical Bill to the House today as a consequence of the Chancellor's Spring Statement in the other place on Wednesday last week. I recognise that there are benefits to raising the threshold at which people pay national insurance—there are also requirements on employers—but we must remember that this Bill has more to do with the Chancellor's increasingly desperate desire to paint himself as a tax-cutter than with a well thought-out package of measures to help people as they continue to face the cost of living increases. The Chancellor's Spring Statement did not fundamentally deal with the rising cost of living or provide adequate mitigation measures.

Obviously, there are benefits to raising the threshold at which people pay national insurance but, set against that, we have the problem that people are facing astronomical increases in energy, inflation and food prices, and more people will be forced into food and fuel poverty and reliance on food banks.

I shall consider this from the point of view of the cost of living impact in Northern Ireland and the measures that the Government can provide to mitigate such impacts running alongside the NIC Bill. Although the purpose of the Bill is welcome, I would like more to be done by the Government to mitigate the rising cost of food, energy and other commodities as a result of Brexit, the war in Ukraine and the Covid-19 recovery.

In Northern Ireland, income levels remain lower than those in the UK as a whole: £506 per week compared to £547 per week in other regions of the UK. The after-housing cost figures are £473 for Northern Ireland and £476 for other regions of the UK. I am grateful for a recent report on poverty in Northern Ireland from the Joseph Rowntree Foundation, published just this month, which states:

"As Northern Ireland entered the pandemic, nearly one-in-five people in Northern Ireland lived in poverty, including over 100,000 children. With 1 in 14 households in food insecurity, the recent spike in energy prices, and wider inflation, as well as certain areas of Northern Ireland and groups such as people in workless families, disabled people, carers and people in ethnic minority households having much higher poverty rates, people across Northern Ireland need"

the Treasury, the Government here in Whitehall, working with a new Northern Ireland Executive, to go further—and we must be mindful of the fact that there might not be a Northern Ireland Executive in the post-election scenario. That must be taken on board.

We need a focus on the adequacy of the social security system: the need to reverse or partly mitigate the impact of the £20 per week cut to basic rates of

universal credit and to match benefit uprating to the cost of living. Failing to do so will push 10,000 more families in Northern Ireland into poverty. In the longer term, we need to reform the welfare social security system to focus on people's needs. A targeted payment could reduce child poverty. The role that the old DLA/PIP can have in helping disabled people into the labour market should be considered, including considering how the administration of the payments could be redesigned with dignity and poverty reduction at their heart.

We also need investment in the housing market, building more energy-efficient social housing to shorten waiting lists and provide good-quality affordable homes. We need to take action to provide targeted employability support to people struggling most to secure well-paid jobs, not least disabled people and single parents. We need to work with employers and the education and skills system to ensure that people are able to secure the skills that they need for the jobs of the future, not least the significant potential for jobs in transition to a low-carbon economy.

The Northern Ireland Executive fell some weeks ago, and it is important that the Government work with a potential new Northern Ireland Executive to build on the provisions in the Bill to mitigate the worst impacts of the cost of living increase in Northern Ireland. We must remember that due to there being no Executive, £300 million could not be released to the various government departments, which would have assisted those in poverty and most in need.

A colleague of mine in the Northern Ireland Assembly got cross-party support for a Private Member's Bill to release this money, but the Bill was refused debate by the Speaker of the Assembly, which is totally unacceptable. In these circumstances, can the Minister tell us what additional legislative and other measures, running alongside this Bill, which I do not have a particular problem with, the Government will bring forward in forthcoming Budgets and in the Queen's Speech to mitigate the impact of the rising cost of living, whether by inflation, price increases—in terms of food and other commodities—and energy prices? Energy prices are spiralling out of control and impacting the lives of people throughout Northern Ireland and probably the rest of the UK, and bringing new people into the poverty sector who, while hitherto poor, have not experienced such levels of deprivation.

4.11 pm

Baroness Bennett of Manor Castle (GP): My Lords, it is a great pleasure to follow the noble Baroness, Lady Ritchie of Downpatrick, and to echo her concerns about poverty—in Northern Ireland, which is hit particularly hard, and all around these islands.

It is tempting to use this speech to tackle the utter inadequacy of the Spring Statement in dealing with that sheer level of poverty and suffering in our society, with so many people struggling to put food on the table and keep a roof over their heads. I will try to focus on the Bill and the details of it, but we must look at the context. The common phrase and hashtag on Twitter is "cost of living crisis", and "crisis" tends to imply that this is something that has happened as a

result of Covid and the dreadful Russian aggression in Ukraine that the Minister referred to in her introduction, but this is a result of very long-term trends in which we have seen food banks become a fast-growing part of our society, as so many people simply do not earn enough money to meet the basics of feeding themselves and their households. This is not a one-off crisis. It is part of a long-term trend which has seen multinational companies not paying their taxes, rich people becoming richer and richer, and general society having a smaller and smaller share of the pie and, for many people, fewer and fewer of the crumbs.

I want to pick up on one of the points that the Minister made in her introduction, referring to £83 billion of debt interest payments. It is worth highlighting, since I do not think it is well understood, that the majority of extra spending during the Covid crisis has been paid for by us borrowing from ourselves, borrowing from the Bank of England. Two-fifths of total government debt that we owe to ourselves is government borrowing from government, and four-fifths of government debt is owed to people and institutions within the UK. Therefore, when we pay interest, we are putting money into the economy. That is important because we heard, in the words of the Minister, and we are hearing very broadly from most sections of the Government, though perhaps not all, that this is the excuse for a new kind of austerity and cutbacks in government spending, when we already have government that has been sliced to the bone, unable to meet the basic needs of delivery, as we see all too often in your Lordships' House, as promised reports, promised progress, promised Bills and promised regulations are later and later. The Government are hopelessly overstretched, when we must now be investing in the transition which we must make to the low-carbon economy, the kind of just transition in our economy that requires significant amounts of government investment. Let us think about investment rather than labelling it all as spending.

However, if we are going to talk about debt, it is worth noting that the level of private sector debt in the UK is two to three times that of government debt. Our finance sector remains the most exposed to crisis of that of any G7 nation. So why do we—indeed, why do the Government—not talk more about the size of our financial sector and the risk it presents to the security of us all, rather than focusing on their own borrowing as the debt issue?

In introducing the debate, the Minister talked about a fairer, simpler tax system. Of course, rather like our constitution, what we have is an incredibly complicated tax code. You had better be feeling strong if you want to pick it up. As in our constitution, with the accretion of many centuries of historical accident—an expedient fix here, a gesture to a vested interest there—we have accumulated this complication in our tax code. The change we are bringing in is a small one in this incredibly complex system.

An alternative to what we are doing today would be to take away one of the complications instead of lifting the tax threshold. We could set a single rate of national insurance. Rather than earnings above £50,000 being charged at only 2%, their rate of national insurance could be raised to 12%. On its own, that would raise

£11 billion. This would simplify everything and mean that we do not have the regressive system of national insurance that we do now.

However, the Green Party has a proposal for a much greater simplification; I do not expect an answer from the Minister on it today but I think I should draw it to the Government's attention. Why not have a single, unified income tax? Leaving things at the same level they are at now, this could raise £24 billion; this could be used as a huge, immediate injection into social care, for example. It would mean that, whatever the source, everyone's income would be paid at the same rate of tax. It would neither penalise workers nor favour the generally well-off in society, whose wealth and income come from property and other investments. Why not take the money fairly from across society and across all incomes? That is my modest proposal for the Minister.

I finish with a direct question that was asked in the Commons but not answered; I hope that the Minister may be able to answer it now. Calculations suggest that people who are in receipt of universal credit will not benefit from this change as much as those who are not on universal credit will because of the 55% taper rate. I hope that the Minister can answer that today.

4.17 pm

Lord Davies of Brixton (Lab): My Lords, this Government are collectively incapable of shame. I hope that, even if she cannot admit it, the Minister understands the shame that is inherent in the overall package coming from the Spring Statement. We will discuss the package in general tomorrow; I hope to intervene in that debate.

Coupled with the changes in personal taxation in the Spring Statement, this Bill is a deceit on the National Insurance Fund. I am a strong supporter of a fair and effective national insurance scheme with adequate benefits in retirement as well as in sickness and unemployment, funded by national insurance contributions paid while at work, coupled with a necessary Treasury supplement. This concept still has widespread support, even if we have strayed some way from its achievement in practice. The fact that we still use the term “national insurance” after more than 70 years is testimony to the strength of the idea. The Government's proposals here and in the Statement ride roughshod over this concept and treat the idea of national insurance with contempt, making changes to national insurance contributions as a short-term political fix.

The impact of the Bill's proposals on personal taxation must be judged in the context of the overall package. As such, they constitute a total travesty by being a paradigm of incoherent and unfair taxation policy. In effect, we have a promise of a cut in the standard rate of income tax some time in the future that is effectively being funded by an increase in national insurance contributions. In other words, a cut in progressive taxation is being funded by an increase in a more regressive form of tax.

National insurance contributions are regressive because of the upper threshold, above which the contribution rate is much lower. Such a ceiling originally made some sense in the context of flat-rate benefits and flat-rate contributions, but we have moved on from that

[LORD DAVIES OF BRIXTON]

era and there is no justification for relieving higher earners of their share of the contribution towards paying for our national insurance benefits.

National insurance is also regressive in the sense that it applies only to earned income, whereas in the past it applied to what was then referred to as unearned income, leaving massive opportunities for taxation arbitrage. This is something indulged in by people with higher incomes: they pretend that their earned income is what used to be termed unearned income, as I said. You can go to fancy accountants and they will sort it for you so that you end up receiving income that it is not subject to national insurance. Regrettably, it is a regressive tax. Those issues need to be addressed, but the Government have used regressive taxation to fund a cut in progressive taxation. This is nonsense and they should be ashamed of it.

It would appear that the Bill is necessary only because the Government suddenly realised that the increase in the levy would impact on people with lower incomes, so by increasing the lower threshold they relieved the pressure on a band of lower-income recipients, but it does absolutely nothing for those below the lower earnings limit. There is no benefit for them at all, and they are the people in the greatest need. It is all very well for the Minister to claim that this is helping people on lower pay, but it is not helping those on the lowest levels of pay. That is, if not a crime, a deceit on the public.

Let us discuss the Spring Statement in full tomorrow, but we have to see the Bill for what it is. It is a deceit on the National Insurance Fund, using the resources available to national insurance to achieve a short-term political fix because the Government stumbled into a situation where they were worried about the impact on the lower paid.

4.24 pm

Lord Macpherson of Earl's Court (CB): My Lords, back in 1986, in my second job in Her Majesty's Treasury, I was in charge of advising on national insurance and the National Insurance Fund. Here I am, 36 years later, speaking in this debate.

I will confine my observations to two points. First, my working life has seen this extraordinary transfer of revenue raising from income tax to national insurance. As other speakers have observed, national insurance is chargeable only on earnings, not on rental income or dividends. The relevant facts are that, when I became an adult, the national insurance rate was 5.75%; it is now 13.25%, so it has more than doubled. Over the same period, the basic rate of income tax has been cut from 34% to 20%, and it is now planned to reduce it to 19%. This is an extraordinary shift and one that both Conservative and Labour Governments have been prepared to implement, presumably because they regard taxpayers as more willing to pay national insurance than income tax and, sadly, opinion surveys bear that out. The fact is that both are taxes, and this is classic sleight of hand and smoke and mirrors which, as a former Treasury official, I should admire but I find it difficult so to do.

I will make my second observation briefly. I am actually in favour of the proposals in this Bill. I am in favour of lifting people out of national insurance.

Of course, it is a new policy to seek to align the starting rate for national insurance with that of income tax. I remember Gordon Brown—in fact, I was advising him on that Budget—announcing it in 1999 and implementing it in 2001. Year after year throughout the 2000s, their starting points were aligned.

That was brought to a sorry end by Brown's decision—again rightly, in my view, but unfortunately it had difficult consequences—to abolish the 10p rate of tax. As that resulted in losers, Mr Darling had to raise the personal allowance in mid-year and it was too expensive to raise the national insurance allowance. The two have ceased to be aligned ever since.

There is a more serious point to make. This Government have chosen, sensibly, to align the starting points of employee and self-employed national insurance with the personal allowance. When Gordon Brown was Chancellor he went one step further, which had a certain logic, which was to raise the employer allowance, which I believe is called the secondary threshold. In economic terms, whether you charge national insurance on employees or employers, the net effect is the same, because wages adjust. I am just slightly disappointed that the Government have, in a sense, sold the pass on employers, because this is also a burden on employment. When the Minister responds, I would be interested if she could explain why they have chosen to load the tax cut on employees. I recognise that employees vote and employers hardly do, or at least in fewer numbers, but it is a disappointing turn of events.

4.28 pm

Baroness Kramer (LD): My Lords, I am obviously not opposed to the lifting of thresholds in today's Bill, as it takes some of the lowest paid out of the burden of national insurance contributions. I fully recognise the point made by the noble Lord, Lord Davies, and again by the noble Lord, Lord Macpherson, which is that the lowest paid get no help from this at all because they fall below the existing lower threshold. I suspect that tomorrow, we will discuss extensively how the group on the lowest incomes have been helped least by anything that has come out of the Spring Statement, so I will leave some of that for then.

The Government should have not just raised the threshold but scrapped the whole increase. They had a £26 billion bonus of unexpected tax revenues available—we will probably talk tomorrow about how that happened through fiscal drag—and they could have easily imposed a windfall tax on the super-profits of the oil and gas companies. Again, I suspect we will talk about that more. Those kinds of actions would have genuinely helped people to face a cost of living crisis.

I am afraid that I see the whole package as reflecting the fact that the Government have very little empathy for the pressures and choices that people are facing. They will not just hear this from us. The Minister is being very self-congratulatory about all of the steps that have been taken, but she will hear from the public, because they feel the pain, face a squeeze on their budgets and incomes, and are forced to make choices and changes in their lifestyle. For some it is whether to heat or eat, and for many others there will still be extraordinary pressure, even if they are not trying to

work out how they survive falling into destitution. The Minister will hear a great deal from them, so I warn against this constant self-congratulation of having done so much. The public will be able to tell people, in pounds, shillings and pence, how little has happened to get them through this particular crisis. I agree with the noble Baroness, Lady Bennett, on this issue.

When the Chancellor made the Spring Statement, it became clear why he had earlier decided to increase NICs by 1.25%. He did so—here I agree with the noble Lord, Lord Davies—knowing that it would fund a very large share of a cut in income tax in 2024, just ahead of a general election. In fact, with the raising of the threshold, the numbers look extraordinarily matched. It is an optical illusion—why increase a tax in order to cut a tax? I do not think that it fooled anyone; it was simply a cunning plan to make the Chancellor look like a tax-cutter. Frankly, it was completely rumbled by the Institute for Fiscal Studies, which pointed out that the tax giveaway in 2024 would simply be giving back one-sixth of the increase in taxes that the Chancellor has made. He remains a high-tax Chancellor and they remain a high-tax Government.

I agree with others, such as the noble Lord, Lord Macpherson, that NICs and the health and social care levy that will follow do not fall on exactly the same group of taxpayers as income tax. The NICs increase and the future levies fall on employers, employees, the self-employed and dividend recipients. Indeed, as the noble Lord, Lord Macpherson, said, employers have been given no relief at all; they do not experience any benefit from the rise in the threshold and will still pay as before. Income tax ranges far more broadly, falling on all those who receive income, including rental income and income from trading assets, and a wide range of pension holders.

I hope that the Minister will explain this arbitrage to us today. No one understands arbitrage better than the Chancellor, and we are owed some clarity on who the winners and losers are in this tax arbitrage arrangement. I suspect that a shift from income tax to NICs is a very poor outcome for those who work and a very good outcome for those who get income from sources that are not tied to work. But we need to see the numbers, and I hope that the Minister will explain that logic. I am very grateful to the noble Lord, Lord Macpherson, for putting this in the longer-term context of a continuing move to a shift from progressive income tax to a far more regressive NICs system.

The Minister will undoubtedly say that the increase in NICs and the future levy are hypothecated to the NHS and then social care. I personally agree with those who think that very little of this money will actually reach social care, but let us set that aside for today and instead look at hypothecation, which really is a figment of accounting. The National Insurance Fund was created to fund the state pension but it is increasingly just a piggy bank. In that context, will the Minister today make clear what the impact on the fund will be from the drop in expected income arising from the increase in the threshold? This is not to criticise the increase, but I would like to understand how this will impact the fund and even more understand the consequences for funding the NHS and social care. After all, if this were truly a hypothecated levy, there

ought to be a drastic impact on the money flowing to the NHS and social care. Is that what is going to happen? I did not read it when I looked at the OBR numbers—perhaps it did not fully understand the input of the Government’s arguments that the NICs increase was wholly and solely related to funding the NHS and social care. That number would then have come down, if it was describing accurately.

It seems to me that the Bill also brings into the spotlight the whole issue of thresholds. The Chancellor is freezing tax thresholds in order to raise additional tax through fiscal drag. The original estimate last October was that fiscal drag would increase tax revenues by £8 billion. With sharply rising prices, that estimate is now £21 billion—these are OBR numbers. It is a huge tax rise, obscured by optical illusion. I am deeply concerned that the public’s mistrust of politics will get yet deeper and more cynical with these constant attempts at a sleight of hand. I attempted to draft an amendment to the Bill to require that at least the NICs threshold would in future rise annually with CPI, but that was apparently out of scope. It is a very live issue, and the Minister needs to explain why these thresholds will not increase with CPI in the future.

Finally, I have a more specific question for the Minister—and this is an issue which was raised by the noble Baroness, Lady Bennett. Like most of this House, I am very concerned that the Spring Statement did so little for the least well-off, especially those who rely on universal credit. Can the Minister tell me how the increase in the NICs threshold will apply to those who are in work but also on universal credit? Will she confirm what emerged from debate in the other House that the threshold change, or at least about half of it, is clawed back through the universal credit taper? The IFS has come to that same conclusion. How many people are impacted by the clawback which is the effect of the taper? I ask particularly because the Minister’s colleagues in the Government were completely flummoxed by this and only eventually accepted its accuracy.

The Resolution Foundation has estimated that 1.3 million people, including half a million children, will fall into absolute poverty—I stress “absolute poverty”, which is below 60% of real median income in 2010—so it is quite a shocker that people on low incomes and benefits are facing. Those not in work, including people with disabilities, will see a fall in income this year of 8%. The Minister will surely tell us that the Government have done a great deal to help these folk but, frankly, the numbers do not lie. There are rumours in the press that the Government are becoming frightened and that they will provide more help in the future. However, we are here today and this is an opportunity for the Minister to tell us what future changes are going to be made to benefit those who have been essentially left out, or barely helped, by the changes that we heard from the Chancellor last week.

4.38 pm

Lord Tunnicliffe (Lab): My Lords, I thank the Minister for presenting this Bill. I also particularly thank noble Lords who have spoken; they all seem to have set up considerable *hors d’oeuvres* for tomorrow’s debate, which I expect to be rather wide-ranging.

[LORD TUNNICLIFFE]

This is the second fast-tracked Bill this Session which makes significant changes to the national insurance system. The first implemented a 1.25% increase to national insurance for 2022-23. In essence, it created the very problem that the Chancellor is attempting to solve with this legislation. When the Health and Social Care Levy Bill was considered by the Commons in a single day, on 14 September, MPs in all political camps expressed concern about the lack of time given for debate and scrutiny. The Prime Minister's surprise announcement felt more like a distraction or political relaunch than a genuine attempt at tackling the problems faced by the NHS and social care.

The money raised by the levy is unlikely to deliver the results promised by the Government. There is no coherent plan for clearing the NHS backlog or making the care system function more effectively. Both sectors are desperately short of staff and the workforce is exhausted. Capacity, not cost, is the limiting factor. There is no good time to break a manifesto commitment not to raise national insurance. However well-intentioned the decision may have been, September 2021 was a particularly bad time to make it. Inflation was beginning to rise and expectations for the economy were being downgraded. It was already becoming clear that a long, hard winter lay ahead for many.

Your Lordships' House also considered the Bill in a single day, in October of last year. With costs continuing to rise, concerns were again voiced that the new levy was a tax on jobs, as well as the wrong tonic for the NHS's problems. In the intervening months, Back-Bench Conservative MPs have grown somewhat restless. With their postbags bulging, they have come to realise that the Labour Party and others had a point: this is the wrong tax increase at the wrong time.

Since the Health and Social Care Levy Bill passed, inflation has climbed rapidly to its highest level for 30 years—or, to put it another way, since the last Tory inflation crisis. According to the OBR's updated economic forecast, the 2% inflation target will not be met until late 2023 or early 2024. Due to this, it is warning of the biggest drop in living standards since records began in the 1950s. Energy prices are at a record high, the medium to long-term outlook remains uncertain and the price cap will shortly increase by hundreds of pounds, further increasing the pressure on household budgets. Despite the Government's attempts to paint the cost of living crisis as a consequence of the war in Ukraine, the writing has been on the wall for months. The energy price cap announcement, for example, was trailed for some time. The decision was taken and made public before Vladimir Putin launched his illegal invasion.

In light of events, the Chancellor has been pushed hard to abandon his planned tax increase on workers. Conservative MPs express disquiet both privately and publicly. There have been media reports of heated disagreements among Cabinet colleagues. Even the "Money Saving Expert" begged Mr Sunak for an intervention, warning that the scale of the problem is so great that his tips can no longer make any meaningful difference to people's day-to-day finances.

Fiscal events rarely capture the public imagination but, with so many feeling the effects of current circumstances, all eyes were on last Wednesday's Spring

Budget—sorry, Spring Statement, but really it was a Budget. The omens were good. As is becoming the norm, newspapers had been briefed in some detail about a substantial package to ease the burden on family finances. More than two years after his appointment, the Chancellor even confirmed on Twitter that his work to provide

"economic security for our people"

would finally begin. Unfortunately, the package announced did not live up to expectations. Despite the Prime Minister doing his best to leave the option open during weeks of media interviews, the Chancellor decided not to perform the much-desired U-turn. Instead, he opted to offset some of the 1.25% national insurance increase by equalising NICs and income tax thresholds.

We therefore come to the second piece of fast-tracked NICs legislation this Session, with, once again, a day's debate in another place followed by Second Reading in your Lordships' House. We support any measure to help households through this unprecedented cost of living crisis. We will therefore support the passage of this Bill today. However, while we are passing it in March, as others have observed, its effects will be felt only from July. We understand the reasons why, but that delay could have been avoided had the Chancellor been more proactive in his response to the mounting crisis.

Let us not kid ourselves: despite this Bill, taxes are still going up for most households in one week's time. Mr Sunak wants to be seen as a tax-cutting Chancellor, but the facts speak for themselves. The overall tax burden will still be higher, irrespective of changes to the NICs thresholds. Once we are past the worst, the freezing of tax thresholds will reverse the Government's previous good work in removing people from tax. Many low earners will find themselves paying income tax and national insurance once more. Under current plans, the benefit derived from the promised pre-election income tax cut in 2024 will have been offset by other increases across the tax system.

The Spring Statement and, by extension, this Bill, do not represent a particular, fair approach to the challenges faced by so many across the country. When appearing before the Commons Treasury Select Committee on Monday, the Chancellor failed in his attempt to label this plan as progressive. No plan that knowingly and willingly pushes over 1 million people into absolute poverty can be described in that manner. However, we will have other occasions, including the Spring Statement debate tomorrow, to cover some of those broader issues. For now, it is for us to get this fast-tracked legislation through, to ensure that these changes can take effect in July. It may be a sub-optimal solution but, regrettably, it is the only one this Government are willing to offer at the current time.

4.46 pm

Baroness Penn (Con): My Lords, I start by thanking all noble Lords for their thoughtful contributions to this debate. I shall do my best to address as many of the points raised as I can. Before I do so, it is worth returning to the purpose of the Bill before us. It will make major changes to the NICs system that will put billions of pounds back into people's pockets at a

difficult time. In addition, the Bill underlines the Government's ambition to promote tax cuts for working people and to simplify the tax system as a whole.

This ambition is delivered in the Bill by two main measures. The first is the increase to the NICs primary threshold and the NICs lower profits limit to £12,570 from 6 July—an increase that will equalise the NICs and income tax thresholds. On an individual level, this will mean that a typical employee will see their tax bill reduced by £330 in the year from July; for self-employed workers, that will be an equivalent saving of £250. It will also mean that around 70% of workers will have their NICs cut by more than the amount that they paid through the new health and social care levy. That is an important point to bear in mind when weighing the relative benefits of increasing the NICs thresholds versus not proceeding with the levy altogether. Those left with higher NICs bills will be, for the most part, higher and additional rate taxpayers. In addition, almost 2 million people will be taken out of paying class 1 and class 4 NICs and the health and social care levy entirely.

The Bill's second measure seeks to alleviate some of the pressures caused by the rising cost of living on those who earn low amounts and who work for themselves, so that from April those with profits between £6,725 and £11,908 will not pay class 2 NICs. This will rise to £12,570 from April 2023. This measure will benefit 500,000 self-employed people, saving them up to £165 a year. These measures, taken together, will allow the Government to fulfil their commitment that the first £12,500 that an individual earns is free of tax. As I outlined earlier, importantly, removing class 2 NICs from the group of low-earning self-employed workers will not prevent them from building their eligibility to the state pension, and other contributory benefits.

The noble Baroness, Lady Ritchie, and many others set the context for the debate as the cost of living crisis that people face in this country. The Government completely acknowledge that. We also acknowledge that we cannot completely protect people from some of the difficult times they will face, but we will stand by the British people, as we did throughout the pandemic. I take it back to this specific Bill: the IFS has said that raising the NIC threshold is the best way to help low and middle earners through the tax system at this time.

I know noble Lords will be aware of the measures the Government are taking to support people. I will have to disappoint the noble Baronesses, Lady Ritchie and Lady Kramer, that I cannot look forward to future Queen's Speeches or Budgets, but it is worth emphasising some of the support that is out there for families, which is worth over £22 billion in 2022-23. It includes providing millions of households with up to £350 to help with rising energy bills and helping people to keep more of what they earn. We have cut the universal credit taper rate and frozen alcohol duty, as well as announcing a further rise in the national living wage to £9.50 an hour from April 2022. Other measures, such as the increase to the local housing allowance rates introduced during the pandemic, the cuts to fuel duty and the increase to the household support fund, will also provide important support to people.

The noble Baroness, Lady Ritchie, made some important points about providing more dedicated support to people to move into work, whether those facing health conditions, the disabled, or single parents. The Government are absolutely committed to that agenda. That is why we have so many more work coaches in place to help people make that move into work, because in the longer term that is the way to help people to deal with the growing cost of living, but also, importantly, when they are in work to move into better and higher-paid work. That is why action on the national living wage, which is rising by 6.6% this April, as I said, is important. That will be an increase of over £1,000 to the annual earnings of a full-time worker on the national living wage. That is also why we have the new in-work progression offer for people who are among the lowest-paid workers on universal credit to access personalised work-coach support to help them increase their earnings. Importantly, we have also matched that with significant investment in our skills system for this Parliament—£3.8 billion in skills in England by 2024-25. That funding is absolutely targeted at helping people improve their earnings prospects and support their success in the labour market.

The noble Baroness, Lady Bennett, made a number of points that we might return to in the debate tomorrow, but there are a couple I want to pick up on. She talked about a new excuse for austerity. I am afraid that just does not match the figures. Total departmental spending will grow in real terms at 3.7% a year on average this Parliament. Total managed expenditure as a share of the economy is expected to increase across the Parliament to 41.3% in 2024-25. That compares to 39.9% in 2007-08, for example, so public spending is increasing during the course of this Parliament.

The noble Baroness, and indeed the noble Baroness, Lady Kramer, also asked about the universal credit taper rate and the impact it has on the threshold rise. Noble Lords are absolutely right that the UC taper rate could impact on the benefit felt by those on universal credit by the increase in the threshold. It is important to note that these individuals will be better off overall thanks to the change in the threshold.

That is a really important point about the taper rates in universal credit. It reflects the importance of the Government's decision to reduce that taper rate from 63% to 55%. In the design of universal credit overall, compared to tax credits and the other benefits that it replaced, we are bringing down the really high marginal effective tax rates that people who were on benefits or receiving tax credits could face when they sought to take on more hours and progress in work.

The noble Baroness, Lady Kramer, and the noble Lord, Lord Macpherson, asked about increasing the secondary threshold for employers. The threshold will increase in line with CPI, but will not match the increases to those for employees and the self-employed. The Government are committed to supporting businesses and incentivising investment to support growth. We are increasing the employment allowance to help small businesses fulfil their potential and boost employment. Over 1 million employers are benefiting from the employer allowance and reducing their annual employer NIC bills. From April 2022, 670,000 of these businesses

[BARONESS PENN]

will not pay NICs and the health and social care levy, due to the employment allowance. This includes 50,000 businesses which will be taken out of NICs and the levy by this increase. Due to the employment allowance, 41% of businesses will not be affected at all by the health and social care levy, while the next 40% will pay £500, 1% of their annual wage bill.

The noble Baroness, Lady Kramer, asked about the impact on the National Insurance Fund, the NIF. The Government Actuary's Department is not required to produce a report alongside this Bill on the measures' impact on the NIF. It will continue to provide a report alongside the annual uprating legislation, so the impact of these measures will be included in future uprating reports.

The noble Baroness also asked about the impact on health spending. She will know that the health and social care budgets for the next three years were set at the spending review and, as is standard, we will not reopen a multi-year settlement on the basis of changing forecast receipts. Forecasts can go up as well as down and the stability and certainty of funding is important for departments and the devolved Administrations.

Baroness Kramer (LD): Is the Minister confirming that, after the announced period, the effect will be that the anticipated additional funding for social care will be reduced by the impact of the rise in the threshold?

Baroness Penn (Con): No, that is not what I am confirming. I am confirming that the budgets set out at the spending review still stand and that every penny from receipts of the health and social care levy will go to bodies responsible for health and social care. That is the way in which the levy is hypothecated. It does not determine the overall budgets for the health and social care systems. The noble Baroness will know that their budgets are far bigger than the receipts from the levy. The hypothecation is that all the receipts from that levy go towards spending on those areas.

Baroness Kramer (LD): The Minister has left me thoroughly confused. Perhaps she could write to us to explain why, if this is hypothecated money and it is now less than was forecast, the amount of hypothecated money is apparently identical when it reaches the NHS or social care. It does not make any sense. It is either one or the other: if it is hypothecated, the amount would go down; if it is not a hypothecated amount, then we are dealing with a grander fiction, and it would be helpful to know that. Perhaps she could write to us on that.

Baroness Penn (Con): I will give it one more try and will then write if I have not managed to make myself clear. The amounts raised through the levy will all go to health and social care spending. They are not the only things that determine the overall amount of health and social care spending and therefore responsible bodies' budgets. It is also my understanding that, in the forecasts produced by the OBR alongside the Spring Statement, even with the increase to the thresholds, the amounts forecast to be raised through the levy are

more than previously anticipated when the levy was announced. I will undertake to write to the noble Baroness because I do not think my second or third attempt has satisfied her.

Lord Tunncliffe (Lab): I confess to being as confused as the noble Baroness, Lady Kramer. Please could the Minister write to all noble Lords who have participated in the debate.

Baroness Penn (Con): I will do so and place a copy in the Library so that all noble Lords can access it. I believe I have addressed most of the points raised in this debate, but if I have not, perhaps I could address any outstanding points in my letter.

I reiterate my thanks to noble Lords for their contributions to this debate and for considering this Bill so quickly. In short, the Bill is a fundamental part of the Government's plans to use the tax system to support households with the cost of living, boost the economy through support to businesses and help workers enjoy more of the proceeds of growth. I commend it to the House, and I beg to move.

Bill read a second time and committed to a Committee of the Whole House.

Arrangement of Business

Announcement

5.02 pm

Lord Sharpe of Epsom (Con): My Lords, the deadline for amendments for the Committee stage of the Bill is 5.32 pm; the Committee stage will start at a time to be displayed on the annunciator.

Ukraine

Statement

The following Statement was made in the House of Commons on Monday 28 March.

“With permission, Madam Deputy Speaker, I want to update the House, on behalf of my right honourable friend the Prime Minister, about the NATO and G7 leaders' meetings in Brussels last week. Together with our allies, we agreed to keep the pressure up on Putin to end his appalling war in Ukraine through tougher sanctions to debilitate the Russian economy; through supplying weapons to Ukraine and boosting NATO's eastern flank; through providing humanitarian aid in dealing with the wider consequences of the crisis; and through supporting Ukraine in any negotiations it undertakes.

Strength is the only thing Putin understands. Our sanctions are pushing back the Russian economy by years and we owe it to the brave Ukrainians to keep up our tough approach to get peace. We owe it to ourselves to stand with them for the cause of freedom and democracy in Europe and across the world. It is vital that we step up this pressure. We cannot wait for more appalling atrocities to be committed in Ukraine. We know that the impact of sanctions degrades over time, and that is why we need to act now.

Next week, NATO Foreign Ministers will meet to follow up on the statements of leaders. I will be pressing our allies over the next weeks for all of us to do more. On oil and gas, the UK has already committed to ending imports of Russian oil by the end of this year. We must agree a clear timetable with our partners across the G7 to end dependence on Russian oil and gas permanently. On banks, we have already sanctioned 16 major Russian banks. We have hit Gazprombank and placed a clear prohibition on Sberbank, Russia's largest bank. We want to see others adopt these sanctions and go further.

On individuals, we have cracked down on oligarchs such as Roman Abramovich. Last week, we sanctioned the despicable Wagner Group of mercenaries. On ports, Britain has banned entry to Russian vessels at all our ports. I will be lobbying our partners across the G7 to join us in stopping Russian ships.

We must maximise the flow of weapons that are being supplied to Ukraine under the United Nations charter of self-defence. The UK was the first European country to start sending lethal aid to Ukraine, and we are doubling our support, with a further 6,000 missiles, including next-generation light anti-tank weapons, and Javelin anti-tank weapons. We are equipping our Ukrainian friends with anti-aircraft Starstreak missiles. We are also strengthening NATO's eastern flank, deploying troops to Bulgaria, and doubling the numbers of troops in Poland and Estonia.

We are co-ordinating deliveries with our allies, and we want others to join us in getting Ukraine what it needs. The UK is providing £220 million in humanitarian support to help the people of Ukraine, from shelters to heaters and medicine. Today we announced our partnership with Australia to fly out more relief, including blankets, cooking equipment and power generators. We are getting supplies directly into Ukraine's encircled cities, with £2 million in canned food, water, and dried food. As refugees come into countries such as Poland, we are working with the UNHCR so that it is informed about the UK's Homes for Ukraine scheme. That scheme has already had more than 150,000 applications, thanks to the generosity of the British public.

We know that Putin is not serious about talks. He is still wantonly bombing innocent citizens across Ukraine. That is why we must do more to ensure that he loses and we force him to think again. We must not just stop Putin in Ukraine, we must look to the long term. We must ensure that any future talks do not end up selling out Ukraine or repeating the mistakes of the past. We remember the uneasy settlement of 2014, which failed to give Ukraine lasting security. Putin just came back for more. That is why we cannot allow him to win from this appalling aggression, and why this Government are determined that Putin's regime should be held to account at the International Criminal Court.

We will work to restore Ukraine's territorial integrity and sovereignty. We have set up a negotiations unit to ensure that the strongest possible support is available to the Ukrainians, alongside our international partners. We have played a leading role alongside our G7 allies in driving the response to Putin's war, and I want to ensure that that unity continues. Sanctions were put on by the G7 in unison, and they should not be

removed as long as Putin continues with his war and still has troops in Ukraine. That is not all. We must ensure that Putin can never act in this aggressive way again. Any long-term settlement needs to include a clear sanctions snapback that would be triggered automatically by any Russian aggression.

In the aftermath of Putin's war, Ukraine will need our help to build back. In these exceptional circumstances, we have a duty to step up with a new reconstruction plan for rebuilding Ukraine. We will work with the international community to do that. At this defining moment, the free world has shown a united response. Putin is not making the progress he craves, and he is still not serious about talks. President Zelensky and the Ukrainian people know that everybody in the United Kingdom stands firm with them. We were the first European country to recognise Ukraine's independence from the Soviet Union. Thirty years on, we are the first to strengthen its defences against Putin's invasion, and lead the way in our support. Over the next week, I will be working to drive forward progress in unison with our allies. Together, we can secure a lasting peace that restores Ukraine's sovereignty. Together, we can ensure that Putin fails and Ukraine prevails. I commend this Statement to the House."

5.02 pm

Lord Collins of Highbury (Lab): My Lords, over the past month the people of Ukraine have shown incredible resistance in the face of Putin's aggression. The unjustified violence levelled against civilians on the ground, in addition to the indiscriminate aerial bombardment, has resulted in thousands of unnecessary deaths, and led to increasing evidence of war crimes taking place. On this last point, Liz Truss, the Secretary of State said on Monday that Putin will

"be held to account at the International Criminal Court" and confirmed:

"We are working with our allies to collect evidence."—[*Official Report, Commons, 28/3/22; cols. 593-595.*]

I hope the Minister will outline the resources we are devoting to this to ensure that we can pursue a successful case.

We fully support the continued provision of military assistance, as well as all possible political, economic, and practical support. On sanctions, the statement referred to next week's meeting of NATO Foreign Ministers to discuss further measures, including divestment from Russian oil and gas. The decision to support a clear timetable for ending dependency is welcome, but can the Minister update the House on what steps the UK has taken to increase energy supply from elsewhere since the Government's announcement to end Russian oil imports by the end of this year?

In relation to banks and finance, the Statement talks of encouraging others to replicate the UK's sanctions, and Liz Truss also said on Monday:

"We want to do more ... and we want our partners to do more."—[*Official Report, Commons, 28/3/22; col. 595.*]

Noble Lords will be aware that there are some designations made by our allies which we have not yet replicated. Can the Minister say when we can expect further secondary legislation to extend the UK's designations?

[LORD COLLINS OF HIGHBURY]

The increase in supplies of weapons is welcome, but, given the shifting nature of the conflict in recent days, I hope the Minister will agree that the Government must be alert to Ukraine's changing military equipment needs and be able to respond quickly.

We must also recognise that Russia's attack will have long-term implications for the European security order and that this is the moment for the UK to work with our NATO allies to bolster their defences. Liz Truss, in response to David Lammy, said that the Government were

“committed to boosting European security and working with our friends right across the EU.”—[*Official Report, Commons, 28/3/22; col. 595.*]

What recent discussions have the Government held with our NATO allies in eastern Europe over their national security?

The Statement referred to £220 million of humanitarian support. Can the Minister confirm how much of this is for neighbouring countries and how much is for Ukraine? Given the evolving situation, the Government must work with our allies to secure corridors to allow women, children and the most vulnerable to leave safely, in addition to allowing the delivery of aid. Can the Minister outline what steps we are taking at the UN and with the 120 aid organisations on the ground to secure this?

Finally, it was disappointing that the Statement did not include any further details on how the UK can offer safety and sanctuary to refugees fleeing Ukraine. The Minister may be aware that Labour has called for emergency protection visas for those fleeing Ukraine who want to reach the UK. This would lift the normal visa conditions other than the biometrics and security checks, which can now be swiftly done en route, and provide a quick and simple safe route to sanctuary for all who need it. Can the Minister outline whether discussions have taken place with his counterparts in the Home Office on this?

Baroness Northover (LD): My Lords, I thank the Minister for bringing us this Statement.

The leadership in Ukraine and the courage of the Ukrainian people have been remarkable, and we pay tribute to them. I am very glad that we are standing with them, and we support the Government in this regard. Clearly, the suffering is terrible. As the noble Lord, Lord Collins, just said, it is surely right to say that war crimes have been committed here, and people must be held to account.

Can the Minister tell us what progress is being made in regard to humanitarian corridors? It is appalling that, as has happened elsewhere in conflict, such corridors can become opportunities for targeting the most vulnerable. It is vital that those responsible are brought to account.

Clearly, the political tectonic plates have shifted with Russia's invasion of Ukraine. The increased focus and unity of NATO and the EU is striking, but that unity does not fully extend globally, as the Minister will know. I would like to ask him a few questions about that. Commissioner Borrell and others have described Mariupol as “our Aleppo”, but at least two

Middle Eastern Foreign Ministers have said that Aleppo is their Aleppo. Does the Minister pick up a sense that across some parts of the Middle East, Africa and Latin America, there is some concern that the response to Ukraine was not mirrored when other conflicts arose elsewhere? How are the Government tackling that?

How are we working internationally to make sure that this crisis is recognised as being of vital importance globally, and that the unprovoked invasion of one country by another is not accepted? Are we having useful dialogue with China and India in this regard? Does the Minister now recognise that it is vital that we have closer co-operation with the EU so that we can address our common interests, whether in foreign affairs or defence, more effectively? Will that now be taken forward? I have put this to the Minister many times, as he knows. Surely it is crystal clear that this must now happen.

Does the Minister also recognise that European countries have welcomed refugees with open arms but we have simply put up barriers in their way? Are the Government not ashamed of the paltry number of visas issued? Will they move to the same arrangement as the Irish, for example, and do the paperwork afterwards? I think of all those homes offered by the British people, yet few refugees are allowed through. The Statement mentions, I think, 150,000 homes offered. Will the noble Lord tell us exactly how many Ukrainian visas have now been granted? How could we ever have asked people to scan in documents that they might not have with them as they fled and that these were translated with a certified translation?

I welcome the action on sanctions but why did we allow time to slip before we put sanctions on individuals, some of whom have made it clear that they have offloaded their properties or passed them to their families in trusts? Will we pursue those family members? Will we increase the capacity in the sanctions unit? What are we doing to close loopholes that may be used in the overseas territories?

Are the Government working with others to try to get trusted information into Russia? Do the Government now recognise how important the BBC is, not only in the UK but worldwide? I hope they will not just praise the BBC World Service, as they did in the integrated review, while at the same time undermining it at home.

There are of course major consequences of this crisis. What is being done to address the potential food shortages across the Middle East and Africa? We already have famine in Yemen and Afghanistan. Do the Government recognise the potential for instability? Are the rumours right that, despite this, the Government are about to slash the ODA budget that goes towards tackling instability? Is it not now time to restore the aid budget to 0.7% of GNI?

I welcome that we are seeking to end reliance on Russian gas and oil. We are of course not in the position of the Germans and others in this regard. However, surely this is the time when we need to recognise the urgency of the climate crisis, and that this shows that developing our own renewables is not only the right thing to do but helps us to defend against reliance on countries such as Russia.

Above all, we must continue to be strenuous in our efforts to support those in Ukraine who have been subject to such a terrible and unprovoked attack. I look forward to hearing the Minister's response.

The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con): My Lords, once again I thank the noble Lord Collins, and the noble Baroness, Lady Northover, for their support of the Government's position—indeed our country's position—in our solidarity with and support for Ukraine and its people, and for the courageous leadership within Ukraine under President Zelensky and other colleagues and Ministers. We continue to engage with them on a daily basis at the very highest level.

I will address some of the specific questions. First, I totally agree with the noble Lord Collins, in his opening remarks about the importance of our position and the collaboration and strength that we have shown across both Houses, both sides of this House and, equally, as a country as a whole. I certainly saw that when I visited Poland last week, which also provided me with detailed insight into some of the questions that the noble Lord and the noble Baroness raised. I had the occasion to go right to the border point where crossings are taking place, and I can share with noble Lords the heart-wrenching scene of seeing split families coming through. The majority were women and children—97%, as estimated by international agencies, including the UN—as boys over the age of 16 and men below the age of 60 are not crossing the border. Many unaccompanied families are coming through.

I will come on to the specific figures of those wishing to come to the UK but what was evident to me from speaking directly to those crossing the border and fleeing the conflict was their desire to remain very near to Ukraine. One can imagine oneself in that position; if you are split from a father, a brother, a sister or any family member, your inclination would be to be as close by them as you could be.

The other thing I want to put on the record is that I acknowledge, as I am sure all noble Lords do, the absolutely sterling role that the Polish Government are playing in this respect. I saw evidence of that in the reception at the border, through to the processing, immediate support and support centres. Although it was tragic to see what was unfolding, what I witnessed at one of the two major border crossings was a structured and co-ordinated approach to the Ukrainians who were crossing over.

The noble Lord, Lord Collins, referred to the International Criminal Court. He will recall that we engaged early on with the prosecutor at the ICC, Karim Khan, and that my right honourable friend the Deputy Prime Minister and Justice Secretary visited The Hague. I assure the noble Lord that we discussed exact requirements specifically with the prosecutor, including financial and technical support, and we are extending our full support to him. This was also a matter for discussion with the Deputy Foreign Minister of Poland during my visit to Warsaw last week; we agreed on the importance of co-operation, including both Justice Ministries co-operating with each other in collecting evidence. My right honourable friend the Foreign Secretary has been engaging at a senior level

with all Foreign Ministers, including those across NATO—the noble Lord, Lord Collins, asked about this—on an almost daily basis through meetings conducted either here or directly in Brussels.

The noble Baroness, Lady Northover, asked about partnerships with our European neighbours. As I have often said to her during our different debates over many years, we have left the European Union but we have not left Europe. This crisis has demonstrated the importance of aligning ourselves and co-operating with our European partners, as we have done on sanctions and in our co-ordinated response to the humanitarian needs of the Ukrainian people. It is important that we continue to act.

On the noble Baroness's main point on defence, that is being discussed with our NATO allies. This will continue to be the case.

I shall look to provide an update on humanitarian support, with a detailed breakdown, through the regular FCDO briefings we do for parliamentarians. I assure the noble Lord, Lord Collins, that we are looking specifically at the needs on the ground. We have engaged directly with the Ukrainians and international agencies—including the UNHCR, the ICRC and the IOM, among others—to ensure that their requirements are met immediately; the DEC appeal also illustrated the generosity of the British people. In doing so, we are employing humanitarian, emergency medical and rapid deployment teams in all neighbouring countries. Next week, I or my right honourable friend the Foreign Secretary will attend a meeting in Germany about co-ordination with European partners on the response to Moldova, which is a member of neither NATO nor the EU but has its own territorial challenges with the Russian presence nearby and its border with Ukraine being subject to particular Russian intent.

I hope I am not jumping the gun in saying that, all things being equal, there will be further secondary legislation. I have certainly signed further secondary legislation on the sanctions regime—I can assure the noble Lord of that—which I believe will be laid at 5 pm. I assure the noble Lord and the noble Baroness that we are working at pace to ensure that we are fully aligned with our American, Canadian, Australian and EU partners in a co-ordinated response to sanctions.

The noble Lord, Lord Collins, mentioned weapons support and changing needs. He may be aware that, in close co-ordination with our NATO partners, my right honourable friend the Defence Secretary has organised for tomorrow a meeting with our key partners on this very subject, including how we co-ordinate effectively with them to support Ukraine's defensive needs through military support.

On the issue of humanitarian corridors, raised by both the noble Baroness, Lady Northover, and the noble Lord, Lord Collins, the fact is that they can be guaranteed only if both sides subscribe to them. I have spoken directly to UN agencies and others working directly on the ground; indeed, I met various charities and NGOs. Unfortunately, one thing they report is the lack of any authorisation or approval being given by the Russians to allow humanitarian support. That said, brave, courageous individuals and organisations are accessing Ukraine. I asked someone from a charity

[LORD AHMAD OF WIMBLEDON]

who I will not name specifically what they did. He said, “Minister, we load things up in a van, we get our courageous drivers to drive through the border and we tell them to go as far as they can. When they face missiles, bombings or barriers, they stop and distribute their aid.”

Clearly, there is a need for co-ordination. I witnessed good co-ordination on the ground, but more needs to be done in terms of the internal situation—the massive displacement of Ukrainians within Ukraine itself. Undoubtedly, Poland is taking the majority of people fleeing the conflict, but some are returning. On the border, I witnessed women who had dropped their children with friends and family in Poland and were seeking to return, not just to support brothers, husbands and fathers but to fight. That reflects the courageous nature of the Ukrainian people.

On the refugee schemes, these are the totals I can share at the moment. For the Home Office refugee schemes, as of 29 March there have been 31,200 applications for the family scheme and 28,300 applications for the sponsorship scheme. There have been 22,800 family scheme visas issued and 2,700 sponsorship scheme visas issued. I will keep updating noble Lords with the figures, but what is very clear is that most Ukrainians wish to stay near the border point.

There is also a QR code on a leaflet produced by the UNHCR and other agencies which contains not only information on safety and safeguarding—what happens once refugees cross the border, fleeing the conflict—but additional information on the various sponsorship schemes, including ours, included in the code. We are working in co-ordination with the Polish Government to see what we can do to enhance that information, not just in English but in other languages. I saw notices in several languages, and the accessibility of those various schemes was very clear through the current QR code.

I will continue to update noble Lords directly, as I have done, but, in concluding on their specific questions, I thank both the noble Baroness and the noble Lord, Lord Collins, for their continued support.

5.22 pm

Lord McDonald of Salford (CB): Your Lordships’ House debated the invasion of Ukraine on 25 February, the day after Russia’s invasion. Everybody who spoke that day wished Ukraine well. Nobody predicted what has happened in the past six weeks; nobody foresaw what Ukraine could achieve. Everything that could go wrong is going wrong for Russia. Evidence is accumulating that Russia is losing. So I have two questions for the Minister. First, I do not expect him to go into detail, but among the scenarios that the Foreign, Commonwealth and Development Office is now considering, is it looking at the consequences of Russian defeat? The Soviet Union collapsed in 1991; might the Russian Federation, across 11 time zones, collapse in 2022? Secondly, sadly, defeat for Russia does not mean victory for Ukraine. President Zelensky may have to agree an unsatisfactory peace. Please can the Minister confirm that that would not be the trigger for us to lift sanctions? That is a different decision, and sanctions should remain in place until all Russian troops have left the territory of Ukraine.

Lord Ahmad of Wimbledon (Con): My Lords, the noble Lord is of course right. We have seen that the scenarios that were perhaps envisaged in Moscow have played out very differently in Ukraine, and recent announcements have reflected that. However, I add a massive note of caution. Notwithstanding what is happening on the ground to the Russian forces, the Russian military is, nevertheless, very well equipped and there may be alternatives. The noble Baroness, Lady Northover, talked about Mariupol; we have seen what has happened through the use of missiles and their indiscriminate destruction. That cannot be ruled out in any shape or form. Of course, any peace negotiation is rightly being led directly by the Ukrainians and President Zelensky. We fully support his efforts and are in close co-ordination and contact with His Excellency the President, Foreign Minister Koluba and others. Noble Lords will be aware of various initiatives that are taking place.

On the issue of scenarios playing out, we have not reached that point yet. I briefed members of the Council of Europe yesterday, and it was very evident that, at some point in time, it will be about not just Ukraine but the impact of the sanctions. It is right that we have acted in co-ordination. But our battle is not with the people of Russia; they are also suffering. Whatever emerges in Russia—one hopes that the voices of democracy and inclusion will be strengthened there—there will be a need at some point to look towards what this means for Russia, its economy and, most importantly, its people.

I did not answer one point on Mariupol and Aleppo. I have had that scenario painted to me, as with other conflicts, and I will say two things on it. First, the noble Baroness will have seen our announcement on Afghanistan today—we are hosting a donor conference. One should not compare and contrast human suffering; it is important that we stand firm in our support for those who suffer through conflict. Aleppo is our conflict, as is Mariupol, and we must look at them through that lens.

Lord Robathan (Con): First, I commend the Government for their speedy and effective reaction to this crisis, praised by President Zelensky over and above many of our allies, including our European ones.

Secondly, the Statement says:

“Strength is the only thing Putin understands.”

Unfortunately, that is incorrect: he also understands weakness, which is why he had the Germans and others over a barrel over their dependence on Russian gas. He looks at us and sees that, as we speak, we are reducing our Army by 11% and reducing the number of our aircraft and ships. Could the Minister go back to the Government and say that the integrated defence review needs revisiting?

Thirdly, I am delighted to see that we have sanctioned the Wagner Group—however it is pronounced—but could he please assure me that the security services are looking into its funding? I have heard some very distressing tales about funding by foreign Governments who are not Russian.

Lord Ahmad of Wimbledon (Con): My Lords, on my noble friend’s final point, in any sanctions we of course look at a full range of factors to determine who

we sanction. We are dynamic in our response, looking at the implications of any sanctions that we have imposed and wider ones that need to apply. I hear very clearly my noble friend's comments on our defence, but, of course, in advance of this conflict we increased defence spending. Nevertheless, conflicts such as these bring in an important consideration of ensuring that our integrated review and its outcomes are applicable and relevant to the world as we see it today.

Lord Browne of Ladyton (Lab): My Lords, has the Minister had the opportunity to read the words written yesterday by Richard Haass, the veteran diplomat and peacemaker and the current president of the Council on Foreign Relations? I refer to them because he very clearly stated that, at this stage, there ought to be two priorities for his Government and other Governments who support Ukraine. I refer to him because I agree with him. First, we need to concentrate on ending this war on terms that are acceptable to Ukraine. Secondly, in the meantime, we need to discourage and deter escalation by President Putin—that is crucially important. So we should all think about what is a plausible war termination, because I believe that we will be asked that question sooner rather than later. We should also be very careful about what we say, because if it gives President Putin the sense that he has nothing to lose, he will be discouraged from any form of restraint in those circumstances. I wonder whether our Government are approaching the situation in this way, appreciating—as I am sure the Minister does, having come to know him—that this ought to be very important to all of us.

Lord Ahmad of Wimbledon (Con): My Lords, I have not actually seen the statement raised by the noble Lord, but I will look at it. In principle, I agree with both points raised. The first is very clear: when it comes to peace, any resolution must be led and agreed by Ukraine, as I said in response to the noble Lord, Lord McDonald. That remains part and parcel of our thinking. On Mr Putin and Russia, President Zelensky has repeatedly been calling for direct talks, because it is important that the leaders of those two countries sit down to determine their future pathway. It is also important that other countries that support Ukraine, as we do, fully support direct contact in such negotiations.

Lord Cormack (Con): My Lords, my noble friend gave the numbers of those who had applied for visas and of visas that had been issued. The latter seemed to be a small percentage of the former. What can we do to expedite visas for those who wish to accept the widely proffered hospitality of our country?

Lord Ahmad of Wimbledon (Con): My Lords, my noble friend Lord Harrington and I have clearly heard about the importance of expediting the visa process, and the Government have moved in that direction. All noble Lords agree about the basic biometric and security checks necessary, but I will again pass on the importance of speeding up the process. Visas are being issued. Although this is a snapshot, I have met a number of Ukrainians and they want to go back home. Their immediate sense is to be near Ukraine. No person

I met did not say that they hoped to return home in days and weeks; they are certainly not thinking about months.

Lord Alton of Liverpool (CB): My Lords, last week when visiting Lithuania, I was struck when meeting refugees, as the Minister was, that as civilians dropped off their loved ones they returned to Ukraine in their cars to take up arms and fight against Putin's illegal war. Given the war crimes committed in Mariupol and elsewhere, and which were referred to earlier by the noble Lord, Lord Collins, what can the Minister tell us about the appointment of Sir Howard Morrison to expedite prosecutions of those responsible? Can he respond to the letter that I sent him recently urging him to organise a meeting in your Lordships' House with Karim Khan QC, the prosecutor for the ICC? In her Statement to the Commons, the Foreign Secretary said:

“We must ensure that any future talks do not end up selling out Ukraine, or repeating the mistakes of the past.”—[*Official Report*, Commons, 28/3/22; col. 593.]

Was she not right that whatever is decided must be the decision of the Ukrainian people? We must stand with them at this terrible time of trial.

Lord Ahmad of Wimbledon (Con): My Lords, I totally agree with the noble Lord's final statement. On his earlier point about the appointment of Sir Howard Morrison, of course someone of his calibre is much welcomed; he has great insight and will bring great expertise. I have received the noble Lord's letter about arranging further meetings; I cannot guarantee Karim Khan's schedule, but I assure the noble Lord that we are working closely with him. In the division of responsibilities, the Deputy Prime Minister and Justice Secretary is leading the engagement on how we can best support his mission, but I will certainly mention it to Karim that, next time he is planning to be in London, we should arrange an appropriate briefing.

Lord Mackenzie of Framwellgate (Non-Aff): My Lords, the noble Lord is aware that, in any conflict, it is useful to get into the mind of your opponent. That is extremely difficult with Putin, as we know, but he has previous; he has committed crimes, not just oppressing his own people in Russia, but in this country—Alexander Litvinenko and the Salisbury poisonings. A couple of weeks ago, I had lunch with Professor Michael Borschevsky, who is a renowned student of Russia because his wife was murdered by Putin's FSB over 20 years ago. Professor Borschevsky came to this country and now has a British passport. We had a very interesting lunch at which he produced this article, which I want to share with the House for important reasons.

Noble Lords: Question!

Lord Mackenzie of Framwellgate (Non-Aff): There is a question coming. The important thing is that this moved me so much that I asked him to translate it into English, so that I could share it with your Lordships at some point. This was written by Alexander Litvinenko over 20 years ago. In effect, he was signing his own death warrant. He said:

[LORD MACKENZIE OF FRAMWELLGATE]

“When the whole world was chasing Bin Laden and saving itself from global terrorism, another monster, similar to Hitler, ripened by blood behind the Kremlin walls. If not stopped early, this maniac could bring civilisation to yet another world massacre in which furnace millions and millions of human lives could perish.”

That was very telling for me. In the light of the descriptions that I have outlined and that we know about, will the Minister give further assurance that he and the Government will act to make sure that war crimes are duly brought to account and the persons responsible punished?

Lord Ahmad of Wimbledon (Con): My Lords, the short answer to the noble Lord’s second question is yes. I have already indicated how we are working closely with the ICC. On the noble Lord’s earlier point about opposition within Russia, I agree with his assessment: we have seen what Mr Putin is doing with opposition in his own country, not least the horrendous treatment of Alexei Navalny and his move to a high-security prison. Obviously, our thoughts and prayers are with him and his family, but it underlines Putin’s view of opposition in his own country.

Lord Campbell of Pittenweem (LD): My Lords, in the discussion about the possible terms of a settlement, it has been suggested that the United Kingdom and other countries become guarantors of the security of Ukraine. Have the Government given consideration to that possibility, and would they support it?

Lord Ahmad of Wimbledon (Con): My Lords, I have seen some of the details which have been coming out but, as I said earlier, we have not reached a point where such detailed discussions take place. Of course we have noted some of the points that have been raised. As I said earlier, we will support Ukraine in ensuring that any decision on any negotiation is led and agreed by it.

Baroness Meacher (CB): My Lords—

Lord Balfe (Con): My Lords—

Noble Lords: Cross Bench!

Baroness Meacher (CB): My Lords, we are having a very polite debate this afternoon. It does not feel as though we are right on the edge of a third world war. Mr Putin is extremely dangerous. He is not used to failure; he is not used to weakness. He does not represent the people of Russia. I worked in a Russian ministry for several years in the 1990s. Those people all want to join the West, but NATO rejected Russia, rejected Gorbachev, rejected Yeltsin and, in the early days, even rejected Putin’s requests—“Come on, let’s be partners. Let’s consider getting into a partnership within NATO.” It all sounds a bit fanciful now. Putin is there; we have to look ahead. Will the Minister take back the point that if we leave this to Ukraine, Russia will tear it apart, literally, limb from limb? NATO bears some responsibility for what is going on. Will the Minister consider that and talk about it with his colleagues?

Lord Ahmad of Wimbledon (Con): My Lords, I have listened very carefully. I do not believe that at any time I have said, “We’re leaving it to Ukraine”; I said that we are 100% squarely behind Ukraine, both defensively and militarily as well as in support we are giving diplomatically. I can share no better example of engagement than that our Prime Minister and President Zelensky talk regularly once, if not twice, a day. We are providing multilateral support. I shall be at the UN; it is our presidency next month. A lot of our debates will be focused not just on support for Ukraine in the current conflict but on accountability. We will convene a debate on sexual violence in conflict—there have been reports of that in Ukraine. I can give the absolute assurance that, whether it is the FCDO, the Ministry of Defence or the Government as a whole, we are squarely with Ukraine, shoulder to shoulder.

As for the future and what happens with Russia and Mr Putin, I agree with the noble Baroness. That is why I exercised caution when it was suggested that perhaps Russia was defeated or is retreating. We are very cynical about that, because Russia has weaponry which it can use and deploy at any time.

Baroness Meyer (Con): My Lords—

Lord Balfe (Con): My Lords—

Noble Lords: Meyer!

Lord Balfe (Con): My Lords, she was not here at the beginning.

Baroness Meyer (Con): My Lords, as someone of Russian origin, my grandparents having fled the Bolsheviks, can I ask the Minister to ensure that people do not mix up the Putin regime with the Russian people? I have had a few nasty tweets asking whether I am a Russian spy. One must be quite careful. The Russian people are appalled by what is happening.

Lord Ahmad of Wimbledon (Con): My Lords, earlier in the Statement I said exactly that: our fight or argument or dispute—and the Ukrainians’ argument also—is not with the Russian people. We stand by the Russian people. In Russia, over 60 cities held protests and were targeted. I assure my noble friend that what she says is very much part and parcel of our thinking.

The Deputy Speaker (Lord Geddes) (Con): My Lords, the noble Lord, Lord Campbell-Savours, is taking part remotely. I invite him to speak.

Lord Campbell-Savours (Lab) [V]: My Lords, will we not look rather foolish if, having driven Abramovich out of Britain with threats of property confiscation, it turns out that he was genuinely trying to negotiate some way forward with the Russians, whom he knows very well, and in doing so paid the very heavy price of possible poisoning for his efforts? What happens if that turns out to be true? Will we not look rather unappreciative? It might be that, in the end, we have to thank him for his efforts and perhaps even rely on his efforts.

Lord Ahmad of Wimbledon (Con): My Lords, at the moment this is speculation. It was clear that Mr Abramovich has a close relationship with Putin, and the fact that he was sanctioned was the right thing to do.

Baroness Finlay of Llandaff (CB): My Lords, today I had a response from the Home Office that it did not know how many people had come into the UK with visas on the Homes for Ukraine scheme. Can the Government translate that website into Ukrainian so that it is more user-friendly? I have sent a list of suggested improvements to the relevant Minister.

I want to ask also about humanitarian aid. Of the 44 cancer centres in Ukraine, only eight now remain. Patients are being moved into Poland. Lithuania and Moldova's health facilities are at capacity. In the humanitarian aid that we are providing, is there pain relief, and are there anaesthetic agents, surgical supplies and antibiotics going into Ukraine and neighbouring countries, including anti-cancer drugs to those adjacent cancer centres? Do we recognise that many of the medical staff within Ukraine have been killed or injured and therefore that their numbers are seriously depleted? Are we supporting those agencies from the UK which are providing rapid online support to trauma surgeons within Ukraine?

Lord Ahmad of Wimbledon (Con): My Lords, on the final question, the short answer is yes. We are working very closely with our colleagues in the Department of Health regarding the requirements in Ukraine and neighbouring countries. To be very open, I asked what the specific needs were for Poland in terms of beds, medicines, et cetera. As the noble Baroness will be aware, we have delivered a sizeable amount of humanitarian and medical support to near-neighbouring countries. I do not want to paint a false impression; undoubtedly, the challenge remains getting into Ukraine in a safe and secure way, as I have indicated already. On the issue of cancer patients, the noble Baroness will be aware that the United Kingdom itself evacuated 21 paediatric oncology patients from Warsaw for treatment by the NHS in the UK and will continue to work very closely with Poland and other partners to ensure that those who need urgent treatment, either in country or in the UK, will be facilitated.

Special Educational Needs and Disabilities Review Statement

The following Statement was made in the House of Commons on Tuesday 29 March.

“With permission, Mr Speaker, I will make a Statement about our mission to level up opportunities for children and young people with special educational needs and disabilities in England. Before I do, I want to praise my honourable friend the Member for Colchester (Will Quince), the fantastic Minister for Children and Families, who has been supported by my honourable friends the Members for Hyndburn (Sara Britcliffe) and for Wantage (David Johnston). I thank them for the level of engagement they have had with Members across the House, as well as with many wonderful

people from across the SEND and alternative provision system. I also thank all those working in early years, schools and colleges, including specialist and alternative provision, for their dedication to service in the face of ongoing Covid difficulties. I am sure my gratitude will be echoed across the House.

This review has been shaped by children with special educational needs and disabilities and in alternative provision, by their families and teachers, and by the committed workforce across education, health and care sharing their experiences and stories. I send them huge thanks for their openness in sharing emotional, and sometimes difficult experiences with us. We have listened, and in response today I am publishing for public consultation the Government's special educational needs and disabilities and alternative provision Green Paper.

In schools in England alone there are 1.4 million pupils with a diverse range of special educational needs, and too often they do not get the support they need. In 2014 we made far-reaching changes to support children with special educational needs and disabilities, and their families—indeed, in 2016 I was the Minister for Children and Families. Those reforms gave critical support to more children, but in reality the system is not working as it should. Too often decisions about support are based on where a child lives, not on what they need, and many have lost confidence in the system. On top of that, the alternative provision system is increasingly used to support children with special educational needs, but the outcomes for many of those children remain shockingly poor. We have therefore considered alternative provision within this review.

Despite unprecedented investment through a £1 billion increase in high-needs funding, taking total funding to £9.1 billion in the coming financial year, on top of the £1.5 billion increase over the last two years, the system has become financially unsustainable. Local authorities are in deficit and overspending on their dedicated schools grant, with total deficits now standing at more than £1 billion. The publication of the Green Paper is long awaited, and I am proud to announce that our proposals will build a more inclusive and financially sustainable system, where every child and young person will have access to the right support, in the right place, at the right time.

To meet our ambitions, and the ambitions of so many children and their families, we propose to establish a new single, national special educational needs and disabilities and alternative provision system across education, health and care, setting clear standards for how children and young people's needs are identified and met. To enable effective local delivery, we propose establishing new statutory SEND partnerships, bringing together education, health and care partners with local government, to create a local inclusion plan. That plan will set out how each local area will meet the needs of children in line with national standards. We will also clarify the roles and responsibilities of every partner in the system, with robust accountabilities to build confidence and transparency.

Locally and nationally published inclusion dashboards will capture and track metrics to drive system performance and will mean that areas respond quickly to emerging local needs. Data and transparency are our allies on this journey. Parents should not need to fight the

system; the system should be working and fighting for them. The proposed changes will help parents know exactly what their child is entitled to, removing their need to fight and guaranteeing them access to mediation, leading to better, earlier and more effective interventions for their child.

I will always be on the side of children and parents. Wherever possible, I want our children to be educated close to home, near to friends and within local communities. Frustratingly for families, that is not happening consistently enough. Today, building on the schools White Paper published yesterday, we are committing to improve mainstream education through early and accurate identification of need, through high-quality teaching of a knowledge-rich curriculum, and through timely access to specialist support, where needed. Change will be underpinned by the increase in our total investment in the national schools budget. As set out in last year's spending review, we will invest an additional £7 billion by 2024-25, compared with 2021-22, including an additional £1 billion in 2022-23 for children and young people with high needs.

I recognise the importance of a confident and empowered workforce with access to the best training to support this cohort of children, and many of my colleagues have made representations to me on that. We will consult on the introduction of a new special educational needs co-ordinator national professional qualification for schools and increase the number of staff with an accredited level 3 SENCO qualification in early years settings.

For some children and young people, specialist provision will be the most appropriate place for them to be able to learn and succeed. For those requiring specialist provision, whether in a mainstream or special school, we propose a simplified process. We will support parents to make informed choices by providing them with a list of appropriate placements tailored to their child's needs, meaning less time spent researching the right school. To prevent needs from escalating, for children with challenging behaviour we want to use the best practice of alternative provision to intervene earlier so that children and young people are supported to thrive, and that the risk of these vulnerable children and young people being exploited or, sadly, involved in serious criminal activities is minimised.

At last year's spending review, we announced an investment of £2.6 billion over three years, delivering tens of thousands more specialist places and improving existing specialist and alternative provision. Today, I can confirm that £1.4 billion of that funding will be capital spending for high needs for academic years 2023-24 and 2024-25, to help local authorities deliver new places quickly. We cannot wait for the Green Paper consultation; we need to do that now for those with additional needs. That means up to 40 new alternative provision and specialist settings. Taken together, these proposals will improve the special educational needs and disabilities and alternative provision system, delivering the right support in the right place at the right time for children and young people.

Today, I am launching a 13-week consultation on the proposals set out in my Green Paper. This is the opportunity for children and young people, their families,

and those working across the special educational needs and disabilities and alternative provision sector to help shape the next stage. We will pay close attention to implementation so that the mistakes of past reforms are not repeated. These reforms are about outcomes, but they are also about fairness: fairness to families who have struggled to get support for their children, to the sector which has gone above and beyond for years, and to children and young people who deserve excellent support to achieve their ambitions. I commend this Statement to the House."

5.44 pm

Lord Watson of Invergowrie (Lab): My Lords, the noble Baroness the Minister may be surprised to hear that, having read the review, my initial thoughts are positive—a view that echoes what many in the education, care and children's charity sectors are saying. She knows that there is a "but" coming, but I will delay that for the moment.

The Statement says that it is proposed to establish a new single, national special educational needs and disabilities and alternative provision system across education, health and care. That is welcome. But there is not a great track record of government departments working together. Too often, there is a silo mentality in the Civil Service, which is long established and often insurmountable. That cannot be the case in terms of this review or it will fail in its aims.

There are three key challenges that the SEND reforms need to address. The first is poor outcomes for children. The second is that navigating the system is often a traumatic experience for families, with many left to reach crisis point before getting meaningful support. The third concerns not delivering value for money. How was it that the £1 billion deficit in the dedicated schools grant, referred to by the Secretary of State yesterday, was ever allowed to happen? He spoke of being ambitious for young people, but where has that ambition been for the past 12 years? Where was that ambition when he was Minister for Children and Families? The Secretary of State cannot disown the legacy of 12 years of Conservative Governments, which have left us with a broken, adversarial and aggressive system that is letting down young people and often leaves families in despair.

So who is responsible for the £1 billion shortfall? The answer is central government, which I suspect is why the DfE appears to want to introduce a funding agreement, or contract system, with local authorities to secure provision. Where else have we heard about funding agreements with the DfE? With academies, of course—so this would be more of the inflexible rod of central government. Will any new system be successful if local endeavour, creativity and innovation are ironed out of it?

A vicious cycle of late intervention, low confidence and inefficient resource allocation is driving the challenges for effective SEND provision. The current system does not prescribe in detail exactly who should provide and pay for local services, leaving it to local agreement and First-tier SEND Tribunals. Similarly, delivery of alternative provision is inconsistent across areas and schools. As a result, parents, carers and providers feel that they have no choice but to seek EHCPs and, in some cases,

specialist provision, as a means of legally guaranteeing the right and appropriate support for children and young people. The Government's reform simply must do much better than this in terms of the support given to parents of children with special educational needs.

It may or may not be a coincidence that the 13-week consultation that the Secretary of State launched yesterday will reach its conclusion at the end of June, which is around the time when the independent review of children's social care is due to report. That would be entirely appropriate, as the SEND review cannot be seen in isolation—and I do not believe that the Government do see it in isolation.

Early intervention is essential in correctly identifying needs, but the current system often prevents that. All too often, local authorities need to spend on non-discretionary services, such as child protection, taking money away from preventive services like children's centres. The barriers that prevent children from having their needs met as early and as close to home as possible must be removed.

We welcome the recognition in the Green Paper of the importance of building expertise and leadership in SENCOs. This would dovetail with the Government's proposals in the skills Bill for SEND to be an integral part of initial teacher training. Perhaps the Minister could confirm that that is how she sees it as well. However, many children with complex and interrelated physical, health and learning needs, such as those with cerebral palsy, autism or communication difficulties, require a specialist approach to education which is provided by professionals with expertise and a deep understanding of their condition and how it impacts on their learning and development.

The reforms that emerge following the consultation should ensure that the best possible use is made of prompt specialist expertise to enable vulnerable children with disabilities to be identified and assessed early, opening the way to delivery of the optimum level of support throughout their education so that they can reach their potential. It is important that alternative provision—too often hidden away—is included in the Green Paper. We also welcome the integrated role and the recognition of the need to improve oversight of AP placements.

The role of colleges in supporting SEND students is understated in the Green Paper, which is contradictory given that the aim of the reforms is to create a system that serves young people all the way through to age 25, from childhood to adulthood. Colleges are a lifeline for students with SEND, many of whom have struggled at school but thrive in a college environment. Many students with EHCPs progress to their local college where they are supported into independence and often into work. Can the Minister say what the DfE sees as the role of colleges in their provision for SEND students and what resources will be made available to support that role?

Resources is, of course, the but. All of this is dependent on the provision of adequate resources and on that score, I fear the mood is more downbeat. I have already mentioned the DSG deficit; the Statement mentions £1.4 billion of capital spend on high needs between 2023 and 2025. Presumably, this is to increase capacity and places within schools. It averages out at

roughly £60,000 per school on a one-off basis. Will the Minister say how the Government imagine that capital spend flowing?

Finally, the Secretary of State also says in his Statement that there is to be an additional £1 billion in the current financial year for children and young people with high needs, but then what? Is that figure to be consolidated in the high needs budget? The families of children with special needs of all kinds deserve to be told.

No matter the Government's good intentions in terms of SEND and AP provision, without the resources to ensure a system that is fair, joined-up and effective from an early point in a child's life, little will change for those families that so desperately need support for their children.

Lord Addington (LD): My Lords, first I remind the House of my declared interests in this field: I am dyslexic; I am president of the British Dyslexia Association; I am a long-established user of assistive technology and chairman of a company that provides that across the education and working sector.

The best thing about the system is acceptance of the problem. In the current system, you are advised to get legal advice to get the best results. If ever there was a definition of failure, that is it: people cannot get the help they need from the mainstream system which the law dictates unless they have legal support. There really is no bigger condemnation, and I congratulate the Minister on bringing forward something that recognises that. The system we have has not worked. It has not worked for a variety of reasons, mainly, I feel, because the school process, whereby schools take money out of their budgets to support individual pupils, is counterintuitive to the school. They can take £6,000 out of their mainstream budget to support a pupil, but not put £6,000 into training staff to meet the recurring needs.

We talk about pupils with a commonly occurring condition, but I agree that this is not the full package: there is a range of subjects and most people who come into this category have a cocktail of conditions. If they are lucky, with good parents—the tiger parent—fighting for support, a bit of resource, they generally get a decent result, even if they have to pay lawyers. If they do not have that, they get a bad result and will end up in alternative provision. Can the Minister give me some idea about how those who will initially be below the threshold for intervention needed for the plans will get help and support? I cannot see how that will occur.

The noble Baroness will say something positive about SENCOs, which is good, but it requires more than that. It requires a recognition strategy caused by having good teachers, teachers with knowledge, in place to identify and get help in early. Because we all know that is the way it works: identify early, get strategies in place, get structure, and there is less resistance from the pupil. How will we do that with this system? How will we make sure that the system knows what it is doing when somebody starts to fail? Are we going to have a degree of flexibility built into this national plan?

Why can I never remember the exact name of the phonics system? It is specialist synthetic phonics. The Government say that the phonics system is suitable for

[LORD ADDINGTON]

everybody; guess what? The British Dyslexia Association, the biggest individual group, says it does not work for dyslexics, so we will need an alternative provision of teaching and how to implement that throughout the system to get the best out of the biggest cohort. It is not the only cohort, but it is the biggest. How will we do that? How will we make that work if we do not have a degree of flexibility built in and do not address the fact that certain people will always struggle?

We cannot ignore what happened yesterday. Apparently, 90% of pupils in this country are going to reach literacy standards. I have already identified 10%—and that is a conservative estimate—of those who will have extra problems with reading and writing. We can also stick on 5% or 6% who are dyscalculic. But wait, look at the good news—some of them are included in the first 10%, so they actually have multiple disability problems. It is called “comorbidity”, but I think that “co-occurring” sounds better. You can stick dyspraxia and autism in there, and they are just the hidden disabilities. How will we achieve this unless there are people who can identify early, and not take it to this system of struggling identification? I quite understand that the Minister may well be able to make it less legally driven, but there is a danger that it will go back there.

I hope that the Minister can give us some idea about guidance. If the Government want to achieve their high literacy levels, how about someone who word processes by talking and listening to their computer, as opposed to just tapping the keyboard? That is available to everyone. I know that the Minister has had some experience with this; she is the first Minister I did not need to show this technology to.

A slightly more flexible approach will get far better results here. If the Minister can assure us that, with guaranteeing standards, they agree with that flexibility, all things are possible. If we go back to saying, “No, this is the way we should do it”, and having conflicting stories, we will just have failure—it may not be quite as bad, but we will still have failure.

The Parliamentary Under-Secretary of State, Department of Education (Baroness Barran) (Con): My Lords, I thank both noble Lords for their remarks and acknowledge the opening positivity of the noble Lord, Lord Watson. I genuinely believe that the reason his initial response to the review was positive—“buts” permitting—was because my ministerial colleagues and officials in the department have worked really closely with parents, carers and young people with disabilities. This review has been co-created with them, and we thank them enormously for their time.

The noble Lord, Lord Addington, rightly highlighted the adversarial system which we face today, with parents feeling forced to go to a tribunal to get suitable provision for their children. We really believe that our plans will lead to much greater transparency about what is available for their child in their local area, and much greater clarity about how it can be provided. We very much hope that, combined with our offer around mediation, parents will feel that their voices are heard—and heard early—and that their child’s needs can be met, ideally, as close to home as possible.

Both noble Lords rightly stressed the importance of early intervention, and I am sure that they also share our aspiration in terms of quality and consistency of provision. It is really striking—for example, when comparing local authorities and the percentage of children with an education, health and care plan who end up in a specialist setting—that the same child is six times as likely to end up in a specialist setting in one part of the country, compared with another. That spreads through the system, including those without an EHCP. We hope that one of the building blocks for earlier intervention will be clarity. This clarity will be achieved through new national standards which will set out which needs can and should be met effectively in mainstream provision, and the support which should be available there without the need for an education, health and care plan. It will also provide guidance on when a child or young person does need an EHCP and whether they need a specialist placement. I am sure that the House shares our concern not just for those children who are diagnosed late, but those children who are never diagnosed at all and do not get the support they need.

We also hope that reinforcing the provision that exists in mainstream schools for children with special educational needs and disabilities will help with early intervention. Our ambition is that we should have a truly inclusive education system so that mainstream provision, supplemented by targeted support when it is required—by which I mean those specialist interventions for children but also pastoral interventions—will allow them to thrive in a mainstream setting. We also want timely access for those with more complex needs to specialist support or placements in alternative provision.

We are trying to balance the work we are doing in consulting on and planning a system that works more effectively for young people with not waiting to make sure that the funding that the noble Lord, Lord Watson, referred to, gets to young people through their local authorities as quickly as possible. We are investing more in this system than we ever have. In 2022-23 the high-needs budget will be £9.1 billion, and it is set to increase further over the coming years. Therefore, we have made our commitments in revenue funding but also, critically, in capital funding, providing up to 33,000 additional places for children requiring specialist provision.

Looking to the future, the review proposes a system of funding bands and tariffs so that people better understand the level of future funding they can expect to receive. We will move to arrangements for funding schools directly, rather than through the local authority funding formula, but that will obviously take some time to implement. We also think that improvements in the quality of provision will be driven by the local inclusion plans, which every area will prepare in a multiagency way with their health and social care and education partners, and, critically, with parents and carers. That in turn will be reinforced by local dashboards, so that we have real transparency across the country about what is working, what needs more attention and how we can learn from one another.

The noble Lord, Lord Watson, referred to the 2014 reforms and the need to have really effective implementation. We are absolutely aware of the need to learn lessons from 2014. We are setting up a special

delivery board, which will oversee the rollout of these policies. We are also establishing a £70 million change programme for this work so that we can test and refine proposals before we scale up.

In response to the noble Lord's question about further education settings, we absolutely agree that they are an incredibly valuable resource for young people with special educational needs. Our proposals will allow FE settings to be absolutely clear about the support that they are expected to deliver for young people. We continue to work with stakeholders in that sector so that our proposals are shaped by their expertise.

On the questions from the noble Lord, Lord Addington, regarding dyslexia more broadly and the use of technology, it is fair to say that there is a range of views about the use of phonics for children with dyslexia and the right place for technology. I would be very glad, if the noble Lord would be interested, to arrange for him to meet colleagues in the department so that we can give the points he raised the time that they deserve.

In closing, the Government are ambitious for all our children. For children with special educational needs and disabilities, as for every other child, we are determined to build an education system where they can get the right support, in the right place, at the right time.

Baroness Chisholm of Owlpen (Con): Can I ask my noble friend the Minister what the plan is for teachers to be able to identify children with special needs, particularly at an early age—as early as reception, where I feel things often start going wrong? It is also about being able to give parents support when they come forward, when they feel that there might be a problem with their child.

Baroness Barran (Con): My noble friend raises an important point. She is right that early years education, even before reception, has consistently been proven to be absolutely fundamental to strengthening a child's readiness for school and educational potential over their life, as well as for wider educational outcomes. We propose to increase the number of staff with an accredited level 3 SENCO qualification in early years settings to improve the special educational needs and disability expertise in those settings by up to 5,000 additional practitioners.

Baroness Blower (Lab): My Lords, my noble friend Lord Watson has had a good deal more time to look in detail at this Green Paper than I have, but I look forward to some conversations about it with the Minister. My question follows rather well from those of the noble Lord, Lord Addington, and the noble Baroness opposite. One issue about early intervention is that there is a paucity, not to say an absence, of the study of child development in the initial stages of teacher training and education. Frankly, if teachers are not exposed to that in their period of training, they will be ill equipped to recognise these difficulties early in their career. I implore the Minister to have a little look at initial teacher training and education, just to make sure that everything that we are saying is consistent, so we really can address the needs of all children.

Having said, that, we have had two Statements on education in two days—it is great, is it not—and there is a great deal to welcome in this Green Paper. However, we must all acknowledge that there is much more to do for children and young people with special needs and disabilities. We all, I hope, acknowledge that the challenges are not new. As it says in the Green Paper, the pandemic has exposed and exacerbated pre-existing difficulties. Some of us in this Chamber who have been teachers will know, and will have been having an uphill struggle in saying, that there is enormous unmet need and enormous challenges. However, the Green Paper also helpfully says, on page 13, that

“We need a system where decision-making is based on the needs of children and young people, not on location”.

That is absolutely right. If a child has a need, it should be met.

It may be that the standardisation of the education and healthcare plan will help with that, and it may also help, as I think it suggests in the Green Paper, with some elements of reducing staff workload. But however much we have the ambition, the lived reality for children and young people has to be, as the book says, that they get the right support at the right time, so I applaud that.

Baroness Bloomfield of Hinton Waldrist (Con): Perhaps the noble Baroness could come to her question.

Baroness Blower (Lab): Is the Minister absolutely confident that there will be sufficient funding going forward? I have one specific question. Why is it that the special schools with alternative provisions will be free schools, when it is very clear that local authorities will have a significant role to play in the delivery of these improvements? Why can they not be commissioners of providers of schools?

Baroness Barran (Con): In answer to the noble Baroness's second question, they could potentially be presumption free schools. However, as she knows, all new schools are free schools. On early childhood development—this was not her question, but just to clarify—content on special educational needs and childhood development is part of the initial teacher training curriculum. I am extremely interested in early childhood development. As the noble Baroness knows, I ran a domestic abuse charity for many years, so I am looking forward to a longer conversation with her on that.

In relation to funding, the noble Baroness will know that we have moved fast to try to meet the increase in funding needs, which have gone up by 40% over the past few years. It has been an unsustainable situation, and we have worked hard with local authorities to try to manage the pressures they are under. We hope that this approach will mark a step change in the funding that is required and how it is spent.

Baroness Finlay of Llandaff (CB): My Lords, I should declare an interest having chaired the National Mental Capacity Forum in recent years; I have just finished doing so.

[BARONESS FINLAY OF LLANDAFF]

I want to ask about the children and young people with severe learning difficulties. I seek assurance that their plan towards adulthood includes looking at the strengths they have to maximally support them in their own decision-making and, where possible, ensure that they have adequate capacity to choose someone to hold lasting power of attorney in future for financial, health and welfare decisions. It is awful when they suddenly reach their 18th birthday and their parents find that they can no longer take decisions and have not made adequate provision ahead of time. Many of these young people have enough capacity, when carefully supported, to take the decision because they know what they need and who they trust to take decisions for them. It is much safer than leaving it up to fate later on.

Baroness Barran (Con): The noble Baroness makes a very good point. Given that this is a consultation, I really encourage her to share that as part of her consultation response so that we can take it into account in our plans going forward.

Baroness Garden of Frogmal (LD): My Lords, following on from the noble Baroness, I do not think that the Minister entirely answered the point about initial teacher training. What is being done in such training to ensure that every new teacher is equipped to recognise special educational needs? There is early and accurate identification of need, but they can do that only if they are trained to recognise the different types of disability that children might have.

The other thing I want to ask about concerns the new statutory SEND partnership. How will this plan differ from the plan that is in existence at the moment for children's health and care plans? Can the Minister explain that too?

Baroness Barran (Con): I understand why the noble Baroness talks about initial teacher training, although she will be aware that it is outwith the scope of this Green Paper. Our wider vision for teachers is that they should have opportunities for professional development at every stage of their career, whether that is initial teacher training, early career development or beyond. We will consult on creating a SENCO NPQ, which will give teachers who wish to develop in that area an opportunity to do so.

The noble Baroness also asked about the new approach. Some of the difference will be around clarity. First, the new approach brings together special educational needs and disabilities and alternative provision. As the noble Baroness knows, one of the things the pandemic highlighted was the number of children in AP with special educational needs and disabilities, so we want to bring those together. We want absolute clarity around standards of provision and on roles and responsibilities. We also want much clearer accountability and the partnership to work in a coherent way, including with the partners I mentioned in response to an earlier question.

Baroness Bennett of Manor Castle (GP): My Lords, returning to a theme that has been at the centre of our discussion, the Early Years Alliance did a survey of its

providers in preparation for the Green Paper. It found that three-quarters of them had seen an increase in the number of children with formally defined SEND over the past two years, while even more—84%—believed that they had children whose needs had not been identified formally but were clear to them. The survey covered a really disparate group of nurseries, pre-schools and childminding professionals. Some 40% of them said that they get no extra funding now; 87% of them said that they do not get enough funding to meet the quality of care they believe is necessary; and 56% of them said that they had had delays in getting funding. Is the Minister really confident that there is enough in this Green Paper, with the reorganisation and redrawing of boundaries and responsibilities being put on local authorities, to address these issues? Do we not need massively more resources to be put into this stage, which the paper identifies as absolutely crucial?

Baroness Barran (Con): The Government are putting significantly more resource in. I absolutely hear what the noble Baroness says but I hope she also accepts that we have little consistency in how we identify children with special educational needs and disabilities. Of course, their needs are at varying levels and require varying levels of funding to address them. Just from visiting mainstream schools, I know that there will certainly be great variations in the percentage of children identified with special educational needs. Sometimes that is because of great early intervention that has addressed and dealt with their needs; other times, it is because of poor intervention; other times, there are different reasons. However, every local authority will attract a funding increase of at least 12% per head for their two to 18 year-old population in 2022-23, with some local authorities seeing increases of up to 16% compared with the previous year. I hope the noble Baroness acknowledges that we are really committing money to sort this out.

The Lord Bishop of Durham: My Lords, I declare my interest as chair of the National Society, which leads the Church of England's education work.

I hope the Minister will be pleased to hear that, in response to yesterday's Green Paper, the Church of England has established a national network for SENCOs at primary and secondary levels, partly to get their opinions on how we should respond but also to offer development in future. However, I want to continue to pursue the early years question. Understandably, this is about education and social care. The first 1,001 days of life are the most crucial. Nothing here refers to the development of family hubs and the work of health visitors in the pre-two context, where some discernment ought to be available. Can the Minister comment on the join-up between the development of family hubs and the really early years?

Baroness Barran (Con): I start by asking the right reverend Prelate—I am sure I speak on behalf of my ministerial colleagues as well—to share how warmly we welcome the creation of the networks. We very much look forward to their contributions to the consultation. In relation to family hubs, he is absolutely

right that they are critical to this task of early identification. Obviously we have already announced our plans on family hubs; we are excited at the potential for multiagency working so that we can identify and support as early as possible. As the right reverend Prelate knows, family hubs support the whole family through to when the child reaches maturity; whether it is early or a bit later, they are there to help.

National Insurance Contributions (Increase of Thresholds) Bill

Committee

6.20 pm

Clause 1: Increase of primary threshold for primary Class 1 contributions

Amendment 1

Moved by **Baroness Kramer**

1: Clause 1, page 1, line 8, leave out “July” and insert “April”
Member’s explanatory statement

This amendment would bring forward the date of implementation of the increase in thresholds from 6th July 2022 to 6th April 2022.

Baroness Kramer (LD): My Lords, all the amendments tabled today are in my name and in a single group, so I am not going to take up too much of this House’s time, and I should also make it clear that I do not intend to divide on any of these amendments. However, I thought there were a few issues which needed some additional focus and emphasis. These amendments were tabled by my colleagues in the other place, but I am not sure that we got terribly good answers to any of them. It is always worth having a second go, and many of these points are ones that I would like to leave with other Members of your Lordships’ House for future discussions around these various topics.

The first amendment, Amendment 1 in Clause 1, has the effect of bringing forward the date of implementation of the increase in thresholds from 6 July 2022 to 6 April 2022. There were two reasons why I thought it was important to table this amendment for a second time, and I am going to quote from the Resolution Foundation:

“If we consider just the changes to Income Tax and NI due in 2022-23 and reflect that the NI threshold will not fall until July, earners on less than £25,000 will gain, and those above will lose from all the measures being introduced in the next fiscal year (if the NI threshold had fallen in April, this cut-off point would have risen to £32,000).”

That is the difference between people who benefit from the threshold change being brought in in April and those who will benefit by it being brought in in July. I am going to estimate—maybe the Minister will have the number—that there are an awful lot of people whose annual earnings fall between £25,000 and £32,000. In fact, I am going to go beyond that and suggest that is very often a family income. It is not a starting income, or the income of someone who has risen rapidly up the promotion ladder. It has got to be a very common income for a large part of our working population. I do not know what those numbers are, but I am sure that the Minister could tell us, so I am

quite concerned about a policy that, at a time of huge pressure on the cost of living, is denying a benefit to people who fall between that £25,000 and £32,000 salary or earned income group.

My second reason for tabling this amendment was the words of the Financial Secretary to the Treasury in the other place when dealing with issue. She said:

“Of course the Government want to help people with the cost of living as quickly as possible, which is why the Chancellor introduced a number of measures immediately ... However, it was not possible to deliver the increase to the primary threshold from 6 April, which is in less than two weeks’ time. The Government are implementing the change as early as possible, from 6 July. It is not possible for the majority of software and payroll providers to deliver the measure for April.”—[*Official Report*, Commons, 24/3/22; col. 522.]

I just thought, “This one is a classic”: the assumption that the only way to deliver the benefit is through making a change to the software associated with the universal credit scheme.

When the Government of the United States sought to give people a helping hand with Covid, they simply cut a cheque and sent it to everybody who was a registered taxpayer. It seems to me that getting an appropriate list of the people who would qualify—with a starting date of 6 April to fill in and plug the two months—would not be much of a challenge for this Government. They do not have to go and change the whole universal credit system or require every employer to make a change; they could simply access the data and then find a way to make a rebate.

We often have this kind of siloed thinking. Here is a Minister who is in a sense saying, “I only wish I could find a way to do it”. So I wonder whether the Minister can go back and say to her department, “Of course we can find a way to do it; we just need to start thinking outside the box and not simply assume that what we have to do is some complicated and extensive programming problem. We simply need to find a way to send a rebate”. I suspect that most people would not mind a cheque—frankly, I suspect that most people would not mind if they had to wait a little time for it to come, provided it came. This ought to make the Financial Secretary to the Treasury exceedingly happy. These two issues highlight the impact of the delay and the fact that there are many ways in which that problem could be remedied. It just takes some lateral thinking.

The amendments in my second set are much more similar and come after Clause 3. Essentially, they concern reporting requirements. The concerns around transparency were well described at Second Reading. The noble Lord, Lord Macpherson, used the phrase “sleight of hand” in his speech; I used it slightly differently in mine. There is a great deal that is opaque, particularly in the way we relate income tax and national insurance contributions. As the noble Lord stressed, for many years, Governments have chosen to reduce income tax and shift the burden on to national insurance contributions because they are less visible and because, frankly, the public are under the impression that they are saving for their own pensions. Now, they are going to be under the impression that they are making an extra effort to help the NHS and social care; they will therefore accept an increase, whereas they would not have done had it been made to income

[BARONESS KRAMER]

tax. It has become very clear, however, that the whole thing is completely fungible; this notion that national insurance contributions are an entirely separate, protected, segregated, hypothecated pot is merely an accounting fallacy. It is all just smoke and mirrors.

The first of my two amendments would require the Secretary of State, within six months, to lay before Parliament a report on the impact of the Act's provisions on disposable incomes. That is to try to tease out some of the arguments that the Minister made—which did not seem to have many numbers attached to them—that, overall, this would be extremely beneficial to a huge range of people. We would also like to see that same calculation done if combined with a reduction in the national insurance rate of 1.25%. It seems to me that this would provide a level of transparency that the public could understand and we in this House could argue about, having full possession of the facts and without the confusion of various different pots interacting with each other. It is probably because I come from a business background that I think that what you always need to look at is what happens at the bottom line. You must not get completely lost in the hedgerows, the highways and the woods—and I am afraid that that is where a lot of the discussion about what is happening in terms of support for the economy has found itself.

The second of my amendments would again require the Secretary of State, within six months of the Act being passed, to lay before Parliament a report considering the impact of the Act's provisions on the levels of taxation on earned and unearned income. Again, that goes directly to the heart of the issue that the noble Lord, Lord Macpherson, raised: the switch, virtually unrecognised by the general public, from income tax, which covers all income, to a system of taxation that in effect falls primarily on workers. This is an important philosophical issue that needs to be highly transparent, and I do not believe that at the moment it is.

6.30 pm

Of course, we wanted a second report looking at those measures, combined with a reduction in the basic rate of income tax from 20% to 19%. It would be really interesting to see how all of those measures add up when put together. Frankly, that level of transparency should be provided to this House.

So those are the amendments that I am putting forward, although I will not press them, as I say. But I put the Minister on notice that those issues will remain long-term threads in the kinds of discussions we will have on the issues that are raised. I suspect that they will eventually get through to the public consciousness.

Lord Davies of Brixton (Lab): My Lords, I am a bit unclear about quite how this process works, but given the limited number, I will not worry too much about that. I will not repeat my Second Reading speech but will actually make a Committee point—in theory, it is really a Clause 2 stand part point, but we might as well take everything together.

It is clear that a casual reader of the Explanatory Notes and the legislation would be totally fazed by what on earth class 2 and class 4 contributions are—let

alone what primary and secondary contributions are. The whole system could be designed to confuse, although it is really like this because it has been altered over the years and has moved away from what was originally quite a logical structure.

My question for the Minister is in relation to classes 2 and 4. Contributions by the self-employed have become a mess and need to be sorted out because, first, they are confusing and, secondly, they create the opportunity for arbitrage—to use that word for the second time today—between employment status and self-employment. Effectively, the self-employed have an advantage in terms of their national insurance contributions, and, because of the way the lower threshold is being changed, that advantage is being increased. Is this an issue that the Treasury has considered, and does it think that it is time for a more thoroughgoing reassessment of how the self-employed pay national insurance contributions?

I thank the noble Baroness, Lady Kramer, for her use of the word “fungible”, which is always to be welcomed, and for getting the term “unearned income” through the Table Office. I have to presume that, because it is unqualified and unexplained in the amendment, it is a term that is still defined in legislation. It was used widely many years ago but clearly created problems, and it is now no longer used in general parlance, but it is obviously still there in the legislation. Could the Minister explain how this fits into the present taxation structure?

Lord Tunncliffe (Lab): My Lords, I am grateful to the noble Baroness, Lady Kramer, for tabling these amendments and facilitating a short Committee debate. Had we been afforded more time to look at the Bill, and had its scope been different, we would no doubt have seen far more amendments tabled and therefore had a number of very interesting debates. However, the Government know that they are behind the curve when it comes to the cost of living, and we must therefore deal with their piecemeal proposals at pace as they come forward.

Amendment 1 would accelerate the timescale for raising the NICs threshold for class 1 contributions. Although it was acknowledged during the Spring Statement that this change would take place only from July, many will have missed that important detail. The Minister will shortly tell us that this time is needed for payroll systems to be updated, and so on. As somebody who believes in due process, I am somewhat persuaded by that argument, but does she agree that, had the Chancellor acted quicker to deal with people's genuine financial concerns, systems could have been fully operational by next week?

The rising cost of living has been making headlines for several months; it is not a new phenomenon, and I would be surprised if this has not been under active consideration for many months. There was certainly no need to wait until late March to make the announcement and publish the relevant legislation. After all, the health and social care levy was announced, seemingly at random, outside the usual cycle of fiscal events. Can the Minister confirm my understanding that higher class 1 contributions between April and July will stand, rather than the excess being given back

throughout the tax year, or at its end, as a rebate? In that case, does that not raise the question: when is a tax cut not a tax cut?

We know that for many, the benefits derived from threshold equalisation will not be sufficient to offset the 1.25% increase in contributions. For them, it will not feel like a tax cut. The decision to cover only three-quarters of the tax year will inflict additional pain on many in the coming weeks and months. The energy price cap is going up on Friday, but the Chancellor's somewhat lackadaisical cavalry will arrive only in July. It is little wonder that people across the land are frustrated.

Turning to Amendments 2 and 3, I can certainly see the appeal of forcing the Chancellor to face up to the reality of his decisions. Amendment 2 focuses on disposable incomes. We know from analysis carried out by the Institute for Fiscal Studies, the Resolution Foundation, the Joseph Rowntree Foundation and others that April's full suite of tax changes will leave people across much of the income distribution with less. The Treasury continues to insist that its proposals are progressive, but the fact remains that a real-terms cut to social security payments will leave many at the lower end of the income scale facing genuine financial difficulties. The Government say they want people to turn away from high-cost credit and use low or no-cost credit responsibly. The best way to encourage such behaviour is not to push people into poverty and debt in the first place.

Amendment 3 relates to the tax burden attached to earned and unearned income. The Government are increasingly fond of increasing taxes on workers. Given the announcement about income tax, it seems it is in order to fund giveaways which benefit other groups, such as landlords and investors. I have no issue with the people who benefit from unearned income, but that should not necessarily be given preferential treatment over wages in the tax system.

I look forward to the Minister's response, as the amendments raise important issues. Ultimately, however, it is not for us to amend a Bill of this nature, given that it passed through the elected House without issue. We may not agree with the Government's approach, but they must have their Bill and own any fallout that comes from it.

Baroness Penn (Con): My Lords, on the first amendment tabled by the noble Baroness, Lady Kramer, which is on the timing of the threshold change, I am afraid I will have to disappoint her. The answer to the amendment and the point she raises has not changed in the last six days. The Government brought in immediate changes to help with the cost of living last Wednesday, such as the cut to fuel duty. However, for the threshold change, we are now just a week away from the start of the next tax year and more time is needed for employers, software developers and payroll providers to deliver this measure.

The noble Lord, Lord Tunnicliffe, asked why the Chancellor had not acted more quickly, given that we could see the pressures on the cost of living building, and the noble Baroness, Lady Kramer, referred to universal credit. The Chancellor took action on universal

credit in the Autumn Budget, cutting the taper rate and increasing the work allowance. Therefore, those measures can come in from April.

The noble Lord also mentioned that people would need to wait until July for support with their energy bills. Of course, the Chancellor announced a £9 billion package of support for energy bills not in the Spring Statement but at the time of the announcement of the change in the energy price cap. People will begin to see the benefit of that through the council tax rebates we are offering everyone in bands A to D of £150, and the £200 off bills now to be paid back over the coming years.

July is the earliest that this policy can be implemented by all software developers. It avoids millions of taxpayers having to make manual claims for refunds at the end of the tax year and employers having to make payroll corrections. Overall, the delivery timetable strikes the important balance between ensuring that individuals see the benefits of the increase as early as possible and allowing employers and payroll software providers sufficient time to update and test their systems so that the change is delivered smoothly, and for individuals to enjoy the benefits at the same time.

The second amendment asks the Government to lay a report considering the impact of the Act on disposable incomes, including if they are combined with a reduction in the national insurance rates of 1.25%. Her Majesty's Treasury publishes regular distributional analysis of the impact of tax, welfare and spending decisions on households. The analysis published at the Spring Statement shows that, in 2024-25, the tax, welfare and spending decisions made since the 2019 spending round will have benefited the poorest households the most as a percentage of their income. The impact of government policy since spending round 2019 on the bottom four deciles is expected to be worth more than £1,000 a year, while there will have been a net benefit on average for the poorest 80% of households.

The aim of the Government's regular distributional analysis is to present a comprehensive picture of the net effect of tax or welfare changes on household incomes in the round. As each policy decision will have a different effect on households, presenting the total impact over a relatively long period provides a more robust and stable approach than looking at every policy individually. Fiscal events are the appropriate time at which to publish comprehensive analysis of this sort because they allow the full range of government policy to be analysed together, in combination with the most up-to-date forecasts from the OBR.

The final amendment from the noble Baroness, Lady Kramer, concerns the Government laying a report to consider the impact of the Act on earned and unearned income, including an assessment of the impact of the future reductions in income tax. She touched on the history of national insurance and why it is not charged on unearned income. National insurance contributions are part of our social security system, which is based on the long-standing contributory principle, centred on paid employment and self-employment, with employers, employees and the self-employed paying towards the protection of those who have been in the labour market. Payment of NICs builds an individual's

[BARONESS PENN]

entitlement to claim contributory benefits, which then replace earnings in certain circumstances, for example if someone is unable to work or is retired. Unearned income is generally excluded from a liability to NICs as it is not derived from paid employment.

6.45 pm

On the question of a report on this subject, the Government are committed to being transparent on the impact of any tax reforms on individual incomes. That is why the Government already publish tax information and impact notes—TIINS—ahead of implementation. As the national insurance contributions measures are due to be implemented from July, the impact of the provisions of the Bill have already been published in the tax information and impact note published on GOV.UK. That sets out that the increase to the primary threshold and lower profits limit is a tax cut on earned income, which is income from employment or self-employment. The reform will benefit almost 30 million working people and it is a tax cut for a typical employee worth over £330 in the year from July 2022. I also acknowledge the request to publish the impacts of the income tax basic rate cut on earned and unearned income such as savings. The impacts will similarly be published in a tax information and impact note ahead of implementation in 2024.

I noted the concerns raised at Second Reading and in Committee about the different approaches to taxing earned and unearned income. I am sure that the noble Baroness is right that this is not the last debate we will have on that subject. I reassure the noble Lord, Lord Tunnicliffe, in particular, who raised some specific points in this area, about our approach to treating earned and unearned income in a similar manner. I can reassure noble Lords that the income tax cut does not apply to dividend income. Dividend tax rates will rise as planned this April and will not reduce in 2024. Dividend tax rates have always been separate to the main rates of income tax whereas savings rates have been aligned in recent years, and I see no reason for that to change now.

I also reassure noble Lords that the Government have taken significant steps to ensure that rental income is taxed fairly, including restricting finance cost relief so that landlords no longer get relief at their marginal rate if they are a higher or additional tax rate payer. Purchases of additional properties are liable to higher rates of additional dwellings surcharge, which are three percentage points above the standard stamp duty rates and part of the Government's commitment to support first-time buyers. In addition, around half of landlords are also in employment or self-employment and will contribute to the health and social care levy in relation to their earned income. As noble Lords will have heard me say before, the levy establishes a long-term and sustainable source of revenue to give healthcare the extra funding it needs to recover from the pandemic and implement our social care reforms as soon as possible.

The noble Lord, Lord Davies of Brixton, pointed to the differences between class 2 and class 4 NICs and the possibility for arbitrage because the self-employed are treated differently from the employed. I will largely

resist the temptation to debate that in too much detail here. However, I note to the noble Lord that previous Governments have looked at this issue—I have scars on my own back from a Budget, I think in 2017, which looked at this issue. Members of the party opposite were not hugely in support of any reforms at that point, and I would be interested to know if that has changed since then. All I can say on the Government's behalf is that there are no plans to look at reforming class 4 NICs.

With those comments, I hope I have addressed the points raised by this small group of amendments. I hope that the noble Baroness, although I know I will have disappointed her with some of my answers, has heard sufficient to withdraw her amendments.

Baroness Kramer (LD): I beg leave to withdraw the amendment.

Amendment 1 withdrawn.

Clause 1 agreed.

Clauses 2 and 3 agreed.

Amendments 2 and 3 not moved.

Clauses 4 to 6 agreed.

House resumed. Bill reported without amendment. Report and Third Reading agreed without debate.

6.51 pm

Motion

Moved by Baroness Penn

That the Bill do now pass.

Baroness Penn (Con): My Lords, it has been a brief Bill, so my comments will match that. As ever, I am grateful to all noble Lords for their interest in and contributions to the Bill. I am grateful to the House authorities and parliamentary staff for their hard work behind the scenes in turning this Bill around at short notice and on a single day.

I want to acknowledge the officials who have worked so hard on this Bill at pace: the Bill team, the policy teams at HMRC and Her Majesty's Treasury, the lawyers in both departments, the Office of the Parliamentary Counsel and the clerks in this place. I also thank the noble Lord, Lord Tunnicliffe, the noble Baroness, Lady Kramer, and their researchers for being so adaptable and contributing to the Bill in their normal detailed and constructive way, also at short notice but with welcome brevity.

I could remind noble Lords of the benefits of the Bill a further time but, given that we have taken all stages in one day, I will refrain from putting them forward again. The Bill delivers a significant tax cut to many working people at a time when they really need it. I therefore commend it to the House and beg to move.

Lord Tunncliffe (Lab): I thank the Minister for her courtesy and for making herself available to discuss the Bill.

Baroness Kramer (LD): I join in those words from the noble Lord, Lord Tunncliffe. We did not need to meet the Minister because, at this point, everything was looking very straightforward, but she made a very kind offer and it was appreciated.

6.53 pm

Bill passed.

Ockenden Report

Statement

6.54 pm

The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Kamall) (Con): My Lords, the Statement is as follows:

“Mr Speaker, with permission, I would like to make a statement on the Ockenden report. This independent review was set up in 2017 in response to concerns from bereaved families about maternity care at Shrewsbury and Telford Hospital NHS Trust. Its original scope was to cover the cases of 23 families but since it began, sadly, many more families have reported concerns. Due to this tragically high number of cases and the importance of this work to patient safety, early conclusions were published in an initial report in December 2020. We accepted all the recommendations from this first report and the NHS is now taking them forward. Today, the second and final report has been published. This is one of the largest inquiries relating to a single service in the history of the NHS, looking at the experiences of almost 1,500 families from 2000 to 2019. I would like to update the House on the findings of this report, and then turn to the actions that we are taking as a result.

The report paints a tragic and harrowing picture of repeated failures in care over two decades which led to unimaginable trauma for so many people. Rather than moments of joy and happiness for these families, their experience of maternity care was one of tragedy and distress, and the effects of these failures were felt across families, communities and generations. The cases in this report are stark and deeply upsetting.

In 12 cases where a mother had died, the report concludes that in three-quarters of those cases the care could have been ‘significantly improved’. It also examined 44 cases of HIE—a brain injury caused by oxygen deprivation. Two-thirds of these cases featured ‘significant and major concerns’ in the care provided to the mother.

The report says that of almost 500 cases of stillbirth, one in four was found to have major concerns in maternity care, which, if managed appropriately, ‘might or would’ have resulted in a different outcome. When I met Donna Ockenden last week, she told me about basic oversights at every level of patient care, including one case where important clinical information was kept on Post-it notes, which were then swept into the bin by cleaners, with tragic consequences for a newborn baby and her family. In addition, there were repeated

cases where the trust failed to undertake serious incident investigations and, where investigations did take place, they did not follow the standards that would have been expected.

These persistent failings continued until as late as 2019 and multiple opportunities to address them were ignored, including by the trust board, which was accountable for these services. Reviews from external bodies failed to identify the substandard care that was taking place and some of the findings gave false reassurances about maternity services at the trust. The CQC rated maternity services inadequate for safety only in 2018, which is unacceptable given the huge deficiencies in care that are outlined in this report.

The report also highlights serious issues with the culture within the trust; for instance, two-thirds of staff who were surveyed reported that they had witnessed cases of bullying, and some staff members withdrew their co-operation within weeks of the publication of the report. The first report already concluded that

‘there was a culture within the ... Trust to keep caesarean section rates low, because this was perceived as the essence of good maternity care’.

Today’s report adds that

‘many women thought any deviation from normality meant a Caesarean section was needed and this was then denied to them by the Trust’.

It is right that both the Royal College of Obstetricians and Gynaecologists and the Royal College of Midwives have said recently that they regret their campaign for so-called normal births. It is vital that across maternity services we focus on safe and personalised care, where the mother’s voice is heard throughout.

The report shows a systemic failure to listen to the families affected, many of whom had been doggedly persistent, raising issues over several years. One mother said that she felt like a

‘lone voice in the wind’.

Bereaved families told the review that they were treated in a way that lacked sensitivity and empathy and, appallingly, in some cases the trust blamed these mothers for the trauma that they had been through. In the words of Donna Ockenden, the trust

‘failed to investigate, failed to learn and failed to improve’.

We entrust the NHS with our care, often when we are at our most vulnerable. In return, we expect the highest standards. I have seen with my own family the brilliant care that NHS maternity services can offer. But when those standards are not met, we must act firmly, and the failures of care and compassion set out in this report have absolutely no place in the NHS.

To all the families who have suffered so greatly: I am sorry. The report clearly shows that you were failed by a service that was there to help you and your loved ones to bring life into this world. We will make the changes that the report says are needed, at both a local and national level.

I know that honourable Members and those families who have suffered would want reassurance that the individuals who are responsible for these serious and repeated failures will be held to account. I am sure the House will understand that it is not appropriate for me to name individuals at this stage. However, I reassure honourable Members that a number of people who were working at the trust at the time of the incidents

[LORD KAMALL]

have been suspended or struck off from their professional register and members of senior management have also been removed from their posts. There is also an active police investigation, Operation Lincoln, which is looking at around 600 cases. Given that this is a live police investigation, I am sure that honourable Members will recognise that I am unable to comment further at this point.

Today's report acknowledges that since the initial report was published in 2020, we have taken important steps to improve maternity care. This includes £95 million for maternity services across England to boost the maternity workforce, and to fund programmes for training, development and leadership. The second report makes a series of further recommendations. It contains 66 for the local trust, 15 for the wider NHS and three for me as Secretary of State.

The local trust, NHS England and the Department of Health and Social Care, will be accepting all 84 recommendations. Earlier today, I spoke to the chief executive of the trust, who was not in post during the period examined in the report. I made it clear how seriously I take this report and the failures that were uncovered, and I reinforced that the recommendations must be acted on promptly.

However, as the report identifies, there are wider lessons that must also be learned, and it contains a series of actions that should be considered by all trusts that provide maternity services. I have asked NHS England to write to all these trusts, instructing them to assess themselves against these actions, and NHS England will be setting out a renewed delivery plan that reflects these recommendations.

I am also taking forward the specific recommendations that Donna Ockenden has asked me to put in place. The first is the need to further expand the maternity workforce. Just a few days ago, the NHS announced a £127 million funding boost for maternity services across England. This will bolster the maternity workforce even further and it will also fund programmes to strengthen leadership, retention and capital for neonatal maternity care. Secondly, we will take forward the recommendation to create a working group independent of the maternity transformation programme, with joint leadership from the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists. Finally, Donna Ockenden said that she endorses the proposals that I announced in January to create a special health authority to continue the maternity investigation programme currently run by the Healthcare Safety Investigation Branch. Again, we will take her proposals forward and the SHA will start its work from April next year.

I thank Donna Ockenden and her whole team for the forensic and compassionate approach they have taken throughout this distressing inquiry. This report has given a voice at last to those families who were ignored and so grievously wronged, and it provides a valuable blueprint for safe maternity care in this country for years to come.

Finally, I pay tribute to the families whose tireless advocacy was instrumental to this review being set up in the first place. I cannot imagine how difficult it must

have been for them to come forward and tell their stories, and this report is testament to the courage and fortitude that they have shown in the most harrowing of circumstances.

The report is a devastating account of bedrooms empty, families bereft and loved ones taken before their time. We will act swiftly so that no family has to go through the same pain in future. I commend this Statement to the House."

7.04 pm

Baroness Merron (Lab): My Lords, I thank the Minister for bringing this Statement to your Lordships' House and for the reassurances he has given and the actions that have been, and will be, taken. I listened to this Statement in great sadness and shock, as I know that so many others have as they heard the news unfold. I will start by expressing heartfelt gratitude to the families who came forward. We would not be here today had it not been for their persistence and the resilience they have shown across over 20 years in their fight for justice. I also thank Donna Ockenden and her team for this landmark report. I utterly regret the appalling circumstances in which it has come before us.

Today marks an important milestone for hundreds of bereaved families who are seeking justice. As the Minister said, it is not the end, because West Mercia Police are investigating some 600 cases. This report lays bare the disturbing truth of what families have had to face and why their fight for justice has been so fierce. The inquiry examined cases involving nearly 1,500 families in instances crossing over decades. It concluded that hundreds of babies were stillborn, died shortly after birth or were left severely brain damaged, and that mothers died giving birth while others were made to have natural births despite the fact that they should have been offered a caesarean. This must have been cruel. The report says that over 200 babies and nine mothers might have survived if they had received the right care.

In addition to what we have read about the actual circumstances, the report also has huge implications for the future of maternity care. The report, of course, makes for harrowing reading—cries for help going unheard; parents having to try to resuscitate their own children because there was no one there to help; and women and babies dying needlessly because the mothers were not listened to. That women were silenced and ignored at their most vulnerable, when they were relying on the NHS to keep them and their babies safe, is shameful. In addition to the NHS, the CQC also failed in its duties as it missed opportunities to stop the poor maternity care.

No woman should ever have to face going into hospital to give birth not knowing whether she and her baby will come out alive. However, these were not just one-offs or isolated incidents of negligence. There was an institutional failing in a system riddled with a toxic culture of bullying, ignoring mothers and deliberating keeping caesarean rates low, even though that was not the right thing for the mother. The entire culture failed to take up the many opportunities to realise that there was a serious problem and to act. We are where we are

today because of the persistence and resilience of the families who have suffered, and continue to suffer, and because of their refusal to give up the fight to expose these failings.

The only comfort we can offer them is that their voices have been heard, and that we commit today, in your Lordships' House, to ensure that these failings are never repeated. For too long, patient safety issues and the voices of women have been an afterthought, leading to the kind of crisis we saw in this NHS trust—and this must change. There can be no compromise on patient safety, which has to be a priority for both health professionals and Ministers.

With this in mind, I will put some points to the Minister. I certainly welcome the acceptance of all 84 recommendations, but how will the Minister monitor the progress that is being demanded through these recommendations, and when and how will this be reported to Parliament?

The report makes it clear that safe services cannot be run unless there is a culture of transparency and accountability. Can the Minister therefore explain how he intends to ensure an open culture within the NHS, with a willingness to learn, particularly within maternity services, and for future failures to be identified and corrected quickly?

Underpinning issues in maternity care, as is the case across so much of our NHS, is the workforce, which is why we have been pushing so hard on this matter in the Health and Care Bill. The NHS is now losing midwives faster than it can recruit them. A recent CQC survey shows that almost a quarter of women were unable to get help when they needed it during labour. Hundreds of pregnant women were turned away from maternity wards last year because there were not the staff available to care for them. What is being done to ensure that the NHS can recruit the midwives that it needs? What is being done to keep the midwives we have in post?

It is only with the necessary workforce that the NHS will be able to ensure that women receive the care that meets their needs and prioritises their safety. That security and respect is all that the families who suffered so much at Shrewsbury want, and it is all that the women who put their and their babies' lives in the hands of the NHS want. This has to be reasonable, and it has to be done.

Baroness Walmsley (LD): My Lords, I too thank the Minister for repeating the Statement. We must acknowledge that the vast majority of midwives, nurses and clinicians providing maternity services do their very best to provide good care for their patients. It must have been with great sadness that they read—as we read with great sadness—today's Ockenden report and the previous interim report, which have shone a light on a shocking range of shortcomings in maternity services, leadership and inspections at Shrewsbury and Telford Hospital NHS Trust. I hope that this report will lead, in future, to mothers and babies being as safe as we can possibly make them in our NHS.

The report has been made possible only by the bravery and persistence of all those families who were prepared to go through their trauma all over again when they gave evidence of what happened to them

and the awful consequences and pain that followed. From these Benches we offer our thanks and sympathies to all those suffering bereavement and ongoing health issues. The report is also a tribute to the fine work of Donna Ockenden and her team, who used both their professional knowledge and their human qualities to conduct the review with dedication, empathy and attention to detail.

I also commend those members of staff who were prepared to give very candid evidence to the investigators. Such people are sometimes referred to as whistleblowers; I call them courageous, public-spirited professionals. However, their actions were not without risk to themselves and their future, as with many whistleblowers in the health and care services. I therefore ask the Minister: will the special health authority, which is being set up to continue the maternity investigation programme currently run by the Healthcare Safety Investigation Branch, have the same safe-space confidentiality for those giving evidence in the future as the HSSIB, which is currently being legislated for in the Health and Care Bill? The Minister will know how strongly both Houses of Parliament feel about the importance of giving staff absolute confidence that the material they disclose remains confidential in the interests only of learning and improving patient safety rather than laying blame.

The report stated that:

“There were not enough staff, there was a lack of ongoing training, there was a lack of effective investigation and governance at the Trust and a culture of not listening to the families involved.”

I therefore first acknowledge last week's funding announcement of £127 million by NHS England for maternity services, although this is still significantly short of the £200 million to £350 million recommended by the Health and Social Care Select Committee in June 2021. However, it is surprising to me, in the light of Donna Ockenden's clear finding that staff shortages risk lives, that the Government, in the other place, continue to resist the amendment of the noble Baroness, Lady Cumberlege, voted for by your Lordships, on assessing, reporting and planning for safe levels of staffing in the NHS and social care. Proper planning cannot take place without an accurate and independent assessment of current supply and future need. In light of the Ockenden report, will the Government change their position on this?

There are currently 2,000 midwife vacancies in the NHS, according to NHS England figures published last month, and the number of midwives in post has fallen since last year. This is going in the wrong direction.

In the debate on the interim report in your Lordships' House on 14 December 2020, the noble Lord, Lord Bethell, denied that the issues in Shrewsbury and Telford maternity services were linked to understaffing. Does the noble Lord, Lord Kamall, now accept that staffing is an issue? Can he say what will be done about it? As Ms Ockenden rightly says, we need to create a situation where midwives, nurses and clinicians want to remain in the NHS. We will not do that if they are constantly having to battle against staff shortages.

The report also highlights the need for women to be listened to when engaging with maternity services, rather than experiencing a culture of services based around targets for a particular kind of birth. I need

[BARONESS WALMSLEY]

hardly say that giving birth is a very personal matter and women's preferences must be listened to and provided where clinically appropriate. Ockenden emphasised that listening to women and empowering them in their care will lead to improved outcomes. I therefore remind the Minister of the parallel between this situation and telemedicine abortion treatment, where the Government are failing to listen to women's clinically safe preferences. I was pleased to hear recently that Members of the House of Commons have been listening to women, rather than to the Government.

The report pointed out that what happened in Shrewsbury and Telford was not an isolated incident. In July 2021, 41% of maternity services in England were rated as inadequate or requiring improvement. That is why the report made 15 recommendations aimed at all maternity services across the country, and I understand that the Government have accepted them all. Can the Minister therefore say how implementation of these country-wide recommendations will be monitored and reported on? Will that duty be given to the CQC or will there be a special system?

I finally turn to training. In the debate on the interim report in December 2020, my noble friend Lord Scriven pointed out that:

"In 2017, the £8.1 million national maternity training fund was withdrawn. Does the Minister now, in hindsight, regret this, and will he seek to re-establish this fund urgently?"—[*Official Report*, 14/12/20; col. 1522.]

I echo his question today. Will the money for training be ring-fenced and will midwives going for training always be covered by similarly experienced staff?

Despite earlier events, similar although smaller in scale to what happened at Shrewsbury and Telford, there has not been systematic integrated change. Can the Minister therefore assure us that this will happen now, especially under the new regime of integrated care systems? Who will be responsible at the level of NHS England, ICSs and individual trusts, as well as politically, for ensuring that, this time, the changes highlighted by Donna Ockenden are implemented in a timely way, so that no more families will be avoidably deprived of their precious child, mother or wife?

Lord Kamall (Con): I begin by thanking both noble Baronesses for their questions and resisting the temptation to bring too much politics into it. This is an issue that we all feel very strongly about. I will try to answer as many questions as I can; I apologise in advance if I do not answer all the questions today. I have quite a big briefing pack, which I have been through a number of times. I commit to writing to noble Lords and the noble Baronesses to fill the gaps.

As the noble Baronesses said, we accept all the actions outlined in the report. The Secretary of State has asked NHS England and NHS Improvement to write to all the trusts across England about the final Ockenden report, and will ask all maternity services across England to assess their services against the 15 immediate and essential actions outlined in the report—and take action where they fall short. As the noble Baronesses acknowledged, NHS England and NHS Improvement have announced that they will invest

£127 million in maternity care; that money will go towards the NHS maternity workforce and improving neonatal care.

We have also seen work under way to tackle some of the key issues in the report, such as the £5 million for the Avoiding Brain Injury in Childbirth collaboration project, the establishment of a special health authority to continue the work, which I shall go into later, and the development of 17 new maternal medicine networks. We will update the House as appropriate on the monitoring.

We have to look at the culture; I completely understand the points made. Strong leadership will now be established across the system, with the appointment of named regional and local maternity safety champions led by two national maternity safety champions, Matthew Jolly and Jacqueline Dunkley-Bent. In every trust, front-line maternity safety champions—one obstetrician, one midwife and one neonatologist—will work closely with a board maternity safety champion to promote unfettered floor-to-board communication. We have also tried to make progress in shifting away from a defensive blame culture in healthcare towards a culture in which we recognise and accept when things go wrong and look to learn.

I thank noble Lords for their engagement, particularly over the HSSIB, during the passage of the Bill. I think we all agreed that it was important that we kept as many people as possible out of the "safe space" to encourage people to come forward. However, as we have seen in these cases, people were bullied and disincentivised from coming forward; some even withdrew their names.

Last year, there was a £500,000 fund to provide maternity leadership training for NHS maternity and neonatal leaders. We looked at addressing the issues raised in the first Ockenden report—to use that phrase again, "between ward and board"—to make sure that there was proper accountability and training.

On workforce, as I said, NHS England and NHS Improvement have the investment. In addition, there is £95 million in new funding to support the recruitment of 1,200 more midwives and 100 more obstetricians, and to support multidisciplinary team training. The department has also commissioned the Royal College of Obstetricians and Gynaecologists to develop a new workforce planning tool to improve how maternity units calculate their medical staffing requirements. The tool will calculate the number of obstetricians at all grades required locally and nationally to provide a safe, personalised maternity service within the context of the wider workforce. Health Education England has also been working with stakeholders towards a targeted increase of 3,650 midwifery student training places by the end of 2022-23.

One concern that was raised when I spoke to officials and asked for briefings before this evening was whether reports such as this one would disincentivise people from coming forward to work in midwifery. We have to be very careful that we are as open as possible and that we make sure that the system learns where there are problems. People are human, and they will be concerned about coming forward. So we have to get the right balance and have safety, training and awareness all the way through, making sure that it is patient-centred.

I shall try to answer as many questions as I can; I know that other noble Lords want to come in. In terms of deterring midwives from leaving—I know that there is a real concern here—the NHS people plan focused on improvement and retention. There is a well-being guardian role focused on: healthy work environments and safe spaces; empowering line managers to hold meaningful conversations; emotional and psychological support; a dedicated health and care staff support service; a bereavement helpline; free access to a range of mental health apps; a range of counselling and talking therapies; and online resources. Money has also been invested in 14 mental health hubs across the country, and £6 million has been set aside for a national support service for critical care staff.

We have to tackle bullying and harassment in the service. The people plan deals with a number of issues on that; there is also a visibility and respect framework and a toolkit. A number of projects and pilots are under way across the NHS to support organisations to see what works and where we can learn from that.

There were some questions about the special health authority, which we see as a key part of work to improve the investigation and learning culture. The investigators will carry out timely and independent individualised investigations into maternal and neonatal deaths and incidents across England. The SHA's investigation will be family-centred and mother-centred, but it will also provide families with answers to questions about why an incident occurred or why their baby died, rather than just sweeping this away. The learning from these investigations will be shared at a local level and across the wider system. As an independent body, the special health authority will continue the work of the HSIB from 2023, and maternity investigations will continue during this time, without interruption, until the SHA is fully operational—this is specifically for maternity.

As for what the Government are doing to make sure that women's voices are heard, we have the women's health strategy—I know that noble Lords have heard that before—and we are looking at multidisciplinary training in the maternity workforce. There is a debate within the training community about whether you train someone to be a midwife first or whether they should start as a nurse and have nursing skills first. I will stop there to allow other noble Lords to ask questions.

7.26 pm

Baroness Bottomley of Nettlestone (Con): My Lords, this is a deeply shocking report, and I applaud the Minister for the way in which he has responded. Above all, I of course applaud Donna Ockenden for the formidable clarity of the way in which she has taken the evidence and, without emotion but with great empathy, set out the 84 recommendations and the 15 “Immediate and Essential Actions”. Of course, some of this is about resources, and the Minister has made some statements about this and the fact that, however much we have, we will always want more, but I welcome the resources invested in this.

More important to me is the issue that the Minister touched on about multidisciplinary training. Midwifery has often been an area where there is almost tribal

warfare between the midwives and the obstetricians and gynaecologists. Passing a patient on to a gynaecologist has almost been seen as an act of failure. Time and again, we see delays and this ludicrous target of a low caesarean rate. There has been a phenomenal fall in maternal and perinatal mortality over 100 years, but, at the same time, women now have babies when they are older, and babies are larger. There surely must be the interdisciplinary training that the Minister has referred to and that is so important—and the working group with the Royal College of Obstetricians and Gynaecologists and the Royal College of Midwives.

Lastly, I come to this deplorable culture where doctors bury their mistakes. It has always been the case in the medical profession that there has been a reluctance to acknowledge failures and problems, saying, “There's been a problem. Let's put it aside. Don't trouble the families with the truth; it'll upset them more”. This culture of concealment is totally destructive. There are many other professions where mistakes and errors—goodness knows, much of this happens in the heat of the moment—are used as examples from which others can learn, not with a blame culture but with a culture of learning and progress.

I very much congratulate the Government on their approach. This has been a terrible example of groupthink and lack of action, and all of us must be vigilant over whatever institutions we are working with in whatever part of the health service.

Lord Kamall (Con): I thank my noble friend for her points. I will take this opportunity to elaborate a bit on multidisciplinary training in the maternity workforce. Some £26.5 million of the £95 million invested in maternity services last year will allow training aimed at how multidisciplinary teams work together. There is a new core curriculum for professionals working in maternity and neonatal services—this is being developed by the maternity transformation programme, in partnership with professional organisations, clinicians and service users, to address variations in safety training and competence assurance across England. A single core curriculum will enable the workforce to bring a consistent set of updated safety skills and continue to learn. It is important that we have collaboration and close working relationships between midwives and obstetricians because that obviously benefits the mothers and babies within their collective care. The noble Baroness has already said that this has to be mother-centred and patient-centred.

I also thank my noble friend for highlighting the fact that the Royal College of Midwives and the Royal College of Obstetricians and Gynaecologists have been clear that the professions must work together collaboratively. We expect all maternity services to act on the recommendations.

We also have to make sure that staff feel able to and confident about speaking up, as my noble friend said. The Government have taken this issue seriously. In response to a recommendation from Sir Robert Francis's *Freedom to Speak Up* review, we established the independent national guardian, to help drive positive cultural change across the NHS and, in addition, to provide support to a network of local freedom speak-up

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guardians. We will have to see how that works, what can be done better and how we can improve it. Putting in one measure will not solve all these problems. There is no silver bullet, but one of the reasons to put this in at local level is to see where it works and where it does not, and what we can learn from that.

Baroness Finlay of Llandaff (CB): My Lords, I also thank the Minister for the very sensitive way in which he has dealt with this Statement and, like others, commend those parents who have fought for years to be heard. I also commend Donna Ockenden for an outstanding report that makes really harrowing reading.

To follow up on the question asked by the noble Baroness, Lady Bottomley, about training, it has struck me for many years that the competition between midwives and obstetricians is extremely damaging. It was there when I was a medical student and it has not changed. The bullying culture on the wards has I think been almost endemic and right across the system. I hope that the colleges will look at training jointly from day one, not just after qualification, because that team building needs to happen very early. The way the midwifery tutors and the obstetric tutors deal with their trainees must be integrated from day one and then follow on into continuous professional learning. So my first request is that that message goes back very clearly to the schools of midwifery and to the obstetric training courses.

My second point relates to the CQC, which has done a great deal to raise the quality of care across the NHS and is often to be admired. However, it is worrying that it took so long for it to realise that there was a problem. That would suggest that, internally, its benchmarking of what was normal was at a level that is actually unacceptable. I hope the Minister will be able to go back to the CQC and that the CQC itself will be supported to radically rethink the way that it looks at maternity services. I hope that it will be prepared to have some extremely difficult inspections, consultations and conversations with staff in some units that were previously thought to be doing well, but where it might discover that there is bullying and, particularly, this closed-ranks culture that was so evident in the way people responded to the report. But, overall, I think we are all grateful for the openness of this report and the openness with which the Minister has brought it to our notice.

Lord Kamall (Con): I begin by thanking the noble Baroness, Lady Finlay, not only for her questions today but for the advice she has given me over a number of months since I started in this post. I have learned so much from the noble Baroness, especially from her courage to speak about her own professional experiences and admit where there are issues that need to be addressed. I am very grateful for that.

I completely take the point about working together from day one because, if you do that, you embed that culture of collaboration from day one, rather than just training people and then saying, "Oh, by the way, don't forget to work collaboratively". I think that has to be bred into the system and it is something we have to understand.

The other principle, which all noble Lords discussed in debates on the Bill, is the concept of a safe space. In an ideal world, we would find out who was responsible and they would be held to account, but what is really important is that we learn from that and the system learns from its failures. We have to encourage the ability to have a safe space where people feel confident about speaking up. We saw incidents where people felt bullied into not speaking up or where they withdrew their statements. If we can get this through the SHA and throughout the culture of the new HSSIB, this would be a really important first step. I thank noble Lords who, during the debate, pushed for the removal of certain bodies in order to make sure people felt comfortable coming forward.

On the CQC, there are real questions about the inspections in 2014 and 2016 and why it did not recognise safety concerns at the trust. Subsequently, the CQC did recognise the issues and place the trust in special measures. There was some progress made by the trust following this, and there were two subsequent visits. As a regulator, the CQC holds providers to account and makes clear where improvements must be made, but I think it recognises that there are lessons to be learned. There are lessons to be learned not only in government but across the health and care sector. It is important that we look systemically at how we work together and address some of those concerns.

Baroness Watkins of Tavistock (CB): My Lords, I also thank the Minister for the sensitive way in which he has addressed this very difficult statement.

I was particularly moved by the fact that there are empty bedrooms. I have a daughter who is 31. I took a long time to get pregnant and, at the very end of my pregnancy, I woke up and said that I was ill. I went to hospital and my husband said to me, "I don't think you're ill, I just think you've never had a baby before". But as the day went on, he came to see me, and apparently I said to him, "If anything happens to me, you will look after our child, won't you?" He said it frightened him because I am not given to drama. He went to the midwife in charge of the ward and said, "I'm really worried about my wife". It was taken seriously. I had a scan, and—the noble Baroness, Lady Finlay, will know that this is very rare—I had a rare form of pre-eclampsia in my liver, called HELLP syndrome. In 10 minutes, I had a caesarean section. I was ill for several months and my daughter was in ITU. She has a bedroom at home—she does not live in it except when she comes back—and it has really made me think, not just about the women who lost families but about how much we train healthcare professionals to listen to the significant other of the person. We have not said a lot about that today. That significant other may be a husband, it may be a man, it may be a same-sex partner, but I urge that training includes listening to the significant other.

I also want to raise that strengthening clinical reporting at board level is essential. I and others did research after the Francis report, where it was very clear that boards were not spending significant time looking at clinical issues but were looking at financial issues. That changed then, but I believe the Ockenden report reminds us that there should be further NHS guidance

to boards about their responsibility for examining mortality and morbidity rates in order that that is kept closely under supervision at board level. Believe you me, as an ex-deputy chair of a trust, I know that that was one of the most important things I looked at. I chaired the clinical audit committee and I know that those are the things that can pick up recurring issues early and enable boards to look at what is actually going on in the system. We do not want to have another Ockenden report that may not be about midwifery but about something else.

My final issue is to re-emphasise that we must get workforce planning right for the whole of the NHS, not just midwifery—though I welcome everything the Minister has said in relation to midwives and obstetricians.

Lord Kamall (Con): I thank the noble Baroness, Lady Watkins, for sharing a very personal story. It must have taken quite a bit of courage to share that with us so publicly.

The noble Baroness talked about the “significant other”. Sometimes we consider ourselves the insignificant other. I remember when I became a father about 20 years ago for the first time. When you watched the TV programmes, they quite often told the father, “Go and have a smoke and come back. We’ll let you know.” Clearly, nowadays, you would not advise anyone to go and have a smoke. I remember how involved I was allowed to be. I was in the room for 22 hours for the first birth. Pre-natal care was fantastic, but once the baby was born, my wife was ushered into a bathroom, and I was sent away somewhere else. I could hear her voice. She called me. When I went in, she was sinking into the bath; she was just too exhausted. She was terrified and did not have the strength, and I pulled her out. It might have been a tragedy—I do not know—but it shows that even little things like that could have made a huge difference.

We are all grateful when a wonderful new life comes into this world. Let us think about the preparation that families go through—they prepare a separate room; families buy baby clothes and toys for everyone, expecting that bundle of joy to come home. When that is cruelly snatched away from them due to incompetence, we have to make sure that it happens as little as possible in the future. We know that incidents will occur. It brings a lump to the throat.

Noble Lords will recognise that there has been a debate on workforce. There is a debate in government on it. We shall just have to see how that resolves itself. I have heard loud and clear from noble Lords that it is not only about the maternity workforce; it is also about the wider NHS workforce, as well as making sure that we learn from incidents like this and build in that culture of prevention but also openness when things go wrong.

Baroness Andrews (Lab): My Lords, this has been a rather unusual Statement in many ways, not just because it raises such extraordinarily profound questions but because it calls up such deep experiences for everybody around the House and for everyone who has a child or grandchild who survived this still-dangerous procedure. We are indeed indebted to the Minister, to Donna Ockenden and to the parents. It must have taken huge

courage to relive all that, because the trauma never fades when one has had that sort of experience. One lives with it.

It is an unusual Statement because of the quality of the experiences around the House. I cannot add to them, but I want to follow up the concern of my noble friend on the Front Bench about monitoring. It is extremely important that we have a clear idea of the trajectory of the implementation of the recommendations and the speed at which they are implemented, because “promptly” is used in the report and the Statement. It is important that we have an idea also of their impact on the ground in terms of the experience of the staff and the patients in that very hospital. That is the only way in which we will know whether these recommendations and the relationship between them are having an impact.

For example, I do want to lower the tone by talking about money, but the Statement makes reference to £127 million. Over what period are we talking about that as an investment? How will it be distributed? Where will the emphasis be placed? Some of things identified are fundamentally important but elusive. How will that be reflected in changes to the quality and quantity of leadership training available? We all know that this is a failure of leadership in so many ways. For a long time, the NHS has been struggling with ways of coming to terms with developing creative leadership which will not condone blame, evasion and avoidance but embrace the need for change and improvement, and transmit and cascade that. These are specific questions. This is such a serious point of inflection in maternity services that we need to know how this is going to come back to us from the department and the Minister, so that we will be able to understand and keep tabs on what is happening. I would be grateful if the Minister could address that.

Lord Kamall (Con): The noble Baroness raises some important issues. Looking at the big picture, as I say, we have accepted the actions made in the report, and I have asked for a timeline for the implementation from the NHS. However, I commit to updating the House when I can. I will also go back to the department and ask some more questions and make sure that I will write to noble Lords who took part in the debate in order to fill in the gaps.

A number of different issues were raised with regard to the £127 million for next year. That is for next year and it is in addition to £95 million in 2021 to try to recruit 1,200 midwives and 100 consultant obstetricians. Work is also under way as part of the largest nursing, midwifery and allied professional recruitment drive in decades. Since September 2020, there are other initiatives, such as the new non-repayable training grant of at least £5,000 per academic year for eligible students. There is extra funding of up to £3,000 per academic year to eligible students for child dependents, and £2,000 per academic year for those studying specialist subjects. There is also a new grant of at least £5,000 in addition to maintenance and tuition fees provided by the Student Loans Company.

An extensive NHS England and Improvement support package is also being developed to allow NHS trusts to establish and expand ethical international midwifery

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recruitment—I know that noble Lords have raised many issues about that. Health Education England has also pledged money to fund additional clinical placements, including for nursing, midwifery and allied health professionals and healthcare science, and the Government have provided almost £450,000 to the

Royal College of Obstetricians and Gynaecologists to develop a new workforce planning tool. It is very easy to talk about large sums, but these are specific examples of what we are doing. However, I will write to noble Lords with more details.

House adjourned at 7.47 pm.