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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

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

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# House of Lords

Thursday 25 January 2024

11 am

Prayers—read by the Lord Bishop of Gloucester.

## Climate Risk Models

### Question

11.06 am

Asked by **Baroness Drake**

To ask His Majesty's Government what assessment, if any, they have made of the accuracy of climate risk models used by (1) the Bank of England, (2) financial services firms, and (3) pension schemes.

**The Parliamentary Secretary, HM Treasury (Baroness Vere of Norbiton) (Con):** The independent Bank of England's climate biennial exploratory scenario builds on globally recognised scenarios from the Network for Greening the Financial System and represents an important milestone in assessing UK exposures to climate risk. However, we recognise that climate risk modelling is an evolving practice, and we support the Bank's ongoing work to develop its modelling and supervision.

**Baroness Drake (Lab):** My Lords, the Bank of England's job is the prudential risk management of the financial system, and it influences the conduct of firms and pension schemes, hence the concern when we learned that its scenarios concluded that it does not much matter whether temperatures rise by 1.5, 2 or 4 degrees: the effect on profits will still be relatively small. How will the Government ensure that the regulator properly oversees the risk to financial stability from more extreme weather and rapid changes in the use of energy?

**Baroness Vere of Norbiton (Con):** The outcome of the CBES exercise shows that, if banks and insurers do not respond effectively, climate risk could cause a persistent and material drag on profitability: bank credit losses amounted to £110 billion over the late-action CBES scenario. But the Bank of England has always been clear that it was the first time it had done an exercise based on these scenarios, which came from 2021, as I am sure the noble Baroness knows. The NGFS has now refreshed its scenarios, publishing its latest group in November 2023; those will be used by the Bank of England and, indeed, by many other people in the financial system going forward.

**Earl Russell (LD):** My Lords, the best way to avoid financial collapse is to avoid climate tipping points. We welcome the progress to date on developing financial climate risk models, but this science is still in its infancy. We also welcome the Bank of England's report of 13 March, updating its assessment of climate risks. The report notes the need to improve climate stress testing and scenario analysis. How will the Government support the development of these urgent tasks?

**Baroness Vere of Norbiton (Con):** As the noble Lord is aware, our financial regulators are of course independent of government. However, the Government are clear in their annual letters to the various regulators that climate risk is a key part of all the elements they must consider when considering financial stability in the UK and, indeed, globally.

**Baroness Altmann (Con):** My Lords, the climate models currently used by the Bank of England and pension schemes have been shown by the Institute and Faculty of Actuaries, the Pensions Regulator, and even the coalition of central banks that developed them, to be deeply flawed, yet the Bank of England remains publicly committed to them. What are Ministers doing urgently to learn from academic and climate science, and to make recommendations to the Bank under Section 30B of the Bank of England Act to help it improve the financial modelling of climate risk? Also, what is my noble friend's department doing to ensure that pension schemes invest more in our solar farms and wind farms, particularly, for example, via investment trust portfolios?

**Baroness Vere of Norbiton (Con):** Goodness—that is a very wide-ranging question from my noble friend. I do not think it quite right to say that the Bank of England is committed to the scenarios it used back in 2021. For example, as my noble friend will have seen, two more scenarios were published fairly recently. The Government are not, for example, going to mandate a particular model or scenario for the pensions industry or indeed any part of it, because there are different scenarios out there. They are not forecasts but scenarios, and different groups will feel that different scenarios will come into play. Most pension schemes now have to follow the TCFD requirements, which came into force substantially in October 2022. That will really focus the pension schemes on their climate risks but also the climate opportunities.

**Lord Davies of Brixton (Lab):** My Lords, I need to mention my entry in the register of interests. Following the question from the noble Baroness, Lady Altmann, I urge the Minister to study the report from the Institute and Faculty of Actuaries, whose central conclusion was that commonly used climate models in financial services are underestimating risk. In particular, it says that the choice of assumptions is not widely understood and they pay insufficient attention to the possibility of overoptimistic scenarios for the future of climate change.

**Baroness Vere of Norbiton (Con):** Of course, my officials and those who work for the independent regulators will look at all evidence, and one often finds that it is very conflicting. The challenges of the models used have been clearly established. There is a higher number of independent transmission channels than previously thought and a lack of historical data; and, of course, one has to anticipate a firm's reaction to climate change over the longer term. All those things are being considered. This is an evolving science, as I think all noble Lords will agree. However, I go back to the NGFS, of which the Bank of England was a founding member: it consists

[BARONESS VERE OF NORBITON]  
of 134 central bankers and supervisors from around the world, who are all working together to improve the available scenarios.

**Lord Lilley (Con):** My Lords, is my noble friend the Minister aware that the economic chapter of the IPCC report on climate change begins:

“For most economic sectors, the impact of climate change will be small relative to the impacts of other drivers ... Changes in population, age, income, technology, relative prices, lifestyle, regulation, governance, and many other aspects of socioeconomic development will have an impact on the supply and demand of economic goods and services that is large relative to the impact of climate change”?

Why is the Bank of England fussing with this, rather than concentrating on the real problem of avoiding financial crises such as occurred in 2008?

**Baroness Vere of Norbiton (Con):** No, I do not quite agree with my noble friend, because the Bank of England has a responsibility to look at all risks. He pointed out many risks that are not climate related. However, underlying all of this is that all those risks—and, indeed, climate risk—are interdependent. One cannot single out one at the expense of others; one has to consider them all in the round. That is why we make it clear when we correspond with the Bank of England and the independent regulators that climate risk is just one of the many risks to our financial system that need to be considered.

**Lord Livermore (Lab):** My Lords, the Government have made a series of important commitments relating to forest risk commodities. Those commitments, including in the Financial Services and Markets Act to carry out a review of the adequacy of financial regulation in tackling illegal deforestation, rely on the laying of regulations under the Environment Act. Can the noble Baroness tell us when those regulations will be laid and, once they are, how long the review will take?

**Baroness Vere of Norbiton (Con):** I am well aware of the Government’s work on forest risk commodities, which is under way, as it falls within my portfolio. I cannot give the noble Lord any further timings at this moment, but suffice it to say that we are working on it.

**Baroness Sheehan (LD):** My Lords, I think I heard the Minister say that the next round of the climate biennial exploratory scenarios needs to accommodate disruptive climate events in the 2020s and take account of the revised scientific consensus about the speed—that is the key word—with which adverse climatic events are being observed and new emerging evidence since the 2021 report. Will the Government ask the PRA to do this as a matter of urgency, with a real emphasis on urgency?

**Baroness Vere of Norbiton (Con):** No, the Government will not ask the PRA—or indeed anybody else—to do that as a matter of urgency. It is up to those independent regulators to decide the next stage at which CBES may be rerun. However, an important learning experience came out of CBES, which was that many of the capabilities needed to be embedded in the system. It is

pointless running a scenario if the underlying information and the risk scenarios and outcomes coming from firms have not been updated to reflect the new scenarios. The independent regulators are very seized of the issue. Obviously, CBES will be run in due course if the Bank of England decides that the results of its previous running have been embedded in the system.

**Lord Brooke of Alverthorpe (Lab):** My Lords, the noble Lord, Lord Lilley, said that the Bank of England has to take into account a variety of issues. Can the Minister say what work it is doing on AI? Is it in a better position than we are to see what is happening and the consequences?

**Baroness Vere of Norbiton (Con):** The noble Lord raises a very important issue. However, it is slightly beyond the remit of the Question.

**Lord Kamall (Con):** My Lords, it is important to recognise what models do: they look at the real world in practice, try to explain it in theory, and then try to predict the future using past and, perhaps, future data. All models are flawed to a certain extent. Given the focus on other things apart from inflation, such as climate risk models, in my noble friend’s experience or opinion, does she think this distracts the Bank of England from one of its essential tasks, which is to focus on getting inflation below 2%?

**Baroness Vere of Norbiton (Con):** The Bank of England has two major roles, as my noble friend will be aware: it is responsible for monetary policy but also for financial stability. Climate risk very much falls into the latter. However, he is absolutely right about models: there is probably not a single model in the world that is 100% accurate—they can never be. However, it is not about forecasts but about scenarios. It is about taking a range of possible outcomes and thinking about how firms would react to different scenarios. It is right that the Bank of England consider this; however, I know that it is very focused on getting inflation down.

## Smoking Question

11.17 am

Asked by **Lord Rennard**

To ask His Majesty’s Government what progress they have made towards the ambition of creating a “smokefree” generation by 2030.

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Markham) (Con):** Smoking is responsible for around 80,000 deaths a year in the UK, costs our country £17 billion a year and puts a huge burden on the National Health Service. That is why we will shortly introduce the tobacco and vapes Bill to Parliament in the coming weeks, to create the first smoke-free generation and further crack down on youth vaping. The Bill will be informed by our recent consultation, which we will publish soon.

**Lord Rennard (LD):** My Lords, all parties have agreed on the need to reduce the prevalence of smoking in this country to below 5% by 2030, so the Bill to prevent young people ever becoming smokers is vital. Does the Minister accept that we need to do more to help the over 6 million people in this country who are addicted smokers, most of whom are struggling to give up smoking and want to? They are damaging their health and that of others affected by smoking. Does he agree that allowing integrated care boards to make further cuts to tobacco dependence treatment budgets will not help us to achieve this target?

**Lord Markham (Con):** I thank the noble Lord. Actually, Khan recommended four major things to achieve that in his report *Smokefree 2030*. The first was to increase the anti-smoking spend that the noble Lord refers to. As part of this, we propose to increase that spend from £70 million to £140 million—so we are doing absolutely what the noble Lord suggests. The second was to increase the age of sale, which of course this legislation is all about. The third was to promote vaping to help quit smoking. Again, the legislation will do that. The fourth was to increase NHS prevention methods which, again, we will do from here. So it is very much a range of measures to stop people ever smoking but also to stop many who are currently smoking by helping them to quit.

**Lord Young of Cookham (Con):** My Lords—

**Lord Naseby (Con):** My Lords—

**Noble Lords:** Young!

**The Earl of Courtown (Con):** My Lords, I think the House would like to hear from my noble friend Lord Young.

**Lord Young of Cookham (Con):** I am grateful to my noble friend for giving way.

**Noble Lords:** Oh!

**Lord Young of Cookham (Con):** Further to the Question from the noble Lord, Lord Rennard, the Government commissioned the independent Khan review, which concluded that the Government would miss their smoke-free target for England by several years unless an additional £125 million a year was spent on prevention. Given the pressure on public expenditure, the Khan review instead suggested a levy on the profits of the tobacco industry, based on the polluter pays principle. Does that proposal not commend itself to my noble friend?

**Lord Markham (Con):** As I say, we have tried to answer the four major points that Khan put forward, including doubling the spend from £70 million a year to £140 million. The levy was the one thing that was not so much favoured; there was a lot of modelling done on it and the thought was that the net increase would be only about £25 million or so. That is why it was thought better to look at taxes on tobacco itself as a way of raising revenue, and generally introducing the four major methods that Khan recommended.

**Lord Patel (CB):** My Lords—

**Baroness Blackstone (Lab):** My Lords, I refer to my interests as set out in the register. Would the Minister agree that smoking in pregnancy has enormously damaging effects, leading to much poorer birth outcomes than for mothers who do not smoke? Would he also agree that incentives to pregnant women not to smoke have been very effective? In the light of this, could he give a guarantee that the existing scheme, which comes to an end this year, will be continued with adequate resources, so that it is not in any way disrupted?

**Lord Markham (Con):** I totally agree with the noble Baroness on the importance of stopping smoking—always, but especially during pregnancy. In fact, we have a maternity debate coming straight after this, where this will be one of the things that we discuss. I hope, from showing that we are putting all this spend in place, that we are backing everything that works. As long as the anti-smoking in pregnancy measure continues to work, that will be one of the major features to make sure that we are continuing to stop all activity, but especially in pregnant ladies.

**Lord Patel (CB):** My Lords, in the light of the last question, I will change my question. What assessment have the Government made of the long-term harm that vaping will cause, particularly to young people?

**Lord Markham (Con):** The honest answer is that we do not know yet, and that is a problem. As we know, a number of these things take time to play through. That is why we want to make sure we take a precautionary approach. In this legislation, we aim to really stop anything that is targeted at young people in terms of vaping. We see vaping as an important tool to help people quit smoking, but we are equally sure that we never want anyone to start vaping. That is why we will also look at banning anything that targets young people, such as flavouring and packaging. We want to stop anything targeted at youth vaping.

**Lord Naseby (Con):** My Lords, why are His Majesty's Government ignoring the experience of New Zealand? That country has found the idea behind this Bill—it had a similar one—to be totally unworkable. Secondly, why are we undermining the existing scheme that has done so well, with under 2% of young people even bothering to take a taste of smoking? Does my noble friend not recognise that there are other, far more important health dimensions that need the resources that are to be wasted on this useless Bill?

**Lord Markham (Con):** First, my understanding about New Zealand is that one of the biggest bones of contention was that it was looking to reduce the number of smoking retailers from 6,000 to 600; that is where their Bill came into difficulty. I am afraid I must disagree with my noble friend on the importance of this. It costs the economy about £17 billion a year and causes about 80,000 deaths, and 80% of people who have taken up smoking wish that they had never started. I think those are very strong reasons which



[LORD MARKHAM]

I know the majority of this House is behind, and that is why I am delighted to be introducing that legislation shortly.

**Baroness Merron (Lab):** My Lords, it has been reported that the decline in smoking has nearly ground to a halt since the pandemic, with many former smokers lapsing and many more young people now taking up smoking. Now that the smoking cessation drug cytisine is available, what is the Government's assessment of how its availability will contribute or otherwise to the progress towards the smoke-free ambition by 2030? What plans are there to ensure its availability across the country, particularly among hard-to-reach groups of smokers?

**Lord Markham (Con):** Hopefully, my previous answer shows that we are investing major money in cessation services. I must admit to not being that familiar with the drug the noble Baroness mentions, so I will follow up in writing to give her the details.

**Lord Allan of Hallam (LD):** My Lords, does the Minister agree that reducing the number of outlets that sell tobacco products does in fact have a positive effect on the prevalence of smoking? In this respect, can he indicate whether the Government are having any conversations with large supermarket chains, either individually or collectively, about voluntary reductions in the number of tobacco counters in their outlets? If that is not already happening, would he agree that it would be a good use of government time to do so?

**Lord Markham (Con):** Again, we are mindful of trying to get the balance right. Inevitably, by taking away a major market, which the over-18s will become as we go into it, smoking sales through retail units will go down more and more. We expect them to reduce as a result of that. We think that is probably getting the balance right, rather than trying to be overburdensome by saying, "No, you shall not be licensed to do that any more". We think that will happen naturally through the market, because we are of course taking out a whole segment of future customers.

**Lord Moylan (Con):** My Lords, is my noble friend aware of the report published this week by University College London, in association with Cancer Research UK, which suggests that banning disposable vapes would lead to fewer adults giving up smoking? Will he give an assurance that any proposals brought forward by the Government will be based on clear evidence and common sense, and not unevidenced enthusiasm?

**Lord Markham (Con):** I hope I could give my categorical agreement that everything is based on evidence and common sense; I will let people draw their own conclusions as to whether that is always the case. But, seriously, clearly anything we look at must be evidence-based. We will shortly be announcing the results of the consultation, which has a 28,000-strong evidence base, to show that we are really doing rigorous analysis.

**Lord Faulkner of Worcester (Lab):** My Lords, many Members of your Lordships' House have received lobbying from tobacco companies over the years. Is the Minister aware that the *Daily Telegraph* reported last week that Philip Morris had threatened legal action against the Government over the consultation to which he referred in his first Answer. Can the Minister give an assurance that, if this lobbying is undertaken by tobacco companies, the Government will ignore it and go ahead with their very sensible and welcome plans?

**Lord Markham (Con):** Yes, I am aware of the moves, and I am sure there will be many more. I was advised that it was a fairly unusual legal challenge on consultation, which I believe was withdrawn quite quickly. Yes, there will be opposition, but we are determined, because of the importance of what we are trying to do.

## Ukraine: Reconstruction

### Question

11.28 am

Asked by **Lord Fox**

To ask His Majesty's Government what legal options, if any, they are exploring to seize any Russian central bank assets that are frozen in the United Kingdom's financial system and using such assets to fund the reconstruction of Ukraine.

**The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon) (Con):** My Lords, the United Kingdom, alongside the G7, has underscored that Russia's international law obligations are clear. Russia must pay for the damage it has caused to Ukraine. G7 partners are urgently discussing this; we are exploring all avenues to aid Ukraine in obtaining compensation from Russia, consistent with our respective legal systems and under international law. I assure the noble Lord that I will keep the House updated on significant developments, as I have done before, and update the Front Benches, where we can, on the actions we plan to take.

**Lord Fox (LD):** I thank the Minister for his Answer; I hope he does not mind if I probe a little bit. There have been widespread reports that the US specifically is leading discussions about seizing up to £300 billion of Russian government assets. During the Economic Crime and Corporate Transparency Bill, responding to amendments that I tabled, the Minister, the noble Lord, Lord Sharpe, was very clear that the Government would not countenance seizing assets. So can the Minister say that the Government are now countenancing the option of seizing assets?

**Lord Ahmad of Wimbledon (Con):** My Lords, of course we are working very closely, as I said in my original Answer, with G7 members, particularly the United States. On seizing assets, we will ensure that any action we take is legally robust. All elements, including asset seizure, are considered. In December last year, leaders at the G7 confirmed that, consistent with our respective legal systems, Russian sovereign

assets in our jurisdictions will remain immobilised until Russia pays for the damage. I assure the noble Lord that we are working closely with the US in that respect.

**Lord Collins of Highbury (Lab):** My Lords, on the last point, when we dealt with the Russia sanctions, we specifically raised those sovereign funds and the accrued interest. I welcome the Foreign Secretary's commitment and that of allies to investigate strongly to ensure that the Russians pay for the damage they have caused. Can the Minister update us on the interest issue that has been raised? Also, what has happened to the funds that were promised arising out of Chelsea Football Club?

**Lord Ahmad of Wimbledon (Con):** On the noble Lord's second point, that is something that we are working through. I cannot go into further detail, but we are working closely with our colleagues in His Majesty's Treasury on this very objective. We want to ensure that the structures and legal obligations are fully fulfilled. I assure the noble Lord that I will update him on the specifics as soon as I can. On his first question, if the Russian sovereign assets that are held are earning interest, that should be part of the mix to ensure the compensation which is rightly due to Ukraine for the destruction Russia has caused and that Russia is held fully accountable.

**Lord Hintze (Con):** My Lords, I draw attention to my interests in the register. Does the Minister agree that in doing such an action, notwithstanding the critical issues in front of us with regard to the aggression, there is a need to think about the unintended consequences of seizing assets without the proper law?

**Lord Ahmad of Wimbledon (Con):** I believe I have addressed that. I agree with the noble Lord, and that is what I have said. Any action, whatever that may be, must be legally underpinned and legally robust. That is why sometimes we are slightly constrained in what we say from the Dispatch Box.

**Lord Kerr of Kinlochard (CB):** Did the Minister see the article in this week's *Financial Times* by Bob Zoellick, distinguished former Secretary of State, USTR and president of the World Bank, in which he argued that frozen funds should be used now for the benefit of Ukraine and suggested the best way of doing that? How did the Minister react to Bob Zoellick's suggestion?

**Lord Ahmad of Wimbledon (Con):** I think that it is based on his insight and experience. It is helpful that the US is exploring various options, as the noble Lord, Lord Fox, also pointed out. I cannot go further at this time than saying that we are working very closely with the US on the steps it is taking or seeking to take to see how they can best be transposed and reflected in our structures. Coming back to the key point, they must be underpinned to ensure that they are legally robust.

**The Lord Speaker (Lord McFall of Alcluith):** My Lords, the noble Lord, Lord Campbell-Savours, is participating remotely.

**Lord Campbell-Savours (Lab) [V]:** Before we become overzealous over the seizure of assets, have we considered the prospect of reciprocal action by Russia against UK assets in Russia? How can we on the one hand confiscate assets held by Russia, which is a power normally exercised in wartime, while on the other hand insist that we are not at war with Russia? Is it not more realistic to claim on income streams from frozen assets, as has already been suggested, rather than on the principal capital involved?

**Lord Ahmad of Wimbledon (Con):** My Lords, I disagree on several points here. What is very clear, and I think the majority of your Lordships will agree with me, is that Russia is accountable. The freezing of these assets has had a net benefit. The majority of your Lordships and those in the other place fully support the Government in their position, which is to ensure that we immobilise Russia's ability to finance its war effort. We have taken action to ensure that assets worth more than \$400 billion cannot be mobilised. Not taking the steps we have taken would have allowed that \$400 billion to be used differently. We need to ensure that we focus our actions. As I said before, everything we are doing, which is why we are being very careful in this, is in association with our G7 partners. We are working with other countries on the circumvention of the sanctions we have imposed and are ensuring that the actions we take are legally underpinned.

**Lord Purvis of Tweed (LD):** My Lords, we now have £21.6 billion of frozen assets in the UK. Across Europe as a whole there are over £300 billion. On Monday, the European Union decided to institute a windfall tax on those frozen assets, which will accrue €2.3 billion for the Ukrainian people. Why are we not putting in place a windfall tax on frozen assets in the UK so that we can contribute to the Ukrainian people from that?

**Lord Ahmad of Wimbledon (Con):** I am aware of the steps that other jurisdictions are taking. I am not going to make policy on the hoof here and suggest that we are now going to impose windfall taxes, et cetera. There could be a general political point I could make towards the Lib Dems on windfall taxes generally and domestically, but I will refrain because of the seriousness of the subject. It is important that actions are co-ordinated and that as other jurisdictions, the US and the EU, take steps we reflect on what they are and see how they can best be reflected in our systems and structures.

**Lord Balfie (Con):** My Lords, is the Minister aware that one of the messages coming out of this is that this is not a safe place to put money and that countries such as Switzerland and Singapore are probably rubbing their hands with glee? Has he looked at the excellent publication, *The Economic Consequences of the Peace*, and seen the terrible mess that the Allies got themselves into throughout the 1920s by chasing Germany and the consequences that eventually followed?

**Lord Ahmad of Wimbledon (Con):** My Lords, on my noble friend's second question, financial systems and capital markets have developed very differently and progressively since the era he talks of. On the first question, I disagree with him profoundly. The message,

[LORD AHMAD OF WIMBLEDON]

which is clear from this House and this Government, is shared by many in this House and beyond. It is that Russia is conducting an illegal war and that for those who conduct illegal wars there will be consequences, including financial sanctions.

**Lord Hannay of Chiswick (CB):** My Lords, does the Minister recognise that when the Foreign Secretary appeared before the European Affairs Committee before Christmas, he said he was convinced that there was a legal way of sequestering the capital as well as the interest? Does the Minister not think it is a little dilatory to be coming before the House now, a month later? The Foreign Secretary did not say what that route was and nor is the Minister saying what it is now. Could he perhaps spill a bean or two?

**Lord Ahmad of Wimbledon (Con):** One thing I have learned as a Minister is that you never spill the beans unless it is necessary. The noble Lord will know from his experience of being a leading diplomat that of course there are avenues and routes that we are exploring and that we need to ensure that when we announce policies, they can be implemented effectively. In this case my noble friend the Foreign Secretary has indicated the Government's intent and, as we can, we will update the House.

## Military Interventions Overseas

### Question

11.38 am

Asked by **Baroness Chakrabarti**

To ask His Majesty's Government, following further airstrikes by the United Kingdom and United States against Houthis in Yemen, in what circumstances Parliament should be consulted before military interventions overseas.

**The Lord Privy Seal (Lord True) (Con):** My Lords, the Government have acknowledged the need to notify Parliament of significant military action either before or after the event. In regard to the recent air strikes in Yemen, on both occasions the Prime Minister updated the House of Commons and I updated your Lordships' House at the earliest opportunity. Decisions on whether to consult Parliament in advance of military action reflect a number of factors including, critically, the security of our Armed Forces and that of our operational partners.

**Baroness Chakrabarti (Lab):** I am grateful to the noble Lord the Leader of the House for that, for his Statement yesterday and for the updates that he describes. However, he will note that the *Cabinet Manual* that was published in 2011 by the then Prime Minister, the noble Lord, Lord Cameron, observed a developing constitutional convention for prior Commons consultation where possible. The noble Lord sets out moments when that might not be possible, but I wonder, given the relevant expertise from across this House, and given that the noble Lord, Lord Cameron—as he is now—is Foreign Secretary, whether this might be the place to look at reviving that constitutional convention and looking at checks and balances for moments even when the House of Commons may not be consulted.

**Lord True (Con):** My Lords, the *Cabinet Manual* is actually under review at the moment. The noble Baroness rightly refers to the 2011 manual, but even that says the convention would be observed

“except when there was an emergency and such action would not be appropriate”,

and there are occasions when it might not be appropriate. The Defence Secretary issued a Written Ministerial Statement in April 2016 that elaborated on the manual, and that is the Government's position.

**Lord Stirrup (CB):** My Lords, does the Leader agree that His Majesty's Armed Forces place great importance on having the support of the British people, not least expressed through their representatives in Parliament, for the difficult and dangerous actions that they carry out on their country's behalf, but that at the same time they need to retain the elements of surprise and security that are essential not just to their success but to their safety, and that therefore a degree of flexibility is important in this regard?

**Lord True (Con):** I strongly agree with the point made by the noble and gallant Lord. I certainly agree with the first part—wherever possible, Parliament should be notified, involved and informed, and every Government of whatever colour should remember that they are stronger when they have the people's Parliament behind them—but the second part of his intervention is paramount.

**Lord Bellingham (Con):** My Lords, during yesterday's Statement, two noble and gallant Lords mentioned the situation regarding our aircraft carriers and security at RAF bases. Successive Secretaries of State for Defence have mentioned that the aircraft carriers are very much the Royal Navy's spearhead, especially suitable for air strikes against terrorist targets. I do not expect my noble friend to tell the MoD what to do, but could he comment further and assure the House that the use of those carriers has not been ruled out?

**Lord True (Con):** My Lords, as I said yesterday, I will never speculate about operational decisions and the House would not expect me to. However, I will say that there have been a number of erroneous reports in relation to the aircraft carriers, but the Government are deploying the resources that they think appropriate for the circumstances.

**Lord Coaker (Lab):** My Lords, we on these Benches fully support both rounds of the Government's targeted actions to diminish the Houthis' ability to disrupt maritime navigation in the Red Sea, and I join all noble Lords in recognising the bravery and professionalism of our Armed Forces. We very much welcome the update to the legal advice that was given between the first round of attacks and the second. I ask the Lord Privy Seal to recognise the importance of keeping that legal advice up to date, particularly as developments occur that we cannot necessarily predict. I am grateful for that as it is extremely important.

**Lord True (Con):** My Lords, I welcome again the strong support of His Majesty's loyal Opposition on this matter. Of course I own the responsibility to keep your Lordships' House informed, including in this respect.



**Lord Purvis of Tweed (LD):** My Lords, notwithstanding the excellent question from the noble and gallant Lord, Lord Stirrup, with which I associate myself, is it not the case that Operation Prosperity Guardian—under the umbrella of the Combined Maritime Forces and Combined Task Force 153—now has strategic aims rather than responsive ones, as we would categorise an emergency. On that basis, there is a strong likelihood that British forces will continue to be needed to be deployed and to carry out actions. On that basis, given the experience in this House, and indeed, as the Leader said, given the ongoing review of the *Cabinet Manual*, is it not time that we had a full debate in this House in particular so that we can discuss the Red Sea and the need for British deployments as well as the Cabinet guidance?

**Lord True (Con):** That matter was alluded to yesterday. I said we would reflect on these matters in the usual channels. There was a debate on the Red Sea situation in the other place. I pointed out yesterday that we have a debate tomorrow in your Lordships' House on Ukraine, on which there has not been a debate recently in the other place. The Government will continue actively to consider the best ways of keeping both Houses informed and involved in these situations.

**Lord Pannick (CB):** Following the actions of the Houthis in pursuance of their slogan, “Death to America, death to Israel and a curse on the Jews”, and given the recent protest in this country in support of that appalling organisation, is it not high time for the Government to bring before Parliament a Motion to proscribe the organisation as a terrorist group?

**Lord True (Con):** My Lords, as the noble Lord will know, we are sanctioning members of the Houthi organisation. I totally agree with his characterisation of the nature of that organisation, and I assure him that all these matters will continue to be kept under careful and constant review.

**Baroness Nicholson of Winterbourne (Con):** Does the Leader agree that, while the repugnant Houthi anti-Semitism and their attacks on the Red Sea vessels need a response, which we are rightly giving, none the less they are not the whole of the country of Yemen, which we know well. In the south, which is not the communist side, they are running out of water fast and will be the first people to be dehydrated completely. Would it not be wise, given the new investment in Hargeisa port and the potential for Aden port, for us to consider going back to the south of Yemen and seeing what we can do to help to repair their water drought?

**Lord True (Con):** I say to my noble friend that we discussed this briefly yesterday. We are engaged with the legitimate Government of Yemen, both bilaterally and through the United Nations. Those contacts will continue, and we very much have in mind the points that she has made.

**Lord Browne of Ladyton (Lab):** My Lords, I too support these targeted strikes thus far, in the context of the strategy that the Government and the United States are engaged in, which, as has been explained to

Parliament, is to degrade the capability of the Houthis to interfere with traffic in the way in which they did and to keep the seaways open, and, by that, to stop them targeting ships and to deter them. Six days ago, the President of the United States, asked whether the strikes were working, responded, “When you say working, are they stopping the Houthis?” He answered his own question and said, “No”. He then formulated another question to himself, saying: “Are they going to continue? Yes”. Parliament is entitled to be consulted on the strategy and to know what the endgame is and how that will be measured. At the very least, there should be a debate to deal with these issues.

**Lord True (Con):** My Lords, I think I have answered that question. I cannot claim personal responsibility for comments made by a head of state in any other country, however distinguished. I have set out our action with regard to the Houthis. It is in defence of free navigation and in self-defence in relation to Article 51 of the United Nations. That remains the position. I am not going to comment further on future potential operational activities.

**Baroness Bennett of Manor Castle (GP):** My Lords, in responding to the noble Baroness, Lady Chakrabarti, and others, the Leader of the House said that the *Cabinet Manual* is under review, and referred to the 2011 date of the current version. That was of course written after a decade of public reaction and concern about what were seen as unwise military adventures and political decisions about war and peace. Can the Leader of the House assure me that we are not going to go backwards and have less democratic oversight of such decisions in the new version of the manual?

**Lord True (Con):** I can certainly assure the noble Baroness of that, but one has to remember what balance there is here. If we were to attempt to clarify more precisely circumstances in which we would consult Parliament before taking military action then, despite its desirability and necessity in those circumstances, we could and would, as the noble and gallant Lord pointed out, constrain the operational flexibility of the Armed Forces and prejudice the capability and effectiveness of those actions. That is the balanced position the Government are taking. As for democratic action, I do not see much democracy in the activity of the Houthis.

## Maternity Services

### *Motion to Take Note*

11.51 am

*Moved by Baroness Taylor of Bolton*

That this House takes note of the delivery of maternity services in England.

**Baroness Taylor of Bolton (Lab):** My Lords, I am pleased to have this debate today. I thank those who have put their names down to speak. It is really interesting to see the level of expertise on this subject here, which proves the value of this House in contributing to wider debates.

[BARONESS TAYLOR OF BOLTON]

One of the reasons that I wanted to discuss this issue was the pressure on maternity services that I have been hearing about in my local area. In Kirklees, we have no NHS birthing facilities whatever; it is one of the largest metropolitan areas in the country. The unit at Huddersfield Royal Infirmary was suspended more than 12 months ago and the Brontë Birth Centre in my former constituency of Dewsbury, whose opening I remember with a fanfare as something to be celebrated, has been closed since August 2022. The basic reasons for these closures have been the crisis in staffing and the level of staffing shortages. The local trust is trying to reopen the Brontë centre, working with a neighbourhood trust, but the problems of staffing are having a real input and will be a deciding factor.

No one can doubt the critical importance of maternity services. Those of us who have given birth will recall many details, good and less good, of that experience. The experience of maternity care can affect the future of both mother and baby. A difficult birth experience can affect bonding and early relationships—a point emphasised to us by the Royal College of Psychiatrists. Everybody who is involved in maternity services will know the significant responsibility that they have. Thankfully, most pregnancies end in the birth of a healthy baby, although that in itself does not mean that the mother's experience has been optimal. On the other hand, some expectant mothers have their own views of what their experience should be; sometimes, those views are not realistic and can create extra pressure on midwives and others. Locally, I know that the trust has reported more high-risk women wanting births in settings designed for low-risk women, creating extra pressure and highlighting the complex problems that many midwives have to face.

I want to start with the recent important reports on the overall state of our maternity services. The report from the Care Quality Commission is absolutely critical here but I believe we have all received many briefings from mothers of babies, the Maternity & Midwifery Forum, the Nuffield Trust, Mumsnet, SANDS, the Royal College of Obstetricians and Gynaecologists and, of course, the Royal College of Midwives. They have all consistently reported a very alarming situation.

The Care Quality Commission tells us that maternity services were under pressure prior to Covid and that that has worsened. Covid did not help but we cannot continue to use it as an excuse for all the failings in all our services across the board. The pressures on maternity services have been building for more than a decade. The commission also tells us that almost half of all the maternity services inspected in 2023 were rated as either in need of improvement or inadequate—an increase on last year, with things moving in the wrong direction.

Many factors have been highlighted by the CQC. Staffing shortages—especially retention issues, which I will come back to in a minute—are top of the list but it has also reported systematic racism, leadership issues, and workplace and environment issues. All of these are significant and each needs attention but we should not lose sight of the overall situation and the fact that nearly half of these units are causing concern. In those circumstances, we need to stop and think about

what needs doing—and doing urgently. I know that there has been considerable ministerial churn and that current occupants may try to distance themselves from previous decisions. Although new Ministers must say that there should be greater emphasis on women's health, et cetera, the same party has been in government for 13 years and decisions taken during those 13 years have made the situation worse. I think that Ministers in that Government are culpable.

To my mind, the most significant problem is clearly the shortfall in staffing, in particular the imbalance in the workforce because of retention problems. The fact is that many senior midwives, gynaecologists and obstetricians are leaving their professions. There are concerns about the number of students going into midwifery and their experience but the problems of retention make the situation critical.

Earlier this month, the BBC reported on midwives being concerned that staff shortages were causing safety issues. One midwife reported that she kept patients safe only by the skin of her teeth; another said that she had quit because she could not face the possibility of the consequences of poor care. I know of one experienced midwife who left her chosen profession after being in sole charge of six women in labour and being afraid for her own mental health because of all the pressures that that responsibility brought.

The Royal College of Midwives says that staffing is the most important issue. We hear that some trusts have one in five jobs unfilled. In Kirklees, the figure is 18%, but it is not a matter of just getting more students into midwifery. Retention is a serious problem and burnout is a real issue. If we cannot retain experienced midwives, we cannot give student midwives the support and the mentoring that they need during placements.

There have been some suggestions that existing midwives feel threatened by some of the training changes that were introduced a few years ago, and there is always a question about the balance between theory and practice. Certainly, the profile of students in midwifery and nursing generally has changed. I know from my time as chair of the University of Bradford, which has a fantastic department in this respect—maybe the Minister would like to visit—that the profile of students coming into nursing has changed significantly, especially when bursaries were cut by this Government. The intake of mature students declined sharply and immediately, and it has not fully recovered. It has been pointed out to me that having mature students among the student group helps everyone to develop and understand what all the pressures can be. Of course, many students are feeling the cost of living crisis and want to work to survive financially, which is obviously not easy if you are on a midwifery course. I worry about the figures for those dropping out of their courses in the early years.

One factor that particularly worries me is that I am told that there is less continuity of supervision of students on the ward during placement. Each student used to have one named mentor, but I am told that this is no longer the case and that students therefore report that they no longer feel part of a team or that they belong, and that this was also affecting the drop-out

rate. Overall, this is a worrying picture. Unless the Government address the retention issue, we will not make the substantial improvements that we need.

I must also talk about maternal mortality. The latest report shows that it has risen to its highest rate in 20 years. A key finding is that the maternal death rate for black women is three times higher than that for white women; for women from Asian ethnic backgrounds, it is two times higher; unsurprisingly, women living in the most deprived areas have a maternal mortality rate twice as high as that for the least deprived. This is not a revelation; other reports have talked about it for a long time. There is no excuse for a lack of action here. I note that the Select Committee in the Commons pointed out that, at the time it was writing its report, the Maternity Disparities Taskforce had not met for nine months. That cannot be acceptable and shows a worrying level of complacency.

I have outlined a very depressing situation, and urgent action is needed. Midwives and others deserve credit and recognition for the work that they do—my noble friend Lady Thornton will tell us about the remarkable achievements in her area of dealing with the consequences of female genital mutilation, and I know from a colleague in the other House, Jess Phillips, that midwives are often critical in helping women escape from abuse—but, overall, we have a crisis. For such a significant service as maternity, in 2024 this is unacceptable. It is up to the Government to provide a proper lead to solve this. I emphasise again that the No.1 priority must be the retention of experienced nurses and midwives. We need a raft of measures to reduce the pressure on midwives and allow them to feel that they can do the job that they are trained to do and want to do to the level that they want to achieve. If the retention issue is not tackled urgently, there will be no space to deal with all the other issues such as updating training. This is all against a general backdrop of serious health inequalities which exist in this country anyway.

We are now in 2024. It is just wrong that maternity services are causing such concern. Every woman deserves the best while pregnant and during childbirth, and every midwife deserves the right conditions in which to work. The Minister said at Question Time earlier that he believed in evidence and common sense. I urge him to attach that common sense to the some of these problems that we are facing this year.

12.05 pm

**Baroness Cumberlege (Con):** My Lords, it gives me great pleasure to follow the noble Baroness, Lady Taylor of Bolton, and thank her for a very interesting and incisive speech. I see that congratulations are being offered to her right now and she deserves them.

One thing that struck me as the noble Baroness was speaking was how important it is that we concentrate on relationships. We must consider all the relationships involved—the parents, the rest of the family and grandparents perhaps—but the most important is the relationship of the staff with the women and their babies. We know that there is huge pressure on midwives at the moment—the noble Baroness raised that issue.

This is a very important debate, and I am extremely pleased that the noble Baroness has taken to the opportunity to raise it. She and many other Members of the House of Lords feel strongly about maternity services and the beginning of new life. The way in which women and their babies are looked after is critical to the well-being of this country. It is a very interesting debate to have raised and I thank her warmly for it.

Maternal mortality rates are at their highest for 20 years. That is quite shocking and really must be addressed. I hope that through this debate we will raise the issues that are important.

I want to say something about when I chaired the National Maternity Review. I was asked to do it by the chief executive of NHS England, who was then Sir Simon Stevens—now the noble Lord, Lord Stevens—and I was given the task of completing the review in nine months, which seemed a very appropriate time. We published our report in 2016 and called it *Better Births*. It set out five years in which to plan and work towards improving maternity services in England. I was fortunate to have a wonderful, expert group of people on the review team, which was hugely helpful. The important thing we did was to go out and listen to the women of England, their partners and their families, and to the staff who provided maternity services. We listened and we learned from them, not just women who were already mothers but women hoping to become mums in the near future. We heard uplifting, inspiring stories of good maternity care and good outcomes, but we also heard some truly sad stories where care had not been good or outcomes had been devastatingly bad.

What we heard guided us, and the five-year plan we set out was based on what women told us they particularly wanted. At the core were two things that we believed would raise the quality of care and improve safety, leading to better births. The first was that women wanted, and felt they needed, the same midwife, or small team of midwives, throughout the maternity journey. They wanted a relationship based on trust and mutual respect. They wanted a midwife, or midwives, who knew them, understood them, and respected their birth plans and the choices they were making. We call that continuity of carer.

The noble Baroness, Lady Taylor, has raised this afternoon the issue of continuity. We know that continuity leads to safer care and better outcomes for the mum and the baby. Yes, continuity may be challenging in the face of workforce pressures, but we need to be much clearer that continuity is the model of care that we want to see. I think that that is what the noble Baroness was stressing, and I support that.

Secondly, women and their partners want to feel and know that their continuity of care is shared, around them and by them. We call that “personalised care”. It is centred on the woman and her baby, based around their needs and decisions, and where they have genuine choice—informed choice, but with unbiased information. Too often care is done to women and babies, rather than chosen and shaped with and by them. I know that, when staff are under huge pressure, taking the time to understand a woman’s



[BARONESS CUMBERLEGE]

choices and build care around her may be really very difficult, but that is what we should strive for, for all women.

Continuity and personalised care were at the heart of the five-year strategy. They stand at the heart of turning the phrase “better births” into reality. Today’s reality falls short on both continuity and personalised care. Our country is still one of the safest in which to give birth—I want to stress that—and we have met some of those wonderful staff who run our maternity services. But the evidence tells us that we are not achieving the progress that we could and should.

The most recent MBRRACE report on maternal mortality tells us that 293 women died in pregnancy or within 42 days of the end of pregnancy in the three years between 2020 and 2022. That is a significant increase over the previous years, and it excludes Covid-related deaths.

The CQC *Maternity Survey 2022* tells us that 10% of maternity services are inadequate and that 39% require improvement. I was delighted that the noble Baroness, Lady Taylor, mentioned the work of the CQC, which is so important, but the figure of 10% of maternity services that are inadequate and 39% that require improvement accounts for nearly half of all services. The CQC says that safety and leadership are particular areas of concern, and they need to be addressed. We are all sadly familiar with the series of local failings in maternity care and the inquiries that have followed. I am thinking of Morecambe Bay, Shrewsbury and Telford, East Kent and Nottingham; those are just examples. Parents who have been involved in those inquiries are now calling for a full national inquiry, and I think they are right.

My *Better Births* report was published in 2016 and had a five-year plan, but those years have now passed. I believe that we need a fresh strategic national inquiry and a new coherent and practical plan for the whole maternity system. We need to tackle the issues of poor quality and poor outcomes. We need to listen to women and their families, and the staff who are there to care for them, and we need to be guided by what the evidence tells us will lead to better births, to make them safer and as a good an experience as is possible.

Finally, I would like to repeat something from the letter I wrote to the women of England at the start of the *Better Births* report in 2016:

“The birth of a child should be a wonderful, life-changing time for a mother and her whole family. It is a time of new beginnings, of fresh hopes and new dreams, of change and opportunity. It is a time when the experiences we have can shape our lives and those of our babies and families forever. These moments are so precious, and so important. It is the privilege of the NHS and healthcare professionals to care for women, babies and their families at these formative times”.

I hope those words might play a part in setting the tone and direction for what I believe is now needed: a fresh plan for maternity care.

12.17 pm

**Baroness Warwick of Undercliffe (Lab):** My Lords, I thank my noble friend Lady Taylor, for introducing this timely debate. It is an honour to follow the

noble Baroness, Lady Cumberlege, with her long and distinguished engagement with many health issues.

I want to highlight some numbers. The Royal College of Midwives estimates that there is a current shortage of midwives across England equivalent to 2,500 full-time staff. While the NHS workforce in England rose by 14.1% between December 2019 and March 2023—that is almost 160,000 full-time equivalent members of staff—the number of midwives over that same period rose by 1.1%, or just 247 additional midwives. The impact of this shortfall, to quote the RCM, is “stark and sobering”.

Staff shortages mean women and their babies are not receiving the high-quality care midwives want to deliver. But it is not just that staffing levels simply have not kept pace with demand. At the same time, a rise in more complex pregnancies—whether due to increasing maternal age, increasing obesity in pregnancy or pre-existing medical conditions, all of which may place women at high risk of complications—has resulted in pregnant women often requiring more care and more time with midwives so that these issues can be picked up.

The last few years have also seen a significant year-on-year drop in students studying nursing, with an inevitable impact on the numbers who go on to midwifery. This is critical because, while steps are now being taken to increase the number of student midwives, the potential positive impact of this is undermined, as my noble friend has said, by too many experienced midwives leaving. Why? It is because they are burned out, insufficiently valued or rewarded, and because they cannot deliver the quality of care they want. In addition, senior midwives are needed to provide oversight and leadership, but this essential career route means losing experienced midwives, which is having an impact on the ability to train student midwives on their NHS placements. Staffing ratios need to reflect the combination of experience and skills needed to deliver care successfully. Within the workforce planning now under way, what review of national staffing ratios is taking place to ensure that we have sufficient staffing and funding for the population that NHS England serves?

The “stark and sobering” truth is that, in recent years, our maternity services have got worse, not better. The Care Quality Commission’s latest maternity survey shows the decline in positive maternity experiences. Confidence and trust in staff delivering care, whether antenatal, in-hospital or postnatal, has fallen over the past five years. Staff availability, and communications and interactions with staff, require improvement. My noble friend highlighted the BBC report from last November, which analysed CQC data and found that 67% of England’s maternity units—more than two thirds—had been rated by the CQC as inadequate or requiring improvement, up from 55% in the previous year. The CQC describes the overall picture as “one of a service and staff under huge pressure”.

That is a thunderclap of a warning from the regulator.

More recently, we have data showing that the maternal mortality rate in the UK has risen to levels not seen for a decade, and shocking inequalities are contained within these figures. An investigation led by Oxford



Population Health found that the maternal death rate was three times higher for black women than for white women, and two times higher for women from Asian ethnic backgrounds. Women living in the most deprived areas had a maternal mortality rate more than twice as high as those living in the least deprived areas.

Alongside the disturbing national data, we have seen catastrophic failings by specific NHS maternity units across England. The independent review of maternity services at the Nottingham University Hospitals NHS Trust is ongoing, while the investigations into maternity care at University Hospitals of Morecambe Bay NHS Foundation Trust, the Shrewsbury and Telford Hospital NHS Trust and the East Kent Hospitals University NHS Foundation Trust all produced recommendations for action, all prompting new oversight groups, strategies and targets.

We now have a national maternity safety ambition to halve the 2010 rates of stillbirths and neonatal and maternal deaths by 2025, which I understand we are not on target to achieve. Can the Minister confirm that? We have a women's health strategy and the NHS long-term plan—and we finally have a *Three Year Delivery Plan for Maternity and Neonatal Services*, published in March last year. It sets out how the NHS will make maternity and neonatal care

“safer, more personalised, and more equitable”

for women, babies and families. This is a great ambition—an essential ambition—but where are the building blocks that are needed to achieve it and overcome the stark data I quoted earlier? It seems to me that we have some way to go for this ambition to become a reality.

Midwives who shared their experiences ahead of this debate tell me that they have lost patience with reports and reviews. They say it really is about the numbers: more midwives in the wards means better care for mothers and babies, fewer mistakes, a more positive and supportive culture for midwives to work in and more reasons to stay in the profession. “Invest in more staff as quickly as possible” is the message I received. As we have seen from some of the terrible failings in recent years, ensuring a culture that fosters openness and learning really matters. I was dismayed to find that a number of midwives were not prepared to talk to me because of the negative repercussions for colleagues who had previously spoken out. Donna Ockenden's review of Shrewsbury and Telford Hospital NHS Trust maternity services, published in March 2022, puts it succinctly:

“Only with a robustly funded, well-staffed and trained workforce will we be able to ensure delivery of safe, and compassionate, maternity care locally and across England”.

I therefore ask the Minister: can he give us any new update on progress on the actions and recommendations in the NHS England *Three Year Delivery Plan for Maternity and Neonatal Services*? How are they ensuring that recommendations for action will be widely implemented in all maternity services across England? We need to know that we are moving forward. We must do better, and we must do so quickly.

12.24 pm

**Lord Patel (CB):** My Lords, I thank the noble Baroness, Lady Taylor of Bolton, for initiating the debate today on maternity services in England—or should I say, as has already been mentioned, the woeful state of maternity services in England as evidenced by a series of recent reports on their failings. Although we are debating maternity services, what we are really talking about is the state of care the nation is willing to provide for the mothers of the nation and their babies—the future citizens who will shape our nation.

I should say at the outset that I am well aware that good quality maternity services depend on the care and expertise that the key profession—midwives—provides. The rest of us, including obstetricians like me, are there to support them. I therefore fully subscribe to all the comments made about shortages of midwives and the quality of midwife care.

Before I go any further, I need to declare my interest: I am a lifelong obstetrician. I spent 37 years of my working life being one, and every minute of it was a joy and a pleasure. I would go back to it tomorrow if they let me—but they will not. I am also a fellow of several Royal Colleges, but that is totally irrelevant.

I am pleased to take this opportunity to put on record my eternal gratitude to all the thousands of mothers who afforded me the privilege of being a part of their lives at the most important time of their lives: during their pregnancy and the birth of their baby. I learned that pregnancy and childbirth give a whole new meaning to the word “beautiful”.

I had a special interest in looking after mothers who had preexisting conditions that could affect their pregnancy and the unborn baby, or who developed complications that may have threatened their pregnancy and the life of their baby. I was privileged to be able to do so. Understandably, these mothers were anxious and hoped all would go well. I remember one occasion when I delivered the healthy baby of a first-time mother who had diabetes and had had quite a challenging time during her pregnancy, to say the least. I noticed the pleasure on her face—I have seen it a thousand times; it is quite remarkable when a mother sees her baby for the first time—and I asked her how she felt. After thinking for a minute, she said: “I know the days will be shorter and the nights longer; clothes will be shabbier, but the future will be happier. I will forget the past. The baby will make love stronger. I was a woman yesterday; I am a mother today”. I will never forget that. To witness the joy in her face was a privilege. Sadly, according to recent reports, this is not the case for hundreds, if not thousands, of mothers. It should not be so. We should be ashamed that it is so for even one mother—but it is so for thousands, according to the reports already mentioned.

I was fortunate to be part of a team of professionals—midwives, obstetricians, anaesthetists, neonatologists and others—who were all committed to providing the best possible personalised care to all mothers and their babies. We never lost a mother in three decades, and had zero tolerance to intrapartum stillbirths. Weekly perinatal meetings were mandatory for all to attend to make sure that adverse events were fully discussed, learned from and never repeated.

[LORD PATEL]

The Government believe, as was noted by the noble Baroness, Lady Cumberlege, that the NHS is one of the safest places in the world to give birth. Minister, it was. In the past, our maternity services were where others came to learn. Why were our maternity units regarded as the best? It was because, as now, dedicated professionals provided safe, compassionate care to mothers and their babies, and took pride in doing so; and, importantly, they were left alone to get on with it.

Multiple reports from the CQC, as has already been mentioned, and independent investigations into several maternity units in England have shown that care is not safe, resulting in unacceptably high levels of harm to mothers and their babies. We all know that there are more such reports to come. While workforce shortages, pressures of work, lack of communication, and poor governance are all cited as possible problems, and they undoubtedly are and need to be addressed, I believe that the genesis of the long-standing problems is deeper and goes further back. Therefore, I support absolutely the plea made by the noble Baroness, Lady Cumberlege, for a new beginning for maternity services.

The response from the Government and organisations responsible for the delivery of maternity services to adverse reports is to produce more documents about what they will do—set up a task force, a workforce plan that may deliver in five or 10 years, safety organisations, three-year plans, long-term plans, and much more. These lack implementation plans or regular outputs to demonstrate success.

The quality of maternity services is a bellwether for the quality of services in the rest of the NHS. Levels of maternal and perinatal deaths are good indicators of the quality of maternity services, as evidenced by several of the investigations. In this respect, as has already been mentioned, the latest maternal mortality report is a cause for concern in many ways. Confidential inquiries into maternal deaths were formally established in 1954, although their predecessor existed from 1928: it is the world's longest-running successful audit system of healthcare and is a good barometer of the performance of the maternity service.

As has been mentioned, the latest report from MBRRACE of deaths between January 2020 and December 2022 shows that the rate of maternal deaths was 13.41 deaths per 100,000 maternities. That is the highest in the last two decades and much higher than the rate of 8.79 among the 2017-2019 cohort. Even after removing deaths due to Covid-19, the rate is significantly higher than among that cohort. The UK now has one of the highest maternal mortality rates in the developed world, compared with Norway's 2.79, Germany's 4.0—which, by the way, has remained static for 20 years—and France's 6.0. We are way behind.

The main causes are important. The first is thromboembolic disease. We require a clear strategy for how we are going to reduce this, because it has remained the number one cause now for decades. I urge the professionals—the Royal College of Midwives and the general practitioners, obstetricians and psychiatrists—to come together to produce clear guidelines on how these deaths will be reduced. The second is cardiac disease. These deaths are preventable. Third,

importantly and very tragically, are suicide deaths. These are vulnerable women whose mental health condition is not difficult to recognise during the antenatal period. They are women who might be abused in the house; women who are further abused when they take home a baby. We should not, as a society or as professionals, fail them, but we do. These 39 suicide deaths are tragic deaths: all maternal deaths are tragic, but these are particularly so. They are preventable and we should address that.

Maternal deaths also show up gross inequalities related to ethnicity and deprivation, as has already been mentioned several times. Black mothers have four times the risk, Asian mothers have twice the risk and mothers from deprived populations have twice the risk. These are not new or surprise findings, as mentioned by the noble Baroness, Lady Taylor of Bolton: inequalities in care and outcomes have been well documented for a long time. The Government have produced plans to try to reduce these, but none has shown any results. Can the Minister say which of the plethora of initiatives to reduce harm, deaths and inequalities in maternal health have had any effect? What benefits have been derived from the work of the Maternity Inequalities Oversight Forum, the Maternity and Neonatal Care National Oversight Group, the Maternity Disparities Taskforce, or the several other initiatives, in reducing inequalities and the deaths of mothers and babies and improving maternity services?

What we do have are repeated reports of high-profile organisational failures, soaring clinical negligence claims, huge variations in outcomes and in the culture of care, workforce challenges, inequalities in care and outcomes linked to ethnicity and deprivation, rising maternal and perinatal deaths, and serious safety issues, to the point that the regulator, the CQC, says that England's maternity units currently have the poorest safety ratings of any hospital services it inspects. Does this not all add up to a service that needs radical reform? Is it not time we had a root-and-branch independent review of maternity services that brings about the changes needed to have a world-class service that is compassionate, safe and delivers world-leading outcomes for mothers and babies? Can the Minister say why we should not have such a review, as part of his answer as to what difference all the initiatives so far have made to improve the service, with real figures to demonstrate it? I know he is fond of data as evidence.

12.36 pm

**Baroness Armstrong of Hill Top (Lab):** My Lords, I enter this debate with some trepidation, having heard contributions such as the last from such a distinguished obstetrician, but I thank my noble friend Lady Taylor for introducing the debate.

I echo what the noble Lord, Lord Patel, said: what happens in maternity services should be seen as a bellwether for the rest of the NHS. The CQC reports on maternity services that Members have referred to are really quite shocking. We know that for women who are pregnant, this period forms their view of the confidence they can have in the services that they are relying on during pregnancy. There is more than one: it is not just a midwife, it is the GP, it is whoever they see in community services, it is all the other services

that prop up their eventual delivery, and the post-delivery services, that are under the microscope here. During my period of chairing the Public Services Select Committee in this House, in virtually every inquiry, we came across women who felt that their relationship had almost been defined by this during their pregnancy: if it had been a poor experience, that introduced anxiety, concern and just a little trepidation about how they would make sure that their health and that of their family was looked after in future. I wanted to intervene in this debate to tease that out a little more.

I thank all the myriad organisations which have written to us about this debate, but also the Library. We are really privileged to have such high-quality research and attention paid to us. Too often, we take it for granted and forget to say thank you to the Library staff for doing that.

All the reports and briefings highlighted staffing and leadership, as the Public Services Committee did. For me, they underpin this whole thing. There is a crisis in staffing and in the skills mix there needs to be to ensure a happy and successful pregnancy for mother and baby, and there is certainly a crisis in leadership. Far too many of the good leaders have left, partly over Covid and partly because of additional pressures. The workforce plan on its own is not the answer. As the noble Lord, Lord Patel, said, you can have plan after plan and review after review, but without adequate implementation they will be just glorified bits of paper on the shelf.

I know well the chief executive of the Maternal Mental Health Alliance, because I worked with her in a charity that I chaired before she took up this role. I have heard from her over the past two to three years about the challenges in this area. I thank her team for their work and their briefing, from which I have benefited over many months rather than just for this debate. They are now working much more on the inequalities highlighted by most speakers today. In the Public Services Committee, we looked at what Covid revealed about our public services. It was absolutely clear that virtually none of them had understood the depth of the inequalities in how they responded to different racial and ethnic groups in our society.

We still have not got hold of what we need to do there. As the Minister knows, I have been anxious about this in terms of our preparation and trials of vaccines and how far they include ethnic minorities, because there are different genetic and cultural needs. Unless the workforce is sensitive and knowledgeable about that—practitioners must be enabled to be aware of it through their education and training, so that they can be sensitive to it when they are working with women from different cultural or ethnic backgrounds from their own—inequalities will be virtually inevitable. The Government have not been significantly sensitive to that in their approach, and that really concerns me.

Others have mentioned the stark reports from Embrace UK, which talk about not just the numbers but the effect on the women of their experiences. Others have talked about the numbers so I will keep my bit short, but, in looking at the care of black and white women whose babies have died, Embrace UK says:

“In around 1 in 2 baby deaths, the care assessed was poor. If care had been better it may have prevented the baby from dying ... For around 3 in 5 mothers, care after their baby died was assessed as poor. If it had been better, it may have meant bereaved mothers were likely to have been better supported in their physical and emotional health”.

For both white women and black women—I will leave Asian mothers to the noble Baroness, Lady Gohir, as I am sure she will speak about them—the report assessed their care as good in only around one in five of the deaths reviewed. This is about basic care, not necessarily medical knowledge. Honestly, I am ashamed that we cannot do better and support our workforce so that it does better. Those disparities are huge.

On attitudes, another charity, Five X More, identified that the use of offensive and racially discriminatory language and being dismissive of their concerns was too often the experience of black, Asian and minority-ethnic women. Significantly, there was also a poor understanding of the anatomy and physiology of black women and of the clinical presentation of conditions in babies of black women. Then there were the racially based assumptions about the pain tolerance, education levels and relational status of black women. These are all issues in the basic care and attitudes experienced.

Most shockingly, mental ill health is the most common complication of pregnancy in the UK. At least one in five women experiences a mental health problem during pregnancy and after birth, and suicide is the leading cause of maternal death in the post-natal period. Again, this is honestly shocking. We need to be able to intervene much more appropriately. Midwives are ideally placed to ask sensitively about mental health in their routine contacts with women, but too often that simply does not happen.

Again, I come back to the fact that this is the time in women's lives when they will have the most interactions with healthcare professionals, so it is the time to make sure that mental health becomes a normal way of working with women when they present to healthcare professionals—I do not see pregnancy as an illness—in whatever sense. Attention to mental health must be part of how they are handled.

I am really trying to say that there are lots of things that we know the Government must do. They need to get on and do them rather than continually doing reviews. Here I disagree with some other speakers; we need to get on and improve the services in the way that so many of us have been told they need improving.

12.48 pm

**Baroness Watkins of Tavistock (CB):** My Lords, I draw attention to my registered interests in healthcare. I thank the noble Baroness, Lady Taylor, for bringing this important debate to the Chamber. Her speech was an absolutely laser-focused analysis of the current situation and summarised many of the issues that I will return to—without, I hope, too much repetition.

The current state of maternity services in England is of concern to many stakeholders, but this must be put in context. Most expectant mothers and their significant others receive high-quality care during pregnancy and are delivered of healthy babies. However,



[BARONESS WATKINS OF TAVISTOCK]  
the latest CQC report rates 10% of maternity services as inadequate and 39% as requiring improvement. This margin of error in such a vital service is really concerning.

Shockingly, safety and leadership remain particular areas of concern, with 15% of services rated as inadequate for safety and 12% rated as inadequate for being well led. I think we can all agree that this is an unacceptable failure of the women, their partners and babies in this country. Of particular note is the fact that poor provision is disproportionately failing many mothers from minority-ethnic groups, as others have outlined, but also white women who suffer economic deprivation.

Many factors contribute to this situation. Part of it might be that there has been less regard for the profession in the last decade than there was. I remember coming to the end of my general nurse training, just 500 yards down the road, and being asked what I was going to do next. I said I wanted to do mental health nursing, and I still remember the sister tutor saying to me, “But you’re bright enough to be a midwife”. We should hold on to that. I am happy to tell you that I got an obstetrics certificate so that I could work abroad and ended up as a mental health sister with a mother and baby unit in that ward—so I actually used it wisely.

Midwives are now men and women, and we do not seem to have recognised that in some of our structures in multidisciplinary teams. With men, we hoped that it would improve the provision of employment for midwives, as well as double the amount of people from whom we could recruit the pool. That does not actually seem to be working as well as we might have hoped.

Quite frankly, most multidisciplinary teams face large, unmanageable caseloads, and have to work with what—in some areas—are unsafe staffing ratios. To my mind, they often do not receive fair compensation for their important work. As commended by the CQC 2023 report, midwives and staff on maternity wards go above and beyond, when possible, to provide the best care.

However, services are being pushed to breaking point. As has already been acknowledged, it is estimated by the Royal College of Midwives that we have 2,500 full-time vacancies. This obviously leads to overload and understaffing in some areas, and the quality of care provided is put under threat. This is recognised in the 2023 NHS England *Three Year Delivery Plan for Maternity and Neonatal Services*, which highlights that supporting the workforce to develop skills and extra capacity is vital to providing future high-quality care.

I want to put this in context. When I went off to do mental health nursing as a second qualification, I was paid as a staff nurse. Now, it is almost impossible to get a second qualification without going back on a bursary. I will leave that for people to think about. I therefore support the commitments that have been made to ensure that trusts will meet staffing levels and achieve full rates for midwifery by 2027-28. However, it remains very difficult for a registered nurse to do a shortened course to become a midwife. I therefore suggest that women will continue to face what some do now: hurried care with staff having little time to provide truly person-centred support.

Like many other contributors to today’s debate, I have my own children and know that good health during pregnancy and labour and postnatally is vital. So is good healthcare. If you do not start with good health and then have poor healthcare, that is a pretty difficult situation. Staff need time to listen to mothers and fathers and to act when concerns are identified. As I have told this House before, with my first child, I felt ill. My husband came to visit me in the hospital the day she was born. I do not remember this, but apparently I grabbed his hand and said, “You will look after this baby if I die?” Then he realised he should go and talk to somebody, because this was not the way I normally talked about things. I had fantastic, fast intervention and had my baby within half an hour—who I am pleased to tell you is now a taxpayer. That was a good, cost-effective solution, but too often people do not listen to significant others, who sometimes understand very well what mothers are saying. We therefore cannot rest the whole responsibility on the mother in a time of distress.

It is necessary to think seriously about access to interpreters on a 24-hour rota system, so that women who are unable to speak or understand English because it is not their first language can be assisted in communicating with the staff caring for them. We have situations in some areas in which it is impossible to get an interpreter. That makes the situation really difficult, both for the midwives and for the mother. One cannot always rely ad hoc on a relation interpreting what is really going on. Can the Minister comment on how access to interpreters is monitored within the NHS and, if this is not being undertaken, can he ask the Government to make provision to do so? I have been informed that this is particularly important in genetic counselling in families from cultures that are different from those of the midwives involved.

Staff are often unhappy due to pressure at work, in part associated with low levels of staffing. As other noble Lords have said, it is also because senior midwives are retiring or retiring earlier than planned, for a variety of reasons. Many who are leaving are specialist mid-career midwives, whose skill set cannot be easily replaced, particularly in terms of supervising student midwives. I am really proud that the daughter who is the taxpayer is a teacher. However, teachers get rewarded on top of their salaries for supporting student teachers if they are the lead in it. This is an example of something we could learn from.

In part, retention issues reportedly stem from inflexible working practices. Flexible working is difficult to manage in a 24-hour, seven-day service. I know; I have tried it. However, some trusts have much better retention than others. How can best practice be shared and replicated to retain midwives across the NHS services?

The stress of unmanageable expectations at work is creating burnout, as some others have reported, and encouraging some midwives to leave the profession. Perhaps we should think about a structure for sabbaticals for some midwives. Midwifery is, at the best of times, hard physical and emotional labour. We do not always recognise that. When things go well you get the rewards but, as my noble friend Lord Patel has just spoken about, when things go badly it can be devastating.



Capacity is being undermined by a lack of investment in continual staff development. This is highly worrying because, as others have said, we face an increase in complex births, as more women are giving birth over the age of 35—as I did—maternal diabetes has increased, the use of induction and caesarean has increased, and pre-term births are becoming more common. These cases require specialist skills so that mothers and babies are safe. However, a lack of training and development opportunities for midwives, both men and women, can lead to a deficit of skills that are vitally needed for our specialist services to survive in the future. Midwives need to be skilled at recognising complications in pregnancy, ensuring that they pass those to other members of the multidisciplinary team for assessment, so that, wherever possible, early intervention can be undertaken.

The vast majority of our student midwives in England report having to take on additional debt, over and above the loans available to students, to cover their basic costs. This is undoubtedly putting people off coming into midwifery. The National Union of Students reported a worrying drop in applications to university courses, from 13,500 in 2021 to just over 10,000 in 2023. Can the Minister say whether the Government will consider the NHS undertaking loan repayments for university fees after, say, three or five years of NHS service? It would aid the retention of midwives, nurses and indeed junior doctors, as well as other professions allied to medicine.

Our midwives work tirelessly to provide the best care they can, but they are often unable to do so because of the issues highlighted by other noble Lords and in my own contribution. We must ensure that these issues are tackled, so that every woman is provided with truly person-centred, skilled and compassionate care, and that all babies have the best possible start. The Royal College of Nursing has produced nursing workforce standards that could apply to paediatric intensive care units. Similarly, the Royal College of Midwives has provided evidence on the necessary ratios of midwives to expectant mothers at differing stages of pregnancy. Are this Government prepared to consider legislation on workforce standards in the NHS in future?

1.01 pm

**Baroness Donaghy (Lab):** My Lords, I thank my noble friend Lady Taylor for initiating this debate with her usual thoroughness and elegance. If the recommendations made by the noble Baroness, Lady Cumberlege, were all implemented, we could go home now. The noble Lord, Lord Patel, nearly made me cry. This is a very important subject, and I am glad that it is being debated. I hope that, even with all the other difficulties that the health service is faced with, the Minister will take on board the vast experience in this Chamber on this subject.

When I was a non-executive director at King's College Hospital NHS Foundation Trust, we were fortunate to have Cathy Warwick as the lead for maternity services. Directors were kept well informed about what was happening, but I understand from various CQC reports that that good practice does not exist.

I will cover items about the pay structure and about those who experience birth trauma of a severe kind—as well as a little about the deterioration in maternity care; but that has been well covered, so I will reduce that section of my speech.

I believe that the NHS pay dispute was avoidable. The origins go back to the clumsy and arrogant stance taken by previous Health Secretaries. One Health Secretary took the junior doctors on some years ago and beat them. Ministerial memories may be short, but junior doctors have longer memories. Whether they are badly led or well led does not matter; the strength of feeling is still there.

I will refer to the Government's consultation on creating a new pay scale for nurses and midwives. Having had experience of this, I would caution the Government against any separation for a number of reasons. The Agenda for Change pay structure, carefully negotiated over a long period of time, is underpinned by the NHS job evaluation scheme, which determines the levels at which all healthcare professionals are paid. A separation of the nurses' pay structure would divide and rule, which is irresponsible in the long term. It would not lead to more money or more midwives, it would not help with the chronic retention problem and, most importantly, it will lead to equal pay claims and a serious risk of unplanned extra costs.

That is not a theoretical view. When I first arrived at ACAS, I was faced with over 500 equal pay claims from ACAS staff. It caused a great deal of amusement from my previous TUC General Council colleagues when they heard I got the job of chair. This was in the days of a Labour Government, so I am not making a party-political point on the subject of pay structures. The problem arose because of the break-up of the Civil Service negotiating structure and the separation of grading by government departments and non-departmental public bodies. ACAS, as an organisation, given the problem of 500 equal pay claims, was faced with sclerosis and low staff morale and risked being a laughing stock, because it was supposed to solve employment relations problems, not be the centre of them.

It was clearly a priority for the ACAS council and the new chief executive to solve. I will not go into the details of how it was done—why give away trade secrets?—but it cost us £10 million. We were given the money by government, but exactly the same amount was taken off us the following year. Subsequent redundancies cost us hundreds of staff and thousands of years of experience. Compared with the number of nurses and midwives, that cost is small beer. I urge the Government to think very carefully before they leave such chaos behind.

The Minister will no doubt be aware of the All-Party Parliamentary Group on Birth Trauma and its recent launch of a parliamentary inquiry on birth trauma. It is co-chaired by Rosie Duffield MP and Theo Clarke MP, and will be assisted by the charity Birth Trauma Association. Its stated aim is to collect evidence so that government can take practical and achievable steps to improve care and support for new mothers and their partners, and incorporate birth trauma into the women's health strategy. The stories told by some

[BARONESS DONAGHY]

women of their experience are horrifying, and the physical and mental trauma suffered by some are often unrecognised by the very professionals who should know better.

A relative of mine gave birth to two children and the effect on her was shattering. Her mental health did not recover for two decades. She spent months in a mental health institution after each birth. This might have happened under any circumstances, but recognition of the dangers, and the right information and preparation, might have led to a different outcome.

Recent CQC inspections reveal that maternity units are failing women; the figures have already been stated. According to the Birth Trauma Association, some women who have had a dreadful experience find that they are not listened to. They say that complaints are met with attempts to minimise the women's trauma and deny responsibility. Frequently, the BTA was the first organisation to listen to women's accounts and acknowledge their trauma.

A common feature is the failure to acknowledge pain levels. In a recent television drama series, two of the regular male doctor characters were challenged to take a test to experience similar levels of pain to those experienced by women in childbirth. The test went from "mild" to "severe", and they were only half way up the painometer before they pleaded for it to stop. I know that it was a drama—although we have learned how powerful dramas can be, in different circumstances—but it clearly illustrated a point that women have been making for centuries. I should add: please do not try this at home. Will the Minister ensure that his department studies the results of the APPG inquiry when it is published and take steps to improve things?

Finally, the CQC's 2022 maternity survey, designed to assess the quality and safety of maternity services in England, received over 20,000 responses. They showed that experiences of maternity care have, as has been said, deteriorated, particularly over the last five years. The issues of availability of staff, confidence and trust, and communications and interactions with staff have already been outlined.

I should emphasise, as did the noble Baroness, Lady Cumberlege, that the majority of respondents were satisfied, but sometimes it is now a very narrow majority. For instance, in-hospital care after birth showed that a worrying 57% of respondents said they were always able to get help, while, as my noble friend Lady Warwick said—she has already mentioned the shortage of 2,500 midwives—the Royal College of Midwives has described the impact of staff shortages on women as "stark and sobering".

Up to now, the Government have said that they have no plans to commission a public inquiry into the future of maternity services, despite the fact that it has been suggested by the Maternity Safety Alliance and Mumsnet. Can the Minister say in what circumstances the Government would change their mind about a public inquiry?

1.10 pm

**Baroness Gohir (CB):** My Lords, I declare my interests as set out in the register, in particular that I am the CEO of the Muslim Women's Network UK. In that role, I published a maternity report, *Invisible: Maternity Experiences of Muslim Women from Racialised Minority Communities*, in 2022. I thank the noble Baroness, Lady Taylor of Bolton, for securing this important debate because, despite the many research reports and inquiries that we have had, we are still waiting for a step change in the improvement of maternity care. I will focus my comments mostly on maternity disparities for minority-ethnic women, data training and accountability.

Data is crucial to really understand inequalities. However, when maternity data is often broken down by ethnicity, it is usually done so into broad groups such as black, Asian and white, which masks the inequalities among different subgroups; they then remain invisible and continue to have poor outcomes. For example, Arab women are rarely spoken about but the research that I conducted found that they have poor outcomes compared with other minority-ethnic groups. In the south Asian group, Bangladeshi women tend to have the poorest outcomes. Among black women, I found that black African women and mixed-race women tend to have the poorest outcomes.

I also have concerns about poor outcomes for women from, for example, eastern European backgrounds, so it is also important to break down the white group further. In this group, women with lower educational levels, single mothers and very young mothers—in other words, women who have less of a voice—are also likely to have poorer outcomes. Can the Minister say when the Government will have a detailed strategy that responds to the inequality experienced by each group?

One way of responding to inequalities more quickly rather than just waiting for datasets, which can take time to produce and analyse, is to use feedback from the complaints system. However, research—even hospital complaints data—often shows that there is a low level of complaints from particular groups, certainly minority-ethnic ones. Can the Minister say what action the Government are taking to ensure that families are aware of the complaints procedures? How will they have confidence in that service?

Given the poor experiences of minority-ethnic women, one would expect them to be overrepresented in maternity litigation data, which would help to indicate where the risks are for them. If they are underrepresented, it would indicate that they are not being compensated for the harms that are being caused to them. I decided to investigate this issue during my research so I put in a freedom of information request to NHS Resolution, the body that deals with claims of compensation on behalf of NHS England and which apparently works to resolve concerns and share learning and improvement. I was shocked to receive the following response in 2021:

"In terms of ethnicity breakdown, this information is not held as it is not recorded in our claims management system".

This was astonishing given that ethnicity data is routinely collected by the NHS and is crucial for identifying

inequalities between different groups. This is perhaps one of the clearest examples of systemic discrimination by the NHS.

I have since had letter exchanges with the CEO of NHS Resolution and asked for ethnicity data to be recorded. The response has been positive: I have been told that the data management systems are being upgraded now to record all protected characteristics. I have been informed that it may be a voluntary option, however, which is likely to result in low data capture. Yet this data can be pulled in from hospital records; it is routinely collected. I have also been informed that data and trends will be shared only internally for learning, so how will the public identify trends and hold the NHS to account?

I ask for assurances from the Minister. Will he ensure that NHS Resolution collects protected characteristic data from the hospital management systems, rather than on a voluntary basis, and that this information is made available to the public? This would help identify inequality among different groups for all types of medical negligence claims, not just maternity claims.

Next, on training, although workforce shortages will no doubt contribute to poor healthcare staff attitudes and poor maternity care, many maternity research report findings provide clear evidence that there exists among some midwives and obstetricians a culture of being desensitised to women's pain and of having negative attitudes towards women, which is even more pronounced for women from racialised minority communities. How do the Government plan to address the issue of patient engagement and cultural competency training? Having served on a hospital board, I know that, if a maternity ward is short-staffed, staff will not have the time to undergo such training. Also, the UK has large numbers of doctors and nurses recruited from abroad. Their culture of patient care is likely to be different. Here I refer to non-medical aspects of patient care. Does the Minister agree that some kind of approved patient communication training should be mandatory for recruits from abroad?

Finally, have the Government pulled together the many recommendations made by numerous maternity reports, such as those from Birthrights and Five X More—including the one that I authored—to ensure that the recommendations are being implemented? The Government's women's health strategy does not adequately deal with many health inequalities for women—minority-ethnic women in particular—including maternity disparities. More needs to be done there; the strategy needs to be strengthened. I therefore urge the Government to appoint an independent maternity commissioner from outside the NHS to provide scrutiny and hold all agencies to account, which would benefit all women. We have commissioners for many other areas. In maternity services, too many babies and mothers are dying or ending up with poor outcomes, which can have lifelong consequences. Will the Minister agree to the appointment of a maternity commissioner?

1.18 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, it is a pleasure to follow the important speech of the noble Baroness, Lady Gohir. Her words reflect what I heard last night at a meeting with Justice for Windrush

Generations, where there was a reflection that minoritised communities share the experience of inequality and discrimination but the individual experience of different communities is different and needs to be acknowledged.

I thank the noble Baroness, Lady Taylor of Bolton, for securing this debate and reminding me of a meeting that I attended in Huddersfield in 2016. It had 480 people stretched across two meeting rooms with hundreds of people outside, unable to get into the room. It was the "Hands Off Huddersfield Royal Infirmary" campaign. I note in looking around today that a book recounting that campaign, *Fighting from the Heart* by Cormac Kelly, has just come out. It will pick up one of the themes of my speech: we have rightly been focusing on listening to individual patients but we also need to listen to communities and the demands that they make of their maternity services. The case of what has happened with Huddersfield Royal Infirmary is an example of that.

I am perhaps quite unusual in this debate in that I bring neither personal nor professional experience, so I put the topic out around the Green Party to collect people's views and experiences. One that came back shocked me a little, and I will anonymise it because I am referring to a member of staff. This member of staff reflected on her personal experience. She was a professional woman in London, so you would have expected her to be well equipped to navigate the system, but her experience was that she did not have the NICE-recommended number of antenatal appointments and, as a result, a serious issue was missed. That reflects on an individual level what we are hearing from all the royal colleges et cetera about the inadequacy of services in all the statistics.

Coming back to the community point, a Green Party Birkenhead and Tranmere councillor, Amanda Onwuemene, who is herself a former midwife, drew my attention to the current perilous situation of the Liverpool Women's Hospital, which is threatened with closure. The alternative accommodation and services being proposed do not match those being lost in maternity and other services, and the NHS and the women of Merseyside are being shortchanged again.

I want to look at what is happening there because it is a reflection of something we have not talked about very much: the issue of private finance initiatives, the privatisation of the NHS and how it has cut away at resources. That is reflected in what is happening in Liverpool and other places. The concern is that a particular quality of service is at risk of being lost.

That is also reflected in what is happening in London, where NHS North Central London is consulting on the potential of closing one of two maternity services in London hospitals due to fewer births. These are the Whittington and the Royal Free. If someone from outside London looks at a map, they might look at those two and think that they are not too far apart, but anyone who knows this area—and I do well from previous political campaigning—will know that the public transport provision heading east-west across London is extremely poor. People frequently have to take three buses to get from the east of what is the Whittington's catchment area to the Royal Free, and people need local services and that is something that



[BARONESS BENNETT OF MANOR CASTLE] really must not be lost. I quote Mayani Muthuveloe from Whittington Maternity and Neonatal Voices, who told BBC London that there was a real “sense of reassurance” from giving birth in hospital near to where family and friends live, and that travelling to a facility further away would “add pressure” on patients.

We are seeing not just overall quality of service issues, but an issue of loss of local services. It is worth contrasting this with the Government’s own words in commenting this month on the women’s health strategy for England. That is focused on expanding women’s health hubs and, rightly, on maternity care,

“continuing to deliver on NHS England’s 3-year delivery plan for maternity and neonatal services”.

So the Government have plans for this, but, as we have heard from so many noble Lords, we are not seeing the outcomes that we desperately need.

I will pick up some points made by the noble Baroness, Lady Gohir, because the figures are deeply shocking. These are grouped figures, because those are what the NHS provides, but I am relying in part on the briefing from the Royal College of Obstetricians and Gynaecologists. Women from black ethnic backgrounds were three times more likely to die during or up to six weeks after pregnancy, and Asian women twice as likely. Deaths from mental health-related causes, as many noble Lords have highlighted, account for nearly 40% of the deaths occurring within the year of an end of pregnancy. I have a direct question here. Will the Government, as the royal college is calling for, commit to a time-limited target to reduce maternal inequalities to drive the innovation, improvement and, crucially, investment that is needed in these areas?

I will briefly pick up a point made by the noble Baroness, Lady Watkins, because I think it is terribly important. There is no doubt that the serious, major issues we are seeing in the outcomes of maternity services reflect more broadly the poor level of public health across our entire population. This is where I run into the Green Party problem, which is that everything is related to everything else. When you bring systems thinking in, you need to think and talk about everything. When we are talking about maternal health, we have to talk about people’s working hours and commuting time. Are people able to work from home? Do people get the breaks and the kinds of working conditions they need to have a healthy pregnancy and birth and to provide healthy care for their baby?

I was looking at a really interesting study from the University of Swansea about how, counterintuitively, during the biggest period of lockdown during the pandemic, when there were real shortages in the provision of services—probably unavoidably—in Wales, they found that rates of breastfeeding, successful breastfeeding and length of breastfeeding actually went up. This is where we need to look at that social setting. If people are able to work from home, if they are at home and if they have less commuting time and are able to spend more time with a newborn, you end up with healthier outcomes. While we have to acknowledge that breastfeeding cannot and will not work for everybody,

we all know that it is crucial for the health outcomes of both mothers and babies to encourage that as much as we can.

I am sure that pretty well all noble Lords have received the perhaps predictable but important flood of briefings before this debate from Mumsnet, the Royal College of Midwives, the Royal College of Obstetricians and Gynaecologists, to which I have already referred, Baby Lifeline, Sands and the Care Quality Commission itself. They all stress the huge problems with the workforce, particularly people not being trained or having to be trained under conditions of extreme debt and, of course, the number leaving the professions, particularly midwives.

I am reminded of a trainee midwife who I spoke to just as the change was being made that midwives would be loaded down with debt through having to pay for their own training. She was, as is often the case, doing a second degree. She had done one degree, had worked, had a couple of children and decided to retrain as a midwife. She was speaking of her experience of being a trainee midwife in a birth suite where, tragically, there had been an unexpected stillbirth. It happened that all the fully qualified professionals in that room were occupied with medical things and she found herself comforting the mother who had just had an unexpected stillbirth. I find it obscene that people are now having to pay fees to be doing something like that as they are completing their training. I do not think that is acceptable.

I have some more on the debt point. These figures are from the Royal College of Midwives. Three-quarters of the student midwives in England surveyed expect to graduate with debts of more than £40,000. Just 1% expect to graduate with less than £5,000 of debt. About half—47% of all student midwives in England—have a job outside their training in order to earn money, and that job is unsurprisingly having a negative impact on their training. That cannot be acceptable. It cannot set people up for a long-term, secure, stable career in midwifery. I am referring here to the Sands briefing, which states that the lack of staff puts more pressure on the existing staff, so more people leave, and then the lack of staff puts more pressure on. It cites a midwife, who says:

“Staff are frightened to work in an understaffed under-resourced unit, for fear of mistakes or incidents occurring due to the high activity and understaffing. Fear of investigations as a consequence and fear for their mental health and wellbeing as a result”.

This is what we are doing to our midwives.

I have one financial point to make, drawing on the Mumsnet briefing. The Government paid out £2.6 billion in the past year as a result of failures in maternity and neonatal care in the NHS. This is costing us enormously, including financially. Circling back to my initial point about the importance of local facilities, women’s facilities and listening to communities, I looked up Historic England, thinking about the situation in Liverpool. The first women’s hospitals appeared in the 1840s. There were 12 by 1871. Many people may know of the site, no longer there, where Elizabeth Garrett Anderson founded the New Hospital for Women, London, on the Euston Road. We have been through several cycles. In early modern times we had female midwives who, by the standards of the time, provided good-quality



care. We then saw the arrival of male midwives, which actually saw more deaths. Then in Victorian times we saw the upswelling of women's services. We are now at risk of losing them again. This is a cycle we need to break.

1.30 pm

**Baroness Thornton (Lab):** My Lords, it is a great pleasure to be taking part in this debate, and I thank my noble friend for her balanced introduction. I declare an interest as the maternity safeguarding non-executive member of the Whittington Hospital board and, of course, my day job as the shadow Women and Equalities Minister, both of which will inform my contribution today.

My life and possibly my son's life might have been lost without maternity services when he was born 37 years ago at the Homerton University Hospital. I think he was the fifth baby born there—it was a brand new hospital—and the midwife and I were wandering around trying to work out where the light switches were. There is no doubt that they saved our lives; 100 years ago, we would both have died. We must recognise the great progress that has been made in antenatal and natal care in our NHS. I was particularly moved by the contribution of the noble Lord, Lord Patel, the importance of which is reflected in the Ockenden review and the need for multidisciplinary teams in our maternity units. We are talking about not just midwives but the role of people such as the noble Lord and our gynaecologists.

I meet amazing and dedicated midwives in the course of my work as a non-executive member of the Whittington Hospital board, and they are all too aware of the challenges they face, because there is a desperate need for more resources and better staffing. The Whittington is an old hospital. Some bits were built in Victorian times, including the entrance to our maternity unit, which might still have “lying-in” signposted on it. The noble Baroness, Lady Cumberlege, graciously opened a new birthing suite for us about a year ago and will bear testament to our having to adapt our facilities all the time.

One thing I am sure of is that a change in culture is still required in the NHS if it is to place the value on maternity services that it places on other medical services. I was conscious that maternity did not feature as often or as highly as it should have in our governance arrangements. It does now, but that is probably writ large in our hospitals right across England. As my noble friend Lady Taylor said, the core of the challenges outlined by the Ockenden and CQC reports is staffing. In its briefing, the Royal College of Midwives notes all the relevant points: 2,500 midwives are missing, we need to improve retention of experienced midwifery staff and increase the number of newly qualified midwives, and we need to place real value on our existing maternity services. There is no doubt that some maternity services have failed women and families. It is important that those lessons are learned and that we ensure that those mistakes do not happen again.

We must eliminate the stark, persistent, unacceptable disparities in the maternity death rates suffered by black women, Asian women and women from some of our most deprived areas, as eloquently described by

the noble Baroness, Lady Gohir. I agree with her about the need for collecting data. Having been involved in equalities work for a very long time—some 40 years—I know that if you do not monitor and do not have the data, you cannot know where discrimination is taking place or show where deeply rooted discrimination is embedded in our systems. You have to collect that data. This Government have not always done that, and occasionally they have stopped funding. They need to collect that data.

The Commons report on black maternal health was vital to this debate. I raised this with the then Minister, and we had an exchange about the root causes of black and ethnic minority mothers dying at a starkly higher rate than white women. We both agreed that it was partly embedded racism in our maternity delivery services, and partly socioeconomic reasons and deprivation in some of those communities. That does not mean that we do not need to address this. A report by the Muslim Women Network said that black Muslim women, especially black African women, were most likely to receive poorer standards of care, followed by south Asian women, particularly Bangladeshi women. The Commons report noted that the themes included—as the noble Baroness, Lady Gohir, said—a gap in data and information collection on the needs, experiences and outcomes of minority ethnic women; women not being listened to; and women receiving care that was neglectful and lacked dignity and respect. Those are some of the challenges we need to address in tackling the difference in mortality rates in our maternity services.

We also need to recognise that we must take urgent action to tackle what is acknowledged as systemic racism in UK maternity services. It is always hard to say that when you have worked in public life on equalities for as long as I have, but the noble Baroness, Lady Gohir, absolutely illustrated it. I am shocked. I did not know that we were not collecting data on the claims and financial implications of maternal and infant death.

I turn to a more positive story concerning working with a general integrated hospital at a local level, like my noble friend Lady Taylor. We are both from Yorkshire, and Bradford and Huddersfield are the hospitals with which I am familiar at home. We know that it is important that those hospitals respond to the needs of the populations they serve. As an adopted Londoner and a non-exec at the Whittington Hospital, I can tell the House that we have tried to address these issues in various ways. I want to mention some of them because they are important. We are a local general hospital slap-bang in the middle of the inner city, serving mostly the very mixed population of Islington and Haringey. By the way, I am particularly proud of the fact that during Covid, all our births were attended. We did not stop fathers and relatives being present at the birth of babies in our hospital.

The specialist services that our midwives offer have to reflect the needs of our local population. I am impressed—and I hope this will be a generalist remark—that, for the varying conditions presented by pregnant women, whether epilepsy, diabetes, bipolar or sickle cell, we have midwives who are specialists in those areas. They need to be, because these conditions would have been barriers to giving birth in the past or would

[BARONESS THORNTON]

have made it a very dangerous procedure. In our part of London, we have a sickle cell unit in our hospital—it is a generalist unit of which we are very proud, and it has this very specialist unit—and, of course, it works right across into our maternity unit. That is very important, because we have mums coming in who have sickle cell, with all the problems that that presents.

As mentioned by the noble Baroness, Lady Watkins, for instance, combining midwifery with other expertise and experience, particularly mental health services, is very important. A woman who has a serious mental health condition and is having medication for that will need to be carefully monitored right through her pregnancy. Those specialities are very important indeed, to say nothing of the fact that mental health problems can sometimes assert themselves anyway as a result of a pregnancy.

The second thing I want to talk about is female genital mutilation. As a local hospital, in 2000, we had to respond to the fact that we had a growing number of pregnant women presenting who had suffered female genital mutilation. So the Whittington Hospital now has a female genital mutilation clinic, which used to be known as the African Well Woman Clinic. It was established in 2000 by a woman called Joy Clarke. Today, that clinic provides services on FGM: counselling, antenatal care, assessment, de-infibulation—reversal of FGM—and post-surgery and postnatal follow-up. It provides that service not only in Islington and Haringey but to the whole of London, and women from all over the country come to avail themselves of those important services. The midwife who leads it is called Huda Mohamed. She trained as a midwife at the hospital, joined the FGM service in 2012 and became our FGM lead in 2016. It is such a highly regarded service nationally, and she has played such a crucial role in providing a comprehensive and holistic approach to managing and raising awareness of FGM and the significantly positive outcomes and benefits for women who have undergone this procedure. She was given an MBE in the New Year Honours List, and we are very proud of that.

1.42 pm

**Baroness Bull (CB):** My Lords, like other noble Lords, I congratulate the noble Baroness, Lady Taylor of Bolton, on initiating this important debate and on her comprehensive introduction. It is a privilege—but, as has already been noted, somewhat daunting—to speak in this debate among so many acknowledged experts and long-standing contributors in this area.

The always excellent Lords Library briefing, already mentioned, highlights an issue raised by several noble Lords across the House: the experience of maternity services is not equal for everyone, and, once again, already marginalised communities and those in less privileged situations report a poorer experience of maternity services. I want to use this opportunity to highlight the experience of maternity services in England for another group who are not often included in these debates: women with learning disabilities.

The 2016 National Maternity Review set out NHS plans to improve maternity care and the care of people with learning disabilities. Despite this, the experience

of maternity care for those women is still found to be consistently poorer than for the rest of the adult population.

A learning disability affects the ways in which people understand information, learn new skills and communicate. It may also mean a reduced ability to cope independently. Learning disabilities are often unique to the individual and can present in many forms, some obvious and some more covert in nature.

Of course, the general good principles of person-centred care apply to caring for people with a learning disability, but the challenges of pregnancy for women with learning disabilities, which include higher risks of perinatal complications and caesarean delivery, mean that midwives and other health professionals need particular skills and knowledge if they are to provide this person-centred care through pregnancy, childbirth and early parenthood. Without this specific skill set, the needs of these women cannot be met.

Significant emphasis needs to be placed on effective communication and the application of reasonable adjustments, to prepare parents and offer them practical and emotional support through their path to parenthood. People with a learning disability need to understand their midwife, and they need a midwife who understands their needs and knows how to provide the right support. That midwife may also need to educate and support other health and social care professionals they encounter on their journey to do the same.

The importance of continuity of care cannot be stressed highly enough when providing care to people with a learning disability. Equally important are the collaborative efforts of professionals to build a network of trust and care, which needs to be available through the parenthood journey, beyond birth, to best assist parents in bringing up their child and avoid those regrettable cases when children of parents with learning disabilities are removed from their parents' care.

Public Health England's 2016 recommendations and the Equality Act 2010 state clearly that people with learning disabilities should be provided with reasonable adjustments. If adjustments are not put in place to accommodate the complex and diverse needs of pregnant women with learning disabilities, they may be subject to a system that just does not work for them. One example is fast-paced appointments in which they are asked to absorb high levels of complex information and make informed choices at speed.

Writing in the *British Journal of Midwifery* in 2019, Samantha Vernon reported the findings of her research internship at the National Institute for Health Research into maternity services for people with learning disabilities. Her interest stemmed from her 19 years of clinical practice, in which she identified an increasing number of women with learning disabilities presenting for care in her trust but found no mention of learning disabilities in the 2019 NICE guidelines and no specific care pathway for women with learning disabilities.

Among her conclusions, she recommends the broader use of a "passport" for pregnant women with learning disabilities—a document prepared with the antenatal team that goes with these women through their maternity journey to help all the health professionals they encounter understand the ways in which that person's learning

disability affects their interactions with obstetrics and midwifery services. This would include critical information, including on reasonable adjustments, updated as appropriate, and would reduce the need for patients to be questioned over and over again, thereby reducing stress and saving NHS time. I know that hospital passports are now recognised for use by people with learning disabilities but it is not clear how actively they are promoted in maternity services. Perhaps the Minister could comment on that.

Samantha Vernon's other key finding, perhaps unsurprisingly, is that formal training on learning disabilities needs to be increased so that health professionals can recognise and support women with learning disabilities through pregnancy, childbirth and early years care. This aligns with Mencap's research, which uncovered a patchy picture in which the number of hours devoted to this content and the level to which this learning is assessed varies widely. Its 2017 Treat Me Well campaign showed that 69% of registered nurses wanted more training about learning disabilities. A qualitative study from Dr Emma Castell in 2016 found that midwives often felt inadequately equipped with the necessary skills and training to care for women who have learning disabilities.

These studies are from some years back and there have clearly been some improvements in the intervening years. In January last year, working with NHS England and supported by the National Institute for Health and Care Research, the University of Surrey's Together Project published a toolkit and guidelines to support the delivery of good practice in maternity services for parents with learning disabilities. This was based on existing research, best practice reviews and several interviews with health and social care professionals, parents with learning disabilities, and their supporters and carers. It is a clear and accessible guide, with practical and implementable evidence-based actions that can be taken. Can the Minister confirm whether this toolkit is widely available across all maternity services?

People with a learning disability—including those who are pregnant—are protected by a legal framework that entitles them to reasonable adjustments, so that they can access services; adjustments to communication; support with decision-making; the right to a family life; and dignity in care. Yet Mencap's experience of providing training across several hospital trusts leads it to conclude that attitudes towards people with a learning disability can vary. It reports that, in some healthcare professions, including at senior levels, there are misunderstandings about what a learning disability is; lack of awareness about health inequalities; low awareness of the support required and the need to adapt communication; and a need for guidance on the implications of and responsibilities under relevant legislation, including deprivation of liberty safeguards. This last point is particularly important for midwives looking after women with learning disabilities, who need to be able to understand and apply the Mental Capacity Act, the Equality Act and the Human Rights Act to ensure that the needs of the women in their care are met and their rights upheld.

The 2022 *Women's Health Strategy* sets out the Government's ambition for England to be "the best place in the world to give birth through personalised, individualised, and high-quality care".

If this goal is to be achieved, training for midwives must equip them with the skills and competencies to support all women, including those with learning disabilities, through and beyond pregnancy and childbirth. In responding to this important debate, can the Minister assure the House that this training is taking place? Perhaps he could outline what steps the Government are taking to ensure that the rights of parents with learning disabilities to access maternity services free from discrimination, where their rights are respected and they receive high-quality, person-centred care, are being upheld.

1.51 pm

**Lord Allan of Hallam (LD):** My Lords, I am also grateful to the noble Baroness, Lady Taylor of Bolton, for the debate, and to all speakers, whose points will inform my contribution. Like the noble Baroness, Lady Donaghy, I was moved by the description of a new mother's experience from the noble Lord, Lord Patel, which brought back memories of the birth of my twins across the river at St Thomas', where the labour room has a splendid view of this building. I offer a tip to partners who are present during labour: pointing out interesting features of the Palace of Westminster and taking photos may not endear yourself to the mother, who is doing all the work. On a more serious note, it is good to be able to offer a belated and public thank you to the staff at St Thomas', who were superb—particularly at dealing with multiple births, which I know is a much more specialist and complex procedure.

I am grateful to all noble Lords for the expertise they have shared. I will largely focus on the digital aspects, which is something that I have more hands-on experience of than medicine or giving birth. I also want to pick up the point about the workforce and the student experience. Although my children are not at the taxpayer stage, unlike those of the noble Baroness, Lady Watkins, I observe them and their peers going through the process of making their higher education choices and the kinds of calculations they make. The debt figures presented by the Royal College of Midwives that we have heard about from the noble Baroness, Lady Bennett, and others in the debate are alarming. It seems blindingly obvious that they are putting people off going into the profession, causing enormous stress for students during the process of learning and contributing to drop-out rates that are higher than any of us would like.

I hope that the Minister has something to offer in this area around how we can make sure that training to be a midwife, as well as training in other medical professions, is something that an 18 year-old, when they make those calculations, thinks is worth their while. However well-motivated they are inside, you cannot ignore the economics of being saddled with huge amounts of debt.

My first digital point is also a workforce point to a certain extent. It is about people's changing expectations as they come into the workforce. Having survived the



[LORD ALLAN OF HALLAM]

training and debt, as they move into work, that has to be workable for the individual based on how they live their lives today. The noble Baroness, Lady Watkins, touched earlier on scheduling and rostering, and flexibility at work. It is an issue across the wider health and care workforce, but is especially acute for roles dependent on a safety-critical presence in the workforce. These are not roles that can be moved around; people have to be present at a certain time, on a certain date and in certain numbers for safety to be maintained.

To build on the points made by the noble Baroness, Lady Watkins, this is really difficult for employers. They have to know that the right staff will be on-site to cover each shift. There is no way around that, but where this leads to inflexible rostering, that can clash with other staff needs. These may be other caring responsibilities—caring either for younger or older family members—or personal goals, such as travel, which people do have now as they enter the workforce. They may look for extended breaks—sabbaticals were mentioned—or they may want a month to go travelling. That may be a reasonable expectation people have today that they might not have had 15 or 20 years ago. Where rostering systems do not allow sufficient flexibility, staff may either leave the profession altogether, as it just does not add up, or may not accept a trust contract but move into agency work. The NHS then ends up paying more for the same person to do the job. Simply because they did not have the flexibility to take a month off, they have now moved to agency work from a full-time NHS contract. That seems to me to be an absurd outcome.

We talk a lot these days about whizzy technology, such as artificial intelligence, but what we need here are much more straightforward, efficient scheduling systems that enable staff levels to be met while giving individuals more control over the way rostering occurs. That is the expectation they have today. We need a willingness from trust management to change with the times and allow that flexibility to happen. I hope the Minister can look into the question of how we could improve staff retention through improved rostering systems—for all NHS staff, but particularly midwives in the context of today's debate. This is basic and cheap technology that, used well, could prove to be enormously beneficial in the cost-benefit equation.

The second area I will touch on is information to mothers. This comes out as a key area of concern for respondents to the CQC maternity survey, which was referenced by the noble Baroness, Lady Cumberlege. It seems to be getting worse. In this wonderful information age, we find mothers saying that the information provision they get from maternity services is getting worse, and that seems extraordinary to me.

A key tool in improving that is offering self-help systems, where people can access information themselves. This is better for those who prefer direct access to information, but it should also lead to improvements for those who want to talk to somebody directly, because it frees up staff time to be available for those who need that direct access. Self-help access to information about your own care is critical; it can also be a benefit with language issues, as providing translation and interpretation at scale can often be done more effectively

when enabled by technology than if you are reliant on getting somebody with a particular language to a particular location at a certain time.

I would also be very interested in the Minister's thoughts on accessibility, a point rightly raised by the noble Baroness, Lady Bull. Again, if we want to make information available, it needs to be truly accessible to people, whether they have learning disabilities or any other particular requirement that means that a standard provision of language may not be as useful as something tailored to their needs.

The Government recognise this need, and they gave us a commitment. In the debate today, people have said that we need more than commitments; we need action. The commitment was very clear. The *NHS Long Term Plan* said: "By 2023/24"—which I think is now—

"all women will be able to access their maternity notes and information through their smart phones or other devices".

I hope that the Minister can update us on where we are with this target, whether we are likely to reach it and what issues are surfacing. It is normal that things surface during the rollout process, but I would be interested to hear what issues are surfacing and what action the Government are taking to address those.

The third area I will address is maternity electronic health records. I have been looking at this because of an alert issued by NHS England at the end of last year about one of the systems used for managing patient records across several NHS maternity units. It was found that the system could overwrite records, which produces significant safety risks. Here is an area where I praise NHS England—as a board member, the noble Baroness, Lady Watkins, can take this back to it—as the issue was picked up, due processes were followed and an alert was issued to every trust using the system, warning them about it and making sure they put remedial measures in place. I also thank the Minister and his staff for producing a very comprehensive response to queries I made around this.

This prompted questions about the information flow in maternity care generally between GPs, hospital trusts' general systems and these specialist maternity systems. It seems that we have ended up with a complex jigsaw of different systems handling patient records, which makes life more difficult. I would be interested in whether the Minister thinks information is flowing effectively in the context of maternity services, given that we often seem to have created dedicated systems for maternity services that may not be connected to the other systems. From the patient's point of view, you want one integrated view of your care—before you became pregnant, during your pregnancy and postnatally—yet because we have different systems, that integration may not be taking place. That is a special challenge because the data is held by different entities. It is the classic NHS challenge that different entities have bought their own bits of this jigsaw puzzle and nobody is responsible, as far as I can understand it, for putting the pieces together.

I was also interested in this in the context of the question raised by the noble Baroness, Lady Gohir, about data collection. I suspect that some bits of this jigsaw will be collecting the data that we are looking

for, but other bits may not be, yet because of the way the systems are structured, that may not be joined up, which would be a real shame. It is one thing if we have not collected the data, but it is quite something else if we have collected it but we cannot use it because it is in the wrong bit and has not been connected to the right bit.

I appreciated hearing all the experiences that noble Lords have brought to this debate and I hope my somewhat geeky contribution has flagged some issues that could contribute positively to keeping up the standards of our maternity services. If noble Lords in future find me on the Terrace staring wistfully across the river at St Thomas', they will know that I am just having a moment.

2.02 pm

**Baroness Merron (Lab):** My Lords, I congratulate my noble friend Lady Taylor on securing this debate and setting out the issues with her customary elegance and clarity for us to build on further. As my noble friend said, all the briefings we received in preparation for this debate referred to a very worrying situation and—I shall head this off at the pass—to the fact that Covid cannot be used as an excuse because the pressures have been building for more than 10 years, which is something that I am sure the Minister will want to address.

As we heard, despite the Government and the NHS publishing various targets, programmes, strategies and action plans over the years to improve services, and having a lot of different evidence bases to call upon, and, sadly, inquiries into circumstances where things have gone tragically wrong, it is unfortunate that we find that maternity is an example of how services have deteriorated on the Government's watch. As my noble friend Lady Armstrong said, even with all these plans, targets and so on, without proper implementation, they do not deliver improvement.

Within all of this, we know the data is important. I noticed in his response to a Written Question from the right reverend Prelate the Bishop of St Albans last month, the Minister explained that:

"The most recently published data which measures progress against"

government targets in the national maternity safety ambition

"coincided with the COVID-19 pandemic and is out of date".

The Minister also said in his written reply that:

"The Department is working to increase the frequency and timeliness of publications".

I am sure the whole House would agree that that would be welcome.

Does the Minister agree that it is extremely difficult to deal with any issue, including that of maternity services, without knowing the facts of the challenge? This was raised with particular regard to inequalities by my noble friend Lady Thornton and the noble Baroness, Lady Gohir.

The House will be aware of Labour's commitment to train 10,000 more nurses and midwives every year, along with long-term workforce planning across the NHS by reviewing training and looking at creating new types of health and care professionals, drawing on a diverse skills mix. We are also committed to

setting an explicit target to end the maternal mortality gap, which sees black women in the UK four times more likely to die while pregnant, giving birth or as new mothers, compared with white women. This will come partly from the aforementioned training of more midwives and health visitors but also by the incentivising of continuity of care—something referred to by the noble Baroness, Lady Cumberlege, from her experience in chairing the work that gave rise to the *Better Births* report. It will also come from improving course content on the presentation of illness and pain among different groups. I hope the contributions and expertise in your Lordships' House will continue to contribute to making those commitments a reality in terms of improvement.

As we have heard a number of times in this debate, the Care Quality Commission has reported a decline in positive maternity experiences in recent years. The noble Lord, Lord Patel, described the health of maternity services as a bellwether for the health of our NHS. As we have heard, it seems that in our maternity services we are now finding that we are well behind in the maternal mortality stakes. That was not the case, but it is now. I was touched, as were other noble Lords, when the noble Lord, Lord Patel, expressed his gratitude to the thousands of mothers who allowed him to be part of their lives. I am sure that those thousands of mothers would also wish to express their gratitude to the noble Lord.

The approximately 20,000 responses to the CQC's *Maternity Survey 2022*, which my noble friend Lady Donaghy referred to, showed that fewer women were being given the help they needed when they contacted a midwifery team. They were getting less help in hospital care after birth and less help with postnatal care. It also showed less confidence and trust, and a reduction in the availability of appropriate advice and support when contacting a midwife or hospital at the start of labour or while in the care of that hospital.

I thank, as have other noble Lords, the whole of the staff team who are in the provision of maternity services. As the noble Baroness, Lady Watkins, said, many of these staff go above and beyond. That is confirmed by the CQC, and rightly so. However, it is evident that there are external pressures on them that get in the way of them doing the job they need to do, and it is on this that the Government hold the levers.

The CQC has continued to raise concerns about the quality of maternity care in England over many years. In the most recent *State of Care* report for 2021-22, the regulator reiterates its ongoing concerns about both the safety and the ethnic inequality of maternity services, as well as the impact of poor training, poor culture and poor risk assessments on people's care.

By September 2023, the CQC had inspected nearly three-quarters of maternity services and described the overall picture as one of a service and staff under huge pressure, warning that many patients were still not receiving safe and high-quality care. Most recently, in November 2023, around two-thirds of maternity units in England received a CQC rating of "requires improvement" or "inadequate in safety". That compared with 55% in the previous year, so it is going in the wrong direction. I would be interested to hear the Minister's response on this.

[BARONESS MERRON]

We have heard much in this debate, and rightly so, about maternal mortality. The latest data shows that between 2020 and 2022 it increased to levels not seen since 2003 to 2005. It is right, as noble Lords have said, that even within this extremely concerning statistic all is not uniform: the case is far worse for women who live in the most deprived areas. They are more than twice as likely to die during pregnancy, or up to one year afterwards, than women living in the least deprived areas. Between 2019 and 2021, 12% of the women who died had severe and multiple disadvantages and, as we have heard, women from black and ethnic backgrounds are three times more likely than white women to die during or up to six weeks after pregnancy, while Asian women are twice as likely.

The noble Baroness, Lady Gohir, was right to say that this broad-brush approach to definition masks the range and depth of inequalities. The noble Baroness, Lady Bull, was also right to point to the fact that inequality extends to those with a learning disability. Can the Minister say whether work is going on to produce much closer attention to the needs of groups, and to break down the nature of people within those groups, in order that we can reflect and respond to the reality of those with differing experience?

We have heard today about the tragedy of many failures within maternity services. I recall, during the many Statements that we have dealt with in this House, the expression of how devastating it is to look at these failures and to have to discuss them. Having looked recently at the independent review of maternity services at Nottingham University Hospitals NHS Trust, which is ongoing, I would say that it is staggering that it required concerned local families, MPs and others over many years to be crying out about the quality and safety of maternity services in their area. This will be the UK's largest ever maternity services review, with around 1,700 families' cases reportedly being examined. Donna Ockenden, who is in the lead, has said that the review will not report until September 2025 because "no one will thank us for doing a half-baked job".

She added that there would also be a period of family feedback, which could last until the start of 2026. This makes absolute sense, but it is worth asking why it took so long for those investigations to begin.

We have heard so much about staffing: it is absolutely key and retention is what we need. In addition, my noble friend Lady Thornton referred to the multidisciplinary training that is absolutely vital to cement the proper working practices that we need. Yet we find that so many cannot find the time to attend this training. Can the Minister say what is being done to address this?

In conclusion, the birth of a child, as we know, is a unique event. Mothers, babies and families all deserve the best. I hope that this debate and the work that may flow from it will deliver the improvements that we all need to see.

2.15 pm

**The Parliamentary Under-Secretary of State, Department of Health and Social Care (Lord Markham) (Con):** I too thank the noble Baroness, Lady Taylor, for enabling us to have this debate and I am grateful for all the contributions from Members here with their vast experience

and expertise. I too was moved by the words of the mother mentioned by the noble Lord, Lord Patel. The noble Baroness, Lady Merron, put it well when she spoke of the thousands of mothers who have their thanks to give to the noble Lord. I am not sure that there are many fathers who would thank to the noble Lord, Lord Allan, for his advice, but I will take it, should I be in that situation again and I may not take photos of the scenery.

I want to reassure the House that we are committed to ensuring that all maternity services provide safe and compassionate care. As many Members have mentioned, most women have a positive experience of NHS maternity and neonatal services, and outcomes have improved, with over 900 more families welcoming a healthy baby each year compared with 2010 figures. However, all women should feel confident that they and their baby will be cared for safely and, where tragedies happen, that they will be well supported and treated with compassion. We therefore acknowledge that there are unfortunately times when the care provided is not enough.

Recent independent reports by Donna Ockenden on maternity services in Shrewsbury and Telford, and by Dr Bill Kirkup on maternity and neonatal services in East Kent, and previously in Morecambe Bay, set out many examples of poor care over the years. The review into maternity care at Nottingham University Hospitals chaired by Donna Ockenden commenced in 2022, and we expect that report to be published at the end of September 2025. We take those investigations and all elements of maternity safety incredibly seriously. We understand the immeasurable impact that poor care and adverse outcomes can have on a family, and remain committed to supporting trusts to deliver safe, compassionate care and addressing the unacceptable disparities for women and babies.

While maternity services must always seek to learn and improve, I want to recognise the dedication and commitment of the vast majority of the maternity workforce. I know that everyone who joins the healthcare profession sets out to deliver safe and compassionate care, and I acknowledge the efforts and ability of the many maternity professionals who work tirelessly for the women and babies they care for.

The Secretary of State last week announced that improving care during and after pregnancy will be one of her top priorities in implementing the women's health strategy in 2024. A key tenet of this is continuing to deliver NHS England's three-year plan for maternity and neonatal services. The plan sets out how NHS England will make maternity and neonatal care safer, more personalised and more equitable for women, babies and families. Since 2021, we have invested an additional £165 million a year to improve maternity and neonatal care. That will increase to £186 million a year from 2024-25.

The Government have also set a national maternity safety ambition to halve by 2025 the 2010 rates of stillbirths, neonatal and maternal deaths, and brain injuries that occur during or soon after birth, alongside a further ambition to reduce the rate of pre-term births from 8% to 6% by 2025. In answer to the question from the noble Baroness, Lady Taylor, on progress to date, there has been a 23% reduction—so it is progress, but I fully admit that it is not enough.



At this stage, I want to address a lot of the points that have been made. Many noble Lords, including the noble Baronesses, Lady Taylor and Lady Warwick, talked about staffing. The noble Lord, Lord Patel, offered to come and help once more, as did the noble Baroness, Lady Watkins—I am sure she is bright enough to do it as well.

We recognise the importance of staffing. There has been a 14% increase since 2010—and, unlike other areas of the health service, the birth rate has remained stable during that time. So that is a real-time increase, for want of a better word. But I completely accept the points made about the importance of training and retention, and the point the noble Baroness, Lady Warwick, made about understanding what numbers are required to make sure we have the right provision going forward. Of course, that is what the long-term workforce plan is all about. On the retention agenda and the points made by the noble Baroness, Lady Watkins, about sabbaticals, loan repayments and smart stuff such as using technology for flexibility, and staff apps, should all be part of the toolkit. Again, I have seen some very good examples of that in places such as Milton Keynes. I am talking more generally about staff here—using a staff app to allow exactly that sort of flexibility. If we want to be a modern employer competing in a modern world, enabling sabbaticals and that sort of flexibility is, I agree, key.

Turning to the noble Baroness, Lady Taylor, and her local services, my understanding is that, hopefully, the Bronte birth unit will open again in April 2024. However, I accept that some issues have arisen there.

I say to the noble Baroness, Lady Cumberlege, that I absolutely believe in continuity of care as a key tenet in what we are trying to do. I accept that that needs to be built into the long-term workforce plan and some of those allocations. As the noble Baroness, Lady Watkins, says, it is vital that we listen not just to the mothers—that the staff are taught to listen not just to the mothers—but the partners as well.

The point made about access to interpreters is a very good one. Among the many things I shall write back on, I shall be pleased to come back on that too. An excellent point was made about ensuring that staff understand the needs of mothers with learning difficulties. That is very important, and I shall come back on the detail, particularly regarding passports.

I absolutely agree with the point the noble Baroness, Lady Donaghy, made about the long-term relationship with staff. You have to avoid a situation of winners and losers, asking, “Did we win the last battle?” All you are doing is creating bad feeling for the next battle.

I turn to the many points made regarding safety, which is key to this whole debate. The noble Baroness, Lady Armstrong, said that that time and how the birth took place defines much of a mother’s relationship with the child. As many noble Lords said, including the noble Baronesses, Lady Armstrong, Lady Gohir, Lady Bennett and Lady Thornton, the disparities experienced by ethnic minorities and those with learning difficulties are a key issue. I remember my conversation in that regard with the noble Baroness, Lady Thornton, very well.

The Maternal Health Task Force is meeting regularly; it met last September and is meeting again next week. It is chaired by Minister Caulfield and is a fundamental tool in this regard. The point made, particularly by the noble Baroness, Lady Gohir, about ensuring that we have the necessary data and analysis is vital. I shall come back to the points made about NHS Resolution. Having said all that, I would not be surprised to discover that it does not show that there are more disputes from people from ethnic minorities, because they may not feel confident enough to use NHS Resolution. There is probably quite a lot to unpack in all that, but I shall come back in writing and make sure that we also cover the point about learning difficulties.

I share the concerns raised by the noble Baronesses, Lady Merron and Lady Taylor, and others around the CQC reports. We are seeing an increase in levels of concern—50% or so—about inadequacy or need for improvement. That is clearly not a good situation.

To respond to the point from the noble Lord, Lord Patel, that it is the action that really counts, I know that the NHS has an implementation plan for each trust where there are inadequacies to make sure that they are being addressed. I have made sure to ask that I can see and understand all those and I have asked for a report in six months’ time on progress, which I am willing to share with all noble Lords here.

On the questions of whether we should be having an inquiry and further work on this and, as asked by the noble Baroness, Lady Donaghy, what would inform my view on that, I personally think that it is about whether we are really seeing progress. I am very aware, as mentioned by noble Lords, that every time you kick off a new inquiry, it can take a long time. If the action and improvement plan is put in place, I will be satisfied that we are on the right track—but, to be very open, my view will change if I do not believe that the plan is there. As we have the benefit of the noble Baroness, Lady Watkins, being an NHS board member, I say to her—I am sure it is something that is happening—that I think this would be an excellent topic for the NHS board to cover as well, because it is on the front line in all this as well.

Regarding maternal deaths, which we all agree is something of serious concern, the Secretary of State has commissioned urgent work on that. I think we all understand that it is a more complex situation; factors such as age, obesity and diabetes all make the underlying situations more complicated. I do get into the data and, just so noble Lords have all the facts, the recent increase that we saw translates to about 35 extra deaths in the period. I note—and I am just giving the data; I am not using it as an excuse at all—that Covid was responsible for 38 deaths. Covid is a big component in all this, but I do not for one moment suggest that that is the only reason. As the noble Lord, Lord Patel, said, analysing thrombosis, for example, which is a leading cause, is vital in this. The introduction of the 14 maternal medicine networks, which are specialist units set up to look at where there are complications and at likely need for things such as thrombosis, is a vital part of this. Again, seeing action on that in the report back will be key.

[LORD MARKHAM]

To respond to the noble Baroness, Lady Donaghy, I look forward to seeing the Birth Trauma Association report. Obviously, we will respond further after that.

On the points made by the noble Lord, Lord Allan, and the noble Baroness, Lady Merron, I see data as having an important role; use of the app to allow mothers to take control of their own health and data is vital. I had a meeting just yesterday to make sure that the baby red book is brought into the app as well so that, from day one, mothers can have access by proxy. I am mindful of the time, so I will cover that in detail in my letter. I will also pick up and write on the other points raised, but I again thank noble Lords. For me, the benefit of having so much experience is that we can hear these sorts of points in debates. I, for one, have found it useful, so I thank the noble Baroness and everyone else for the work they do in this space.

2.30 pm

**Baroness Taylor of Bolton (Lab):** My Lords, I thank everybody who has taken part in this debate. I think we have all learned from each other, and it has been really interesting to see the different levels of experience and how they have come together, but I hope the Minister is acknowledging that, despite people coming at this from different levels of experience, the actual message is extremely clear: we have a crisis in maternity services and unless the Government take action quickly, we are going to see more of the scandals that have alarmed us so much in recent years. We all recognise the dedication of the staff and acknowledge that they do their best, but we are facing a very depressing situation and, indeed, a crisis. I know there have been calls for new inquiries and new plans, but, as my noble friend Lady Warwick said, we have many of those but we do not have the building blocks and the progress to underpin what actually needs to be done.

I am struck by the fact that we have this cycle of problems. Current midwives are overworked, so they do not have time for extra training, or to mentor students, or to listen to mothers, as several Members have said is vital. Therefore, they get burned out; therefore, we have fewer midwives and all these pressures intensify. I think that that is really the crux of where we are now. Unless we can break that cycle and find some way of giving experienced midwives the support they need, this problem is going to continue. Of course, there are problems in terms of students and drop-out rates. The noble Baroness, Lady Watkins, mentioned the cost of second qualifications, and I do not think we should ignore that as one of the reasons why so many experienced nurses are deterred from moving into midwifery. Similarly, my noble friend Lady Donaghy raised issues about pay structures. These are points that Ministers could take on board and move quickly on, and I hope that the Minister, having listened to so many voices, will feel he can have some confidence that things need to be done in certain ways.

Similarly, I welcome the evidence that the noble Baroness, Lady Gohir, gave us, which everybody took note of and understood and was a bit surprised about, in terms of the lack of data on some of the crucial issues of systemic racism that she uncovered. Maybe the answers lie, as the noble Lord, Lord Allan, suggests,

in different ways of working with the IT systems, but it is something I think the Minister could make real progress on very quickly and I hope the debate has helped in this respect.

I hope that what the Minister said about the Brontë Birth Centre in Dewsbury is correct: we want to see it open in April, but it is dependent on the staff being available. Incidentally, when we lose a place such as the birth centre in Dewsbury or the facility in Huddersfield, we do not just lose the maternity and labour provisions for women, we lose the student placement positions that allow us to train more people, so it really is a very serious situation.

We can all agree that women deserve good, local facilities when they are in maternity services. All women need proper care. All midwives, I would say, deserve the joy and the pleasure of seeing women cared for properly and the healthy births that the noble Lord, Lord Patel, talked about. I think that to achieve that, we need a step change, and I hope that this debate has been one significant step forward in urging Ministers to look at this problem with a new eye and new determination. I beg to move.

*Motion agreed.*

## Royal Assent

2.34 pm

*Royal Assent was notified for the following Acts:*

Post Office (Horizon System) Compensation Act,  
Northern Ireland (Executive Formation) Act.

*Royal Assent was notified for the following Measures:*

Church of England (Miscellaneous Provisions) Measure,  
Church of England Pensions (Application of Capital Funds) Measure.

## High Street Banks and Banking Hubs

### *Question for Short Debate*

2.36 pm

*Asked by Baroness Tyler of Enfield*

To ask His Majesty's Government what assessment they have made of the impact of the closure of high street banks on local communities, and the need for a national network of banking hubs.

**The Deputy Speaker (Baroness Fookes) (Con):** My Lords, I remind the House that we are very tight on time and it behoves all noble Lords to speak within the amount allowed.

**Baroness Tyler of Enfield (LD):** My Lords, I declare an interest as a member of the Financial Inclusion Commission and president of the Money Advice Trust. I am grateful to the Library for its excellent briefing and to the many external organisations that have provided me with briefings. I have been struck by the strength of feeling expressed.

It is indisputable that the whole banking landscape has changed beyond recognition in the past five years. The rapid transition to digital banking and a broadly

cashless way of life suit a lot of people. I do a lot, but by no means all, of my personal banking online but often need to speak to someone on more complex matters, which is getting increasingly difficult. The blunt truth is that an increasing number of people and communities are being left behind by the digital revolution and their basic banking needs are barely being met. In my view, the banking transformation has happened without proper engagement with its customer base, certainly without the consent of many vulnerable groups and communities. It has simply been done to them and they feel powerless. Between 5 million and 8 million people are estimated still to rely on cash and many on low incomes use it to budget. They often rely on face-to-face contact to manage their basic banking services. These people are likely to be digitally excluded and financially vulnerable.

The UK has lost over half of its branch network—more than 5,800 branches—since 2015. According to Which?, 30 parliamentary constituencies now have no permanent bank branches and a further 49 are down to their last branch. It has been estimated that banks are saving up to £2.5 billion annually so this new banking model suits them very well. Some 645 branches closed last year, with Barclays leading the pack with 180. Some 200 closures are already scheduled for this year. The trend is towards remaining branches being increasingly concentrated in bigger city centres, leaving large swathes of the country as banking deserts. I note with interest that Nationwide is currently the provider with the most branches remaining open across the country and has pledged not to leave any town or city in which it is based until at least 2026.

Research evidence shows that the groups most badly affected are people with disabilities, older people and people living in rural areas. Last June, a Which? survey found that over half of disabled bank customers say that bank branch closures have had a negative impact on their ability to access vital banking services. On older people, over a quarter of over-65s predominantly bank face to face in a branch or another physical location, such as a post office. Only 14% of the 85-plus group bank online, with 58% relying on face-to-face banking. According to Age UK polling, the main reasons for older people feeling uncomfortable with online banking are fear of fraud, a lack of trust in online banking services and a lack of IT skills. Further, people living in rural communities where digital infrastructure can be poor often have to travel miles to reach their nearest alternative source of cash and are also among the most reliant on bank branches and cash access services.

It is not just individuals who are affected. Small businesses have raised concerns that branch closures have reduced productivity, due to time spent away from their businesses while having to travel further to access banking services, and reduced their ability to manage cash flows. The NCVO says that local branch closures continue to have a negative impact on charities and voluntary groups. Many charities and community groups cannot access counter services to pay in cash—including charities that operate a trading arm that accepts cash, for example a café. A 40-mile round trip to do something like adding a signatory to an account is now not uncommon.

There is a clear degree of overlap between digital and financial exclusion. The House of Lords Financial Exclusion Select Committee found that 1.7 million households have no mobile or broadband internet at home; up to 1 million people have cut back or cancelled internet packages in the past year as the cost of living challenges bite; and around 2.4 million people are unable to complete a single basic task to get online, such as opening an internet browser.

Having made the case for why action is needed, I now turn to what needs to be done. I emphasise that this is not just about free access to cash, vital as that clearly is and where we have already seen welcome action from government. Some people want and need face-to-face banking without having to make a long journey. It may be to do with probate; powers of attorney; support with fraudulent activity; larger payments and transfers; or help with mortgages and loans.

As I have said before in this Chamber, I am a real fan of shared banking hubs—they are usually operated in partnership with the Post Office—which offer customers easy access to cash, deposit facilities and payment of utility bills, as well as face-to-face banking for customers of all major high street banks on more complicated matters. They are an innovative and cost-effective solution. Where they exist, research by Age Concern finds that they are proving popular with local communities, but the roll-out of shared banking hubs has been far too slow. Banking hub services have now opened in 31 communities and Cash Access UK expects to open at least a further 70 hubs this year. However, this leaves a gaping hole compared with the huge number of branches closing.

Last year, the Financial Services and Markets Act gave the FCA broad powers on how banks set up shared services to support access to cash, putting LINK's work as a co-ordinating body on a statutory footing for access to cash. The allied Treasury policy statement was couched almost entirely in terms of access to cash and deposits but had little to say about protecting in-person banking services. Thus, basic banking is currently provided in hubs on a voluntary basis and the regulator lacks teeth in this area.

In my view, the Act was a missed opportunity. It could have put access to physical banking services for those who need them on a statutory basis and provided a real impetus to speed up the roll-out of banking hubs, including support for digital inclusion. Banking hubs could have an important role to play in delivering a national programme of digital inclusion training to equip people of all ages with digital financial skills.

The FCA is currently consulting on how it will regulate to protect access to cash, which makes this debate very timely. However, in its consultation, the FCA makes it very clear that its new responsibilities extend only to access to cash and not to bank branch closures, face-to-face banking services or digital inclusion.

Given the unacceptable gap between the closure of the last branch in town and the opening of the banking hub, my main contention today is that the last branch in town should not be permitted to close until a local banking hub is open and an appropriate number of cash access points are operational. February marks the third anniversary of the regulator consulting on the “fair treatment of vulnerable customers”,



[BARONESS TYLER OF ENFIELD]

which provides an opportunity to review it, based on the lived experience of consumers who have lost their local branches since 2021. It is surely within the powers of government and the FCA, working with UK Finance, to get the players around the table without delay and agree a commitment that, where the case for a banking hub has been made and recommended, the last branch in town will not close until the hub is open. In my view, that is entirely consistent with the FCA's requirement to treat customers fairly and to provide them with the support they need under the consumer duty.

What is the Government's role? To date, the Government have said that it is not their place to get involved in commercial decisions. This misses the point that access to banking is an essential service, without which it is impossible to get by. Although banks are clearly commercial entities, they also have a social purpose and a universal service obligation. We need to put rocket boosters under the rollout of shared banking hubs, so I call on the Government to set clear expectations for the banking industry to deliver a minimum number of shared banking hubs within a set timeframe. Different figures have been mooted: some people are talking about the low hundreds, while LINK has suggested that 1,000 hubs could be in place by 2028—that sounds more like a truly national network.

I end with some questions for the Minister. What steps are the Government taking to make sure that face-to-face banking services are protected for those who need them? What are the Government doing to accelerate the rollout of banking hubs, and will they set a target for the number of shared banking hubs within a set timetable to speed this up? Are the Government confident that the FCA has the powers and resources it needs to support the rollout of banking hubs across the country?

How do the Government propose to ensure that banking hubs are providing the face-to-face services that customers and communities need? Allied to that, what work have the Government done, or planned to do, to define what a banking hub is and to specify the services one must provide to qualify as a hub? What plans do the Government have to ensure that banking hubs play a role in supporting the transition to a more digital economy? Finally, will the Minister agree to meet with me to discuss these matters?

2.47 pm

**Lord Rogan (UUP):** My Lords, I congratulate the noble Baroness, Lady Tyler, on securing this important and timely debate. The issues she raises are UK-wide, but your Lordships will understand if I concentrate my remarks on the situation in Northern Ireland, which has a large rural community affected by these closures. But, as we know, this situation also affects urban dwellers and customers just as much.

In Northern Ireland, more than 50 bank branches have closed since 2020, and that number is set to grow again this year. Next month, Barclays will close two of its remaining branches in the Province: one in Newry and one in Coleraine. February will also bring the first of 10 planned Ulster Bank closures, when the Ormeau Road branch in Belfast shuts its doors. Over the next two months, two more will close in Belfast, together

with branches in Ballynahinch, Crumlin, Downpatrick, Glengormley, Lisnaskea, Lurgan and Londonderry. Halifax also plans to close its branch in Larne in May.

This seemingly endless round of closures is having a profound and detrimental impact on community life in Northern Ireland, especially in rural areas and on older people who have spent a lifetime banking in person. When banks close their branches, their free ATM services are generally casualties as well. As in Britain, trying to find a high street cashpoint in Northern Ireland is often the worst kind of treasure hunt, with a minimal chance of finding gold at the end of the rainbow. More often than not, the only ATMs available are in shops or stations, where a charge is often levied for even the smallest withdrawal.

I understand the dash towards a cashless society, the pace of which was most certainly quickened with the arrival of Covid-19. But surely some modicum of common sense must prevail—particularly, again, when it comes to older people, including my wife and I, who have spent a lifetime with the comfort of having cash in their pockets and are not about to change their habits now. Internet banking is simply not for everyone, particularly those of us of a certain vintage.

Not so long ago, and certainly when I was a young man opening my first bank account, in small rural towns and rural areas of Northern Ireland the local doctor, the principal of the local school and the local branch manager were all pillars of civil society. They knew you and your background, and you could go and speak to them personally. When you needed a mortgage or wanted to have an overdraft facility, you simply applied for an interview with a local branch manager. Often, having explained the situation, a decision could be made that very day, and, if not, the request was sent up to headquarters in Belfast and a decision was taken in the next four or five working days. This personal contact is lost to impersonal automation.

The noble Baroness, Lady Tyler, rightly references in the title of her debate the desire for a national network of banking hubs. Although they may not deliver the quality of service of local bank branches, they are better than nothing, which is what many small communities in Northern Ireland have, sadly, been left with. Just last month, the Province's first-ever banking hub was opened in Kilkeel, County Down. Operated by a non-profit firm, Cash Access UK, it offers a Post Office counter service that allows customers of all major banks to carry out regular cash transactions. Five different local banks are rotating, with a different branch available each weekday, allowing customers to talk to their own bank in a dedicated meeting room. I understand that four more banking hubs are expected to open in Northern Ireland, in Comber, Warrenpoint, Portrush and Newcastle. This is welcome news, although it will still leave large parts of the Province without in-person banking facilities. To illustrate, until the hub opened at Kilkeel in December, customers seeking counter service had to travel around 40 minutes to Newry, Downpatrick or Castlewellan.

I warmly commend Cash Access UK, which is owned and funded by nine major high street banking providers, for opening these hubs in Northern Ireland. I hope that many more will follow. The company

rightly acknowledges that up to 6 million adults across the UK still rely on cash in their everyday lives, and it has vowed to work with a growing number of communities to meet their cash and basic banking needs.

I ask the Minister to give an insight, in her closing remarks, into what His Majesty's Government are doing to ensure that Cash Access UK is receiving the support it requires to provide high-quality banking services, and, more importantly, to ensure that it is able to significantly expand the number of hubs it operates. That particularly applies to Northern Ireland because, although having five banking hubs by the end of this year is incredibly welcome, there is clearly a need for many more if communities, especially rural ones, are not to be left behind.

2.53 pm

**The Lord Bishop of Norwich:** My Lords, I am grateful to the noble Baroness, Lady Tyler of Enfield, for this timely debate. I will speak particularly about rural areas and market towns.

The diocese I serve across Norfolk and Waveney is largely a rural one, but it is one where market towns play a key part in peoples' lives. Historically places of transaction, they contribute to the warp and weft of community life, especially with their rural hinterland. It is no accident that, in Norfolk, they are fairly evenly spread out across the county, having developed so that livestock could be driven to them for sale and the bonds of extended familial friendship and trust strengthened.

From my internet searching, I estimate that we lost at least 12 bank branches in Norfolk last year. The market town of Wymondham saw the closure of NatWest, HSBC and Barclays within 12 months. The parish church's treasurer now has a 26-mile round trip to bank the cash collection and cheques. Banks are vital for small rural businesses and charities that deal with cash. Yet, as we have heard, closures are accelerating, and this seems to be a pattern across the UK.

The sad reality is that the withdrawal of banks from market towns has disadvantaged sections of our community, especially those who want to speak to a human and not a robot, those for whom trust is a hard-won necessity, those with sensitive things to discuss and that group of people who are not savvy with the internet or have poor connectivity and so are digitally disfranchised. The negative impact on financial inclusion of closures needs to be borne in mind.

It is good that LINK, the cash machine network, and Cash Access UK have recognised the difficulty of accessing banks in rural communities and market towns and that the whole idea of banking hubs is coming to the fore. As we have heard, there are 31 of them: 21 in England, seven in Scotland, two in Wales and one in County Down in Northern Ireland, mentioned by the noble Lord, Lord Rogan. Their role is, sadly, lagging behind the rate of bank closures. The gaps are there, and I hear that it takes some time to establish a banking hub, so I very much warm to the suggestion from the noble Baroness, Lady Tyler, that the last branch in town should not close until a banking hub is ready to go, for many people are in great need of reasonable access to cash deposit and withdrawal services.

In the Norfolk rural district of Breckland, there have been eight bank closures since 2018, with a further two announced for the coming months. That is a drop of nearly 60% in the number of local banks. In the market town of Watton, no bank remains. The newly opened community banking hub is a welcome addition, following the closure of all the town's banks in recent years, and its services are proving popular. It is open five days a week, with a counter service operated by the Post Office where customers of all major banks can carry out their regular cash transactions, but it also offers this banking hub, a community banker service where customers can talk to their own bank about more complicated issues. The community bankers work on rotation, with a different bank available on each day of the week. NatWest, HSBC and Barclays each take one day, so, in a sense, this is an invitation for other banks to take up the other two days. The local vicar, Dave Cossey, tells me that the only drawback he has discovered so far is that the banking hub will not accept partially full bags of cash. This is proving to be a challenge for small charities, and it would be great if that blockage could be removed.

In other places where banking is not in people's DNA—especially, perhaps, in our economically poorest communities—credit unions bring much. Often run by volunteers, they can help people save cash and receive small, affordable loans. I have two questions for the Minister. What is the Government's strategy for rolling out more banking hubs and how will government support be given to local authorities, to LINK and to Cash Access UK to enable this to happen? Secondly, I think credit unions have a great part to play. What plans do the Government have to aid their development, particularly in rural areas and our market towns?

2.58 pm

**Lord Hacking (Lab):** My Lords, if I may I would like to say a few words in the gap. It might be thought that the noble Baroness, Lady Tyler of Enfield, and I have been twinning together, because both of us have quite recently been raising this issue of bank closures. I did not know about the work of the noble Baroness until the Minister very kindly told me, in a meeting I had with her about three weeks ago. I should like to make the point that we are acting entirely independently, but worried about the same great issue.

I adopt everything that the noble Baroness, Lady Tyler, has said to us and everything that the noble Lord, Lord Rogan, and the right reverend Prelate the Bishop of Norwich have said. I therefore do not need travel over that ground again. I will just mention one thing. I am in the age group of those particularly affected by bank closures. I am in my mid-80s and therefore I have sympathy—although, luckily, I have been taught about internet banking and so know a few things about that.

I will go straight to an important example—the closure of the NatWest bank in Ryde on the Isle of Wight a few months ago. Ryde is a town of 100,000 or more and for the purposes of getting cash, you now have to walk all the way down the very steep high street to Sainsbury's, which has a cash machine. However, it is not only people of my age who have difficulty and need personal banking. I will give a solid example.

[LORD HACKING]

I have a son who is very badly disabled and who until recently was living in Peru. His only source of support is the financial support that the family can give him. My son-in-law is the treasurer of the trust to supply money. It is not easy to convey money in the banking system from here to Peru, and there were occasions when it was not coming through—well, that was the information we were given. I am very well within time; there will be plenty of time for the Minister to reply. Let me just finish this account, because it should be recorded. It was essential for my son-in-law to go personally to the NatWest bank in Ryde to sort out this problem. It would have been so difficult and cumbersome to do it online.

3.02 pm

**Baroness Kramer (LD):** My Lords, this has been a very short debate, but my goodness it has been a very powerful one—including the example we have just heard from the noble Lord, Lord Hacking. I have great empathy as I have spent hours in NatWest branches just to get an APPG account transferred from one treasurer to another. Let me congratulate my good and noble friend Lady Tyler on obtaining this debate on a crucial issue on which she has campaigned tirelessly.

The access to cash review, chaired by Natalie Ceeney, goes back to March 2019. That is nearly five years ago, and the problems were apparent long before that. Many of us have raised the issues over and again in this House. The Government have made progress, but it is glacial, despite the obvious truth that local banking services are vital to a very wide range of individuals and small businesses. We have, as others have said today, just 31 banking hubs. LINK has recommended over 100, but acknowledges that 1,000 could be needed just to provide cover for medium to large towns, and that is assuming that bank branches stay open in the largest towns and cities.

I am pleased that the FCA, as the new regulator, is conducting a consultation—but my it is narrow and missing many of the key issues. So I thought that I had better talk to some colleagues to see what they were picking up in their local communities. I was stunned when my colleague Jamie Stone, MP for the far north, reported that the Bank of Scotland is closing even its mobile banks, reducing even further the already skeleton access service that is provided. Tom Morrison, my LibDem colleague and the PPC for Cheadle, described the success of the local campaign to get a hub for the south part of Cheadle. However, as yet there is no agreement for a separate second hub that is needed to give access to face-to-face services to thousands of people in the northern part of Cheadle. Lisa Smart, another LibDem colleague and the PPC for Hazel Grove, asked me to thank LINK very clearly for responding to the request for a review of banking services in Bredbury and Woodley but to press for much faster action. A large number of colleagues have asked me both to praise banking hubs but to warn that they should not become an excuse to close branches. That must be reflected in FCA rules.

Therefore, I very much support the proposal of my great noble friend Lady Tyler that the last branch in town should not close until the banking hub has been

established. That is the minimum. It must be obvious to every major bank that, if they insist on closing branches—I hope they will be very cautious in doing that—then banking hubs are an efficient way to deliver at least some critical service to the local community on a face-to-face basis. It must be obvious to the banks that local financial services are necessary if we are to grow the kind of economy that banks themselves require if they are to be profitable in the future.

Across the globe, there are a wide range of different models providing banking services, typically face to face, that meet local needs. There are community development banks in the United States, created under the Community Reinvestment Act; the Landesbanken in Germany, which support a local structure; and major credit unions in Ireland, which have a lot of face-to-face presence. Although different, these various models have demonstrably cushioned communities in difficult economic times and provided a resilience not available in the UK. I do not understand why our UK banks have not, in their own interests, seized on the banking hub model and participated with enthusiasm. Perhaps the Minister could tell us. Are they just uninterested, quietly hostile or what? They are the reason we have only 31.

Recently, I used the opportunity of Oral Questions to ask the Minister why bank participation in a banking hub is voluntary, even when a request for a banking hub has been shown by LINK to meet the qualifying criteria. She told me that putting the scheme on a statutory basis has removed what is effectively the bank veto that I was referring to. But, as I look in more detail, and as my noble friend Lady Tyler made clear, this statutory basis applies only to access to cash; banks need not co-operate in providing other services. But that seriously undermines this whole scheme. Communities desperately need access to cash but also to saving and investment products, to mortgages and business loans, to guidance in resolving system problems—indeed, a wide range of services. That simply comes in. As well as reinforcing my noble friend's proposal on the last bank in town, I want to ask the Minister: will she now bring forward legislation that will take away the voluntary participation in providing the broader range of banking services? Will she say to banks, “You must participate in a banking hub where the criteria have been met showing that a banking hub is vital for this local community”?

3.07 pm

**Lord Livermore (Lab):** My Lords, I join others in congratulating the noble Baroness, Lady Tyler of Enfield, on securing this debate, and for her excellent opening speech, a great deal of which I agreed with.

As many noble Lords have said, this is indeed a very timely debate. Around half of all bank branches in the UK have closed since 2015. That is almost 6,000 banks closing their doors, with some regions such as the south-west or Yorkshire losing nearly two-thirds of their branches. This has cut off countless people from essential services and has been a major factor in the decline of Britain's high streets.

It is of course welcome that, after many years of delay, the Financial Services and Markets Act finally introduced protections for access to cash, but far too



little has been done to protect essential face-to-face banking services, which the most vulnerable in our society depend on for financial advice and support.

Instead, the Government have relied solely on a voluntary arrangement with the banks, which has managed to deliver just 30 out of a promised 70 banking hubs. As a result, 33 towns across the UK are now left without a single bank, despite all of them being promised a banking hub over six months ago. Even if delivered, the promise of 70 hubs under the voluntary arrangement is completely inadequate to meet the scale of the problem.

In the last 24 months alone, an additional 320 towns have seen their last remaining bank branch close, leaving more and more people and small businesses in banking deserts, without any options to bank locally. My noble friend Lord Berkeley gave me just one example from the Isles of Scilly, where he lives. The last bank there closed 10 years ago. The population of 2,500 people have to go to Penzance to visit a bank, at a cost of a £160 return ferry journey, just to use essential banking services.

Cases such as this have led the Labour Party to commit to a national strategy on banking hubs to quickly deliver at least 350 hubs on Britain's high streets. As part of that commitment, areas that currently have no high street banks would be first in the queue. We will work with the banks and give the FCA the powers it needs to stop people being left in these banking deserts, guaranteeing communities access to face-to-face banking services.

To be clear, this does not mean that we believe banks should be prevented from closing branches that are no longer needed—far from it. In fact, where possible, access to face-to-face services is in many cases better delivered through a shared banking hub, whether through the Post Office or other models of community provision. Doing so can lead to significant cost savings for banks too. FCA data shows that, whereas a bank branch costs over £600,000 a year to run, that cost is less than £200,000 for a banking hub—a figure which itself will be divided among the participating banks according to local market share.

It is, of course, also inevitable that payment and banking systems will continue to innovate. This is a good thing—online banking is a far more convenient way for many people to manage their finances—but we must ensure this digital revolution does not further deepen financial exclusion, which means we must protect face-to-face services while also putting in place a proper strategy for financial and digital inclusion. Here, again, banking hubs can play a vital role. These spaces have the potential to tackle digital exclusion through their dedicated staff, who can teach people how to bank online and provide internet access for those without it, as well as to promote financial inclusion by providing access to financial advice for people who are struggling.

Labour's banking hub guarantee will also be a key part of our plan to reverse the decline of Britain's high streets by ensuring that working people and local businesses have the banking services they need on their high streets. The community access to cash pilots demonstrated that shared banking hubs can be a major boost to local businesses in communities where

they have lost every single one of their bank branches. In the areas that trialled banking hubs, 34% of businesses reported they could reduce the amount of time they needed to close their shop in order to carry out their banking; 37% of businesses reported that footfall had increased in their shop; and 51% of consumers reported shopping locally more as a result of the pilot services. This rose to 69% among respondents who considered themselves to be financially vulnerable.

The national rollout of banking hubs can play a vital role in providing much-needed face-to-face banking services. It could help tackle financial exclusion and could be worth billions of pounds to small businesses and high streets across the country. So I end by asking the Minister two questions. Will she commit to giving the Financial Conduct Authority the power to regulate and protect essential in-person banking services for communities, comparable to the regulatory powers it already has to maintain access to cash? Will the Government match Labour's plan to work with the banks and the Financial Conduct Authority to rapidly expedite the rollout of at least 350 banking hubs in the communities with the highest need for essential in-person banking services? If we prioritise it properly, a national network of banking hubs could tackle ghost high streets and ensure that every community has access to the high street banking services they need.

3.13 pm

**The Parliamentary Secretary, HM Treasury (Baroness Vere of Norbiton) (Con):** My Lords, I very much appreciate the opportunity to return to the topic of access to cash and to face-to-face banking facilities. I really do appreciate the strength of feeling across the Chamber on this topic and am very grateful to the noble Baroness, Lady Tyler, for securing today's short debate.

The Government recognise that banks and building societies occupy a privileged place in society and are essential to enabling people to manage their money on a day-to-day basis. But it is undeniably the case that the nature of banking is shifting. First, there was a move to telephone banking; it took many of us quite a long time to get used to it, but you can now do pretty much anything that you could do face to face on telephone banking. There has subsequently been an ever-increasing number of customers opting for the convenience of online and mobile access. Some noble Lords have explained that they are of a vintage such that they feel that that is not for them. I accept that, but my mother, for example, is of the same vintage, and has embraced it very readily, so there are different people who will take a different view of that. Of course, telephone banking remains available.

If one looks at the hard facts here, in May 2022 only one-third of adults had been to any branch at all to undertake banking activities face to face in the previous 12 months.

**Lord Hacking (Lab):** That is because they are all closed.

**Baroness Vere of Norbiton (Con):** That is a significant drop from 2017, just six years ago, when almost two-thirds of UK adults did. Is the noble Lord suggesting that these individuals therefore did not transact at all, or

[BARONESS VERE OF NORBITON]

were they able to do it by other means, and have got used to the other means of banking and find them more convenient? Causation and correlation may not quite apply in this.

It is also true that nine in 10 adults bank online or use a mobile app. We cannot reverse the changes in the market and in consumer behaviour; nor can we determine firms' commercial strategies in response to the changes, which are being led by consumers. Maintaining flexibility to respond to changes in the market is key to what makes the UK's financial services sector one of the most competitive, innovative and productive in the world.

Decisions on opening and closing branches are taken by the management team of each bank on a commercial basis. The Government do not intervene in these; nor do they stipulate locations for the bank branch network as a whole or for individual banks. The noble Lord, Lord Livermore, mentioned that certain banking initiatives have subsequently closed; it is worth asking oneself why. Was it that actually they were not used?

The Government recognise that access to in-person banking services, particularly cash, remains important to many people across the country. As such, the Government believe that all customers, wherever they live, should have appropriate access to banking and cash services, and that the impact of branch closures should be mitigated where possible. On access to cash in particular, it is worth noting that over 97% of the urban population are within one mile of a free cash access point, and over 98% of the rural population are within three miles of a free cash access point.

The Government have taken action to preserve access to cash, and we legislated through the Financial Services and Markets Act 2023 to protect access to cash for individuals and businesses. This places a responsibility on the FCA to ensure reasonable provision of cash access services. Importantly, in relation to personal current accounts, the FCA is required to seek to ensure reasonable provision of free cash access services. The FCA is currently consulting on its proposed regulatory regime. Under the proposals, banks and building societies designated by the Treasury will be required to assess and fill gaps, or potential gaps, in cash access provision that significantly impact consumers and businesses. Following the consultation, the FCA expects to finalise its rules in the second half of this year.

More broadly, the Government recognise the importance of in-person banking for some people. While decisions on individual branch closures are a commercial issue for firms, which the Government do not intervene in, this Government absolutely support industry-led initiatives to protect access to in-person banking services, such as shared banking hubs, agreements with the Post Office—which I feel are very important—and community outreach programmes, where they work, such as in community centres and libraries.

I highlight the services offered by the Post Office. People can use their local post office under the Post Office banking framework agreement to access everyday banking services, thanks to this commercial agreement.

This means that 99% of personal banking customers and 95% of business banking customers can do their banking at the 11,500 Post Office branches right across the country. The noble Lord, Lord Livermore, has a grand plan for some sort of nationalised shared banking hub network. The towns that he is thinking about may not have a branch, but they have a post office, or perhaps there are towns that he would like to write to me about that have neither a branch nor a post office because clearly that is something we could look at. I think the Post Office's intervention and close working with the industry are very helpful.

Of course, banking hubs can go more broadly than the services offered by the Post Office. Banking hubs are a very exciting development. They are quite a new development. They help businesses and people withdraw cash, make deposits, pay in cheques and check their balances, but they may also have a community banker who can help people with more complicated matters that require specialist knowledge or privacy or when somebody wants to have a face-to-face meeting with a banker. These hubs are deployed in response to a bank announcing a branch closure or a community making a cash access assessment request. Where LINK has assessed a community's cash access needs and concluded that a banking hub is the most appropriate option, that is done as quickly as possible.

I note the comments by the noble Baroness, Lady Tyler, which were echoed by many others noble Lords, including the right reverend Prelate the Bishop of Norwich. I reassure her that to ensure that there is no gap in the provision of services, the industry has committed that when a hub is recommended, a branch will not be closed until a hub is open. I think that will be welcome news to the House today.

Cash Access UK, the provider of banking hubs, has opened more than 30 banking hubs so far and I expect this to rise to about 50 by Easter. I agree that the speed of the rollout has potentially been too slow, but this is a relatively new intervention and the processes are now in place. I echo the comments of the noble Lord, Lord Rogan, in welcoming the work of Cash Access UK. We support it and are in regular contact with it. I am pleased to report that it tells us that it expects the pace of delivery of banking hubs to continue to improve over this year.

The noble Baroness, Lady Tyler, asked for a target for the total number of banking hubs, and a timeline. Indeed, the noble Lord, Lord Livermore, gave us a target of 350—I have no idea where that came from. It depends on local need and the shape and scope of the banking facilities available over time. Imagine that a new bank were to come along and suddenly open a branch on a high street that already contained a banking hub. If we had a target that there had to be banking hub there, what would we do? Would we close it? It does not make sense. We need the flexibility to work with the network and the system. Provided that we get those banking hubs in place as quickly as possible, I think that is by far the better way to deal with the issue that we face.

There is guidance which provides certainty around the provision of the relevant services. The FCA, the independent regulator, provides clear and unambiguous

guidance to banks and building societies to ensure that they carefully consider the impact of planned closures on their customers. It is not just about access to cash; they must consider the impact of the lack of services or the change of channel of services on all their customers. The FCA is taking an assertive approach to encourage firms to follow its guidance. When banks and building societies are closing branches, the regulator expects them to put in place appropriate alternatives where this is reasonable. Where firms fall short of expectations, the FCA can and will ask for closures to be paused or for other options to be put in place.

The FCA consumer duty is also now in effect. It sets higher and clearer standards for customer protection across financial services and requires firms to put their customers' needs first. The consumer duty also requires that firms deliver "good outcomes" for customers. That means that banks owe their customers a higher and clearer standard of care, and must ensure that customers receive support so that they do not face barriers in accessing their accounts.

I note the comments about charities. On the point made by the noble Baroness, Lady Kramer, about transferring an account from one holder to another for an APPG, those are the sorts of things that I am really concerned about when it comes to branch closures. All noble Lords will be aware that getting a signature on a piece of paper can sometimes be very tiresome, and I encourage all banks to try to sort that out. However, UK Finance is also talking to charities to make sure that they are in contact with banks, because there are a number of things that they can access.

I am out of time. I was going to talk about not only connectivity but digital inclusion, which is important because banks themselves are taking big steps to encourage their customers to become more digitally savvy. Indeed, they are helping those who may not necessarily have the wherewithal to afford the sorts of internet services that one might need. I will write with further information.

I will also write to the right reverend Prelate, and copy in all noble Lords, about credit unions—they are quite interesting—and whether there is a gap in the market for hyperlocal banks that serve a community. I have just come back from the US; that is what they have there, and it is a very interesting model.

## **Sustainable Farming Incentive: Species Management and ELMS**

### *Motion to Take Note*

3.26 pm

*Moved by The Earl of Caithness*

That this House takes note of the announcement of changes to the Sustainable Farming Incentive by the Secretary of State for Environment, Food and Rural Affairs on 4 January, and the case for including species management within the Environmental Land Management Scheme to support populations of endangered species and biodiversity in general.

**The Earl of Caithness (Con):** My Lords, tonight is Burns Night. All around the world people will celebrate Scotland's most famous bard and lyricist, but Burns was also a farmer whose poetry reflected his view of

the natural world as a dynamic ecosystem that needed to be treated with care for the sake of us all and our fragile planet. Over the years his way of farming changed, and we ended up in 2020 lumbered with the discredited EU common agricultural policy. During that time farming gradually lost most of its vital connection with nature, which is one of the reasons why our planet is under such huge stress.

However, in 2020, with the Agriculture Act, the Government set out the new way forward for farming in England. The environmental land management scheme was to become the main vehicle for providing financial support to farmers in the future. The purpose of ELMS is to reward farmers, tenants, landowners, land managers, growers and foresters for delivering "public goods" and to make

"a significant contribution to the environment"—

something that Burns would have thought logical. The new scheme was to be phased in on a transitional basis, beginning in 2021 and ending in 2027. We are now half way through the transition period. It is therefore a sensible time to stand back and assess how it is working.

Transitions for most people are difficult and, like moving house, emotional. I pay tribute to the farming community, who are adapting to a new and evolving system, learning new bureaucratic and technological skills, while still running their businesses with many working seven days a week as well as having to coping with an increasingly changeable climate.

The transition has not been, and is still not, straightforward. Systems need to change and adapt as they are developed. The 2020 proposals of a sustainable farming incentive, local nature recovery and landscape recovery have evolved. There have been mergers of policy as well as additions and subtractions. This has added complications for farmers in joining, adapting and changing schemes: grants have been forgone and payment windows narrowed. This year farmers will receive a minimum 50% reduction of their direct payments, which for many are the only reason they are able to stay in business. To date only 10% have engaged with SFI.

There have been concerns about the speed of implementation and complexity of the scheme, the problems faced by upland farmers, the need for more clarity and certainty as to what farmers need to do, the need for tenant farmers to be able to participate fully and, inevitably, the amount of funding available. The Government have been accused of not providing adequate levels of support to farmers during the rollout of the scheme. The transition is clearly telling on some farmers, with calls to that excellent organisation the Farming Community Network showing a notable increase in stress and financial-related problems.

However, the overall feedback on ELMS has been that it is a good step and in the right direction. The Government have shown flexibility by addressing many of the concerns and further, much welcomed, improvements to the scheme were announced in and following the speech of my right honourable friend the Secretary of State on 4 January. Nevertheless, that speech did not alleviate criticism that the rollout of the new scheme has been too slow.



[THE EARL OF CAITHNESS]

The Office for Environmental Protection, in its recent report on the progress of the Government's policies for improving the natural environment in England, argued that while some progress had been made on implementation of ELMS, its rollout needs to be accelerated. The Country Land and Business Association has criticised the Government for not opening applications for the updated scheme until the summer of 2024, arguing that farm businesses urgently need more financial support now.

Getting more information and detail out to farmers quickly is a must. I join the National Farmers' Union in wanting full details of the combined SFI/Countryside Stewardship scheme offer made available as soon as possible, along with a date for when the new application window will be open. The Tenant Farmers Association reminded me that a similar summer promise was made last year, but summer did not come until 1 September. I say to my noble friend: that is not acceptable this year. It must be much earlier than that.

It is good to hear farmers discussing how much of their output has increased and inputs reduced through farming in a more nature-friendly way. The improved payment rates for the SFI and Countryside Stewardship scheme are to be commended. However, farmers can now sign a five-year agreement using SFI payments, which give a better return than producing food but with no measurable benefit to nature. That might turn out to be a catastrophic own goal. Can my noble friend reassure me and the Nature Friendly Farming Network that a measurable level of environmental benefit will also be required in return for a grant?

The Government need to meet their environmental targets, in particular their commitment to the apex goal within the environmental improvement plan of thriving plants and wildlife. There is a legally binding target for species abundance by 2030, with a requirement to increase species populations by 10% by 2024. The Government have said that ELMS will support species recovery and management action by farmers, landowners and other managers. For the purpose of ELMS, the Government define species recovery and management as covering those actions which

“increase the abundance of particular species, including by managing other species (invasive non-natives and predators) that present a threat, and supporting rare native breeds”.

Given all the international agreements and conventions to which the UK has signed up, the additional national legislation, the increase in organisations interested in areas set aside for wildlife and the large sum of taxpayers' money already spent annually on agri-environment schemes, this country should have a surfeit of wildlife. It does not, so one must ask: why has it failed so badly? One part of the answer is that it is widely acknowledged that there are three legs to the stool of nature conservation: providing habitat, providing good food sources, and legal predator management. The first leg has been available for some time and the second is more recent. They are options within SFI but the third is not—and a two-legged stool does not function well.

It is just too simplistic and naive to blame all the failure on farming operations. It is true that habitat provision through agri-environment schemes has produced

benefits for certain aspects of the life cycle for a great many species. The provision of attractive nesting habitat, foraging areas in summer and winter, and winter food resources in the “hungry gap” has helped. The curlew and corncrake are notable beneficiaries. The introduction of new premium payments for certain high-priority actions, including nesting plots for lapwing, is welcome. However, of deep concern are the many examples of the provision of habitat alone not halting decline of species, let alone bringing about recovery. I would mention puffins, Manx shearwaters, water voles, brown hares, grey partridge, black grouse, curlew and lapwing.

In 2015 and 2016, as part of the curlew recovery initiative based on the Shropshire/Welsh border, 30 nests were monitored to find the cause of curlew breeding failure in a significant local population in excellent habitat. In each year, only 1% of nests got beyond the egg stage to produce chicks. All chicks were subsequently lost. Over 50% of the egg predation was by foxes and 25% by badgers, which are protected, with crows also being a significant nest robber.

Approximately £23 million per year is spent on agri-environment options to support breeding waders on grassland, but given the poor results, one must question whether this is good value for money. Clearly, more needs to be done and there is good evidence across Europe that, where the provision of the right habitat alone has failed, the combination of habitat improvement and targeted, effective predation management can lead to the recovery of species of conservation concern.

As a result of a conservation programme led by the RSPB, Natural England, the Landmark Trust and the National Trust to exterminate the rats on Lundy Island in the early 2000s, sea bird numbers have been restored to levels not seen since the 1930s. For instance, puffin numbers have increased from 13 birds in 2002 to 375 in 2019. Despite this species management success, the RSPB still argues that management does not work. Its recent research on the response of breeding waders to predation management is arguably flawed, as it did not apply predation management to the level of intensity recommended by professional game and wildlife managers. That meant that it was always likely to be ineffective—possibly, that is what it was designed to be. It was also unethical. If one is going to take one species in support of another, one needs to ensure that one's approach is effective. Furthermore, if the RSPB claims that species management does not work, I wonder why it is a partner in the project to eradicate stoats, which have been posing a threat to Orkney's internationally important wildlife since their introduction there in 2010.

The Game and Wildlife Conservation Trust, or GWCT, has proved the RSPB wrong on predation management of wildlife on farms. Thirty years of careful scientific research on its commercial demonstration farm in Leicestershire have demonstrated that numbers of songbirds, and other wildlife numbers across the farm, are significantly higher when there is proper species control than when there is not. It has followed the three-legged stool principle and, with management, songbird numbers have doubled alongside a commercial farming operation.

It is good to read reports of the water vole, better known to some as Ratty in *The Wind in the Willows*, returning to areas in which it once thrived. They were virtually wiped out, mostly due to predation by mink, which decimated whole colonies. Now, with the successful use of the GWCT-designed mink trap, numbers are rising again, proving that targeted management can benefit a variety of endangered species.

Given that it is so important to improve wildlife numbers, I ask my noble friend why the Government are not introducing a set of funded standards to contribute towards the cost of the management required to aid the recovery of species, especially those on the red list, when there is so much evidence to prove that it works.

The Government have set a good course for the future of farming. It is farmers and land managers who will make it work, or not, within the remit set by Defra. The recent welcome announcement makes ELMS more attractive to farmers to sign up to. However, farmers, as well as producing food, must be required to demonstrate that the taxpayers' money they receive is producing public goods that make a significant contribution to the environment. Species management can help in that and should be added to the SFI options. If there are no public goods, the Treasury will be much more inclined to reduce Defra's budget than to increase it. I beg to move.

3.40 pm

**Baroness Bennett of Manor Castle (GP):** My Lords, I begin by thanking the noble Earl, Lord Caithness, for securing this debate and introducing it so comprehensively. It is a great pleasure to follow the noble Earl, with whom I share a considerable passion for soil health and soil quality, which we have often discussed.

I agree in some respects with the noble Earl's diagnosis of why we are one of the most nature-depleted corners of this battered planet. The Green Party right across the EU has very much led opposition to the common agricultural policy, although the way in which it was applied in the UK seems to have been particularly poor compared with parts of the EU, in terms of environmental and biodiversity outcomes. However, it is important that we add in other causes of the problem and recognise that the Government need to take a comprehensive policy approach.

Just this week, we had a debate in the other place following very strong public backing of the petition to "get fair about farming". Giant multinational companies hugely dominate our food system, and a handful of companies dominate areas such as factory farming of chickens. That dominance has squeezed farmers' margins and forced them into farming systems that have done huge damage to the natural world. I put it to the Minister that we are talking about the SFI, and that the Government need also to take action from the other side and make sure that farmers are indeed allowed to manage their land as they would like to.

It is important in this debate that we look at the other context. The Government have been doing trade deals, letting into the UK food with standards considerably below the standards we ask environmentally, as well as

animal welfare standards. All these things are acting against what the Government are putting money into through their farming programmes. These issues have to be looked at together.

I shall continue with the theme of the need for a systems approach. We are in a climate emergency and nature crisis; we have exceeded six of the nine planetary boundaries, as identified by the Stockholm Institute. It is in the British countryside where you can really see that happening. We do not talk about this as much as we probably should, but the UN last year pointed out that, in global terms, we have more problems with plastics in our soils than in our oceans, to which a great deal of attention has been paid. Since we are talking about biodiversity in general, according to the terms of the noble Earl's debate, I was tempted to raise the issue of the biodiversity of our soils and the research conducted in the past year. We have started to realise the extent to which we are losing the biodiversity of the microbiome of the soil. I am aware that the Minister is new, so I am going to be kind and not push too far down this road today—but he can expect more of it in future.

I turn to the overall view of ELMS and the impact it will have on the targets of the Environment Act. I am sure that noble Lords have seen an excellent briefing from the Green Alliance that digs into that issue. It notes that this month's agricultural transition plan update does not provide evidence of how the actions being encouraged by the update will impact on targets. We need to see how those are joined up. These are the Environment Act biodiversity targets that the Government are legally committed to, yet how do the two things relate to each other? We are not seeing the explanation, the figures or the setting out of that link. We have a list of schemes that will contribute to supposedly delivering the targets, but we do not know how or how much, and we are not seeing an evaluation of how much progress has been made. Is what is being suggested in this update enough to get us where we are supposed to be by 2030?

Even where there is some detail, it did not relate the action to what is currently included in the ELM scheme. For example, in reducing greenhouse gas emissions, the biggest single measure identified in the plan is using SFI to reduce emissions through methane-suppressing feed additives for livestock. Yet the use of methane suppressants—however much I might question that—is not incentivised through any ELM scheme. Of course, your Lordships' House—and the entire country—is acutely aware of the issues around the state of many of our rivers. The focus has tended to be on sewage and water companies but what is happening in terms of nitrogen phosphorous and sediment pollution from agriculture is a big part of the issues in the River Wye and in many rivers in East Anglia.

The Office for Environmental Protection says that the scale of reductions needed to meet the targets in the Environment Act may require

"up to 100% of farmers adopting nature-friendly farming"

methods. At the moment, as the noble Earl said, we are at 10%. We have a huge gap here that has not really been set out.

[BARONESS BENNETT OF MANOR CASTLE]

Looking at the context in which we are talking today, we of course have to focus on the recent report from the Office for Environmental Protection, which has to be described—fairly—as scathing. It acknowledges that there has been some progress made in the implementation of the ELM scheme but says that its rollout needs to be vastly accelerated. The OEP says that, overall, it is keeping in reserve the possibility of taking legal action against the Government for failing to deliver on their legally binding targets. That is the context we are in.

We are particularly focused on biodiversity so I will be positive here and welcome the fact that, among the 50 new environmental actions, the Government have introduced agroforestry and restoring water bodies and water courses—and I think, at least to some degree, ponds and mires, which is a really important area that has not had sufficient attention. If the Minister has not visited Wakelyns agroforestry in Suffolk, I would strongly recommend doing so. If you want to see a long-term agroforestry scheme in action, delivering what is visibly and obviously a wonderful level of biodiversity, productivity and diversity in the human diet, I would encourage going to look there.

Agroforestry is an area—I declare an interest, I suppose, as having a fellowship with the Horticultural Trades Association—where we ideally need a supply of locally grown trees from nurseries here in the UK. Perhaps the Minister can comment on how we will ensure that, if we go forward with this agroforestry, we can have locally grown trees suitable for local conditions all around the country—ideally native species, of course—while making appropriate adjustments for the impact of the changing environment of the climate emergency.

I also want to look at enhancing water bodies and water courses. I would be interested in any thoughts that the Minister might have about the restoration of ponds and mires. What we have seen with industrial agriculture—the flattening of hedges and large fields that the way we have administered the CAP has encouraged—is huge amounts of the filling in of ponds, which are absolutely crucial to biodiversity. In East Anglia, there are some really exciting developments whereby old ponds are being excavated, carefully and in the right way, by expert ecologists. They are finding that the seed banks still remain there and, in those ponds, species that we thought had been totally lost from an area are in fact recovering. They are there; we just have to give them the air, light, moisture and capacity to flourish. Are the Government doing enough and providing the advice and support that farmers need for this kind of restoration, which we need to see on a large scale? This also has huge benefits if we think, for example, about flooding and Slow the Flow; it is a really important measure from the perspective of impact benefit as well.

Now I come to a section where, I am afraid, I entirely disagree with the noble Earl: predator control. I am drawing here on the briefing from Wildlife and Countryside Link. It talks about the funding of the management of wild species that prey on farmland birds. Wildlife and Countryside Link says—and I agree—that this is

“a distraction from the core objectives of the scheme. As confirmed in the State of Nature Report of 2023, the decline in the abundance of farmland birds is primarily due to increase in intensive farming practices, not natural predation. Predators are a marginal factor in farmland bird species abundance, for a few species only”.

I accept the RSPB studies that the noble Earl questioned but I would go broader and point to the reason why, in some areas, we have such an abundance of predators. Of course, one of the key factors, which has been increasingly highlighted in recent years, is the massive release of large numbers of game birds, particularly pheasants.

We are talking about a slow, non-native, not-very-well-adapted-to-our-environment feast for our predators, so we have lots of predator numbers. Now, having released those pheasants into our natural environment, we are going to fund farmers to do predator control. There is a very obvious alternative: to stop, or at least massively reduce, the amount of release of food into the environment. Then we will have fewer predators. We might also have a bit more safety on our roads as well, as an aside.

What we need to do, looking at this in a systemic way, is ask what our entire countryside looks like. That is where I have to raise the issue of the land use framework, something long awaited that was dealt with at considerable length, in detail and quality, by a committee of your Lordships' House. We need a vision of what the countryside should look like. It needs to be a holistic vision that guides the whole ELM and SFI schemes. What we really lack is an overall, long-term strategy.

On briefings, I point to the Nature Friendly Farming Network briefing for this debate, which very much majors on and focuses on the need for a long-term strategy. What we seem to be doing is offering some money for this scheme and some money for that scheme, but where is the picture of what the countryside looks like? We know what the vision of the countryside has been over the past few decades. It has been farms and fields getting bigger, grubbing out hedges and getting rid of trees. That was the vision. Now we are starting to establish a vision where we acknowledge that we need to restore hedges and bring back trees. We need a different kind of environment yet we are still a long way from looking at proper crop diversity—genuine diversity, not just two or three crops on a farm but scores of different crops on a farm. I come back to Wakelyns as an example of what I would say is the Green Party vision for what our countryside could look like and how rich it could be. We need to look at this in a holistic way.

I am almost out of time so I will come to one specific point because I hope that this debate will be a useful way of settling a debate that has been carried on in the media. As part of the rollout of these schemes, the Government said they would maintain the annual farming budget for England at £2.4 billion a year. However, the *Guardian* has looked at Defra figures and concluded that there were underspends of £110 million in 2021-22 and £117 million in 2022-23. The Government have said that those figures are untrue. It would be useful if the Minister could set out in a little detail, as time allows today, and say from the Dispatch Box whether he believes that that promise of spending has been met.



3.54 pm

**Lord Robathan (Con):** My Lords, it is a pleasure to follow the noble Baroness, Lady Bennett. One could say that a farming debate is food and drink to the Green Party—I apologise if that is a mixed metaphor—but she might be interested, or perhaps horrified, to know that I agreed with a lot of what she said in the first part of her speech. I totally disagreed with what she said about predators, but that is another matter. I never cease to be impressed by the breadth of her expertise and knowledge; only today she has spoken on this, her specialist subject, and on both maternity services in England and military intervention overseas. My goodness, she has wide experience and knowledge. Some say that less can be more.

I congratulate my noble friend Lord Caithness on introducing this debate. He raised some really important points, which I shall not repeat. I have a close interest in farming because I have a small farm in the east Midlands, where I live. I intend to use my experiences to illustrate a bit of this debate and give a ground-level, coalface view—again, I apologise for mixing my metaphors. I will make three points.

First, the reduction in farming payments will hit farmers overall and may lead to more big farms rather than smaller ones. While some of this may be sensible—I am no great fan of subsidies; it would be better if there were none at all—if there continues to be a reduction in farm payments, the cost of food will inevitably rise because farmers will pass the costs of their inputs and work on to the consumer. At the same time, more farmers will leave the countryside. If they do, the landscape may be changed adversely. I seem to recall that after the Brexit vote the then Chancellor of the Exchequer said that the farming budget would remain exactly the same after Brexit. That does not seem to be the case, unless the Minister would like to contradict me on that.

My second and more important point is about complexity. I support much of ELMS and everything else, but I am rather keen on planting trees. Unlike the noble Baroness, Lady Bennett, around me I see trees and hedges flourishing. I have planted several miles of hedges and acres of trees. I thought I would plant some more because of the England woodland creation offer. This is the letter I got back after my son, who is also very keen on planting trees, sent in an application:

“Missing Evidence ... It is mandatory to contact your Local Environmental Records Centre ... Historic England area team, Local Historic Environment Service ... and prior to applying”, which is bad English. It continues:

“You must allow 28 days ... You must ... confirm this and ... provide ... Evidence of checks made for priority habitats ... Evidence of checks made for protected species ... Evidence of checks made for designated heritage assets and local historic environment records”.

I could go on, but that is quite enough.

The Government want me to plant trees and have offered to help. I want to plant trees—and have planted a lot already—for the landscape, wildlife and environmental improvement. What is the point of all this bureaucratic nonsense dreamed up in a warm office in Bristol or London? Let us get on with planting trees, not filling in 10 pages of nonsense. It deters people and to no good purpose.

My third point is about species management, on which the noble Baroness, Lady Bennett, and I disagree. It is not really an interest, but I should declare that in 1995 I was responsible for the Eradication of Mink Bill, which noble Lords will remember clearly. It got nowhere because it was a 10-minute rule Bill in the House of Commons. As my noble friend Lord Caithness said, mink have devastated our riverbanks—not just the water voles, although they are particularly obvious, but species such as kingfishers, because they can get into their nests, whereas otters, for example, cannot. There is some anecdotal evidence that otters are driving mink out. I hope that is the case.

Going back to predator management, when I bought my farm 20-odd years ago, we used to have curlews there every year. It was magnificent to have them on a lowland farm in the Midlands. However, now we almost never see them. The reason is probably not foxes or badgers, because we do not see that many of them, but corvids.

Noble Lords may not know that you need a licence to show that you are allowed to shoot or control corvids. Magpies are very clever birds and easily tamed. If noble Lords watch them over the next couple of months, they will see them working their way down a hedge, poking their heads in and looking for nesting birds. When they find a nesting bird, they destroy it. Each magpie is probably responsible for the destruction of 10 nests, but I do not know, as I have not studied it closely enough. Under the Wildlife and Countryside Act 1981, you need a licence. There is a general licence, but you need to be able to prove that the magpies or crows are causing damage. What is the point of that? Can the Minister confirm that that is the case?

As for grey squirrels, I plant a lot of trees, and in one wood, a third of the trees have been killed by grey squirrels. I trap them. This is legal, I am glad to say; otherwise, I probably would not tell noble Lords. I have caught 14 in traps since Christmas Day and I am catching them all of the time. However, there are still hundreds left. They do so much damage. There are people who challenge the trapping. I ask the Minister: have there been any suggestions that we should make it illegal to kill grey squirrels? We must reduce the number of them if the Government's ambition to plant more trees is to be realised.

There is a policy move to introduce a contraceptive, which will be useful only for male grey squirrels. I hope that works. Perhaps the Minister could comment on that later. Public sensitivity about killing squirrels is also one issue. I would also say there is some stupidity among the public. If noble Lords do not believe me, they should take their dog for a walk in the park and see what happens if it kills a squirrel in front of a lot of other people.

My real point in this is that there is concern and confusion over general licences and what one can and cannot do. They were all stopped and then restarted in the last couple of years. I return to what I said at the beginning: less—in this case, regulation—is more. We do not need endless regulations and laws to do what is right and humane. Some people will behave badly with or without laws and regulations. We could do with less regulation on the control of destructive species, as well as on tree planting and agriculture as a whole.

4.02 pm

**The Lord Bishop of Norwich:** My Lords, it is a pleasure to follow a fellow tree planter, the noble Lord, Lord Robathan. I give a tree to every person I confirm as a sign of the care of God's creation. I am grateful to the noble Earl, Lord Caithness, for securing this debate. I declare an interest as a member of Peers for the Planet and as a Church Commissioner.

Landowners and conservationists with whom I have spoken have broadly welcomed the changes to the sustainable farming incentive, not only the increased payment rates, which make uptake more attractive, but the new areas of action, the increased flexibility and the promise of a simpler, clearer and faster application service. Let us hope it does what it says on the new, streamlined tin. This better-rounded and more holistic agri-environmental scheme in England will undoubtedly see a greater uptake across all agricultural sectors. The tools are certainly in place to help deliver both sustainable food production and nature recovery.

In particular, I welcome the new emphasis on soil health. Being under our feet, we too often forget it, but soil is perhaps our greatest natural asset and the key to so much nature recovery. I am glad that the noble Baroness, Lady Bennett of Manor Castle, shares my enthusiasm for soil. Healthy soil supports a range of environmental, economic and societal benefits. These include food production, climate change mitigation and increased biodiversity. These vital soil functions are at risk from poor soil management or inappropriate land use, leading to soil degradation, soil compaction and soil erosion from wind and water. Ecological breakdown of our soils together with climate change are perhaps the primary threats to food security.

Of course, any change to a scheme, or the start of any new scheme, needs the test of unintended consequences, and I see three risks that I would be grateful if the Minister could address. First, I am conscious of the acknowledgment from the noble Earl, Lord Caithness, of the incredible commitment of farmers and the added stresses and challenges of new schemes. With the increased options that are now available through a single application process, will farmers be supported in the uptakes of those applications and given the right advice and support? Can the Minister say what advice and support will be given to applicants, particularly so that this public funding secures the most value and delivers effective environmental outcomes? We do not want to find, in future years, that we have been paying for suboptimal or even perverse outcomes for nature.

Secondly, it is critically important that farmers, once in ELMS, are taken on a journey of increasing ambition for nature. There is a risk that farmers remain on sustainable farming incentives, the lowest level of ELMS, and pick the low-ambition, free-choice, well-funded options that align with their existing farming actions. This will not deliver the widescale change in farming activity needed to restore declining wildlife populations. If we are to progress towards the targets in the Environment Act, we need a more joined-up nature landscape, with wildlife corridors, acknowledgement of the impact of edge effects and some clear understanding of which species we want to

protect, recover or thrive. If we want to continue to hear the magnificent call of lapwings, curlews or corncrakes, clear strategies need to be developed across whole landscapes. Yet in all this, there is a risk that high-quality, high-yielding land will be taken out of food production in favour of higher payments for environmental goods. Can the Minister say how the correct balance can be struck that benefits these various competing areas, so that we can maximise both food security and nature recovery?

Finally, ELMS is just one side of the coin when it comes to nature and farming. Funding to encourage nature-positive farming needs to be underpinned by the right level of regulatory baselining to prohibit actions that cause the most damage to nature. However, the announcement by the Government said almost nothing about regulation, other than to review the relationship between Natural England, the Environment Agency and farmers and landowners. This is at a time when EU regulatory legislation protecting hedgerows, soils and watercourses came to an end on 31 December last year. This cross-compliance has now dropped out of UK law, leaving regulatory gaps in these areas. We urgently need a new regulatory framework, starting perhaps with the swift progression of the replacement hedgerow protection proposals that were consulted on last summer; they have yet to be replaced. My final ask of the Minister is for a firm commitment that protections for nature will, at the very least, be maintained this year at the same level as the old regulations.

4.08 pm

**Lord Sewell of Sanderstead (Con):** My Lords, as a new entrant farmer, I think that there is another kind of endangered species that we have missed here, and that is the farmers themselves. As I have come into farming, lots of people are just leaving it. One of the reasons for that is that we have a sort of existential crisis around what a farmer is.

I would like to shift the debate a bit. I welcome ELMS and the shift away from the CAP to what we have now—I have come in the middle of that transition period—but one of the things that worries me is that we probably almost need to do away with the notion of the farmer itself. I do not even know what a farmer is any more. Because of the way we have set up so-called incentives, we are not really sure what we are doing. What we need to do is think about some of the complex relationships that we have.

I welcome the Rock report—all your Lordships should read it. It is an excellent document and it takes up this real issue of tenant farmers in relation to landlords. We have to deal with that issue. Defra is in there, as are environmentalists. Everyone is thrown into this kind of complex relationship, yet the definition of what a farmer is in a sense becomes problematic.

I would argue that, at the moment, the farmer is almost enemy number one. It never used to be like that. If you raise cows, you are polluting the air. If slurry comes from your farm, you are destroying the waterways. Suddenly, our romantic image of what a farmer is has changed, and in a sense the farmer now becomes the environmental villain in the piece. That is not a great incentive to get into what is a very difficult

industry and—I will not be political here from this side of the House—to make money, because at the end of the day, that is the driving force behind this.

There is a need to see this as two things. It is a business, so if you are going to incentivise, you also have to incentivise the market. One of the things we need to do is to redefine farming itself. I would prefer us to be called agri-innovators. I say that because I looked at the amount of money and risk, and at the hedge funds and everybody else who piled into the tech revolution we had recently, where money was poured into start-ups. Strangely enough, with that risk, nobody made a lot of money. When so many of those start-ups came in, we threw money at these alleged tech gurus who came out of university and gave them millions of pounds, but we never saw a return on it. Yet when you look at the farming sector, we do not see any of that kind of incentive in terms of the market.

I would therefore argue, as a good Conservative, that the Government stay out of some of this, and that we need an agricultural sector that is linked to the market and driven by the market. Obviously, there are controls that we need to have. However, as my noble friend rightly said, if you are actually in farming itself—or agri-innovation, let us call it—you are incentivised anyway to control the species. You have to in order to make the thing work. There is a market incentive in doing that.

In addition, what really are we now? I look at the farming community. We probably have some very big agri-industries, and I agree that there are the bigger ones. But what happens with the smaller sectors that I am involved in? We should be doing lots more added value; we should be dealing with agri-tourism. We have to be a little more imaginative. To be honest—I will probably get some pushback here—I think that some of my peers are not very imaginative in the way they are using their farms and the sector. We have to think much more around different ways of doing agriculture, which is not necessarily all about food production; there is education, farming in terms of restaurants and food to table. There are so many other things you can do around this area, which does not just mean trying to load food on to a lorry.

In some ways, I would like the Government to be thinking about helping the industry to become almost much more like the tech start-ups that we had, but perhaps this time with some more incentives. The incentives must be properly around those farmers who are moving innovation and doing things that are different, adding value to their products. That is the new way to go with this, and to avoid this area where new entrants—the few you can get—are coming in, and everybody else is piling out.

What is being left with the land in the end? It is really left to do other things, or bigger landowners come along and gobble you up. There is a need for a different way of doing farming. I ask my noble friend to help us by coming up with models that he could share, on websites or wherever the Government can promote and champion farms and agri-innovations that are doing things that are out of the box and different, and encourage the kind of energy for a younger set to come in. I will be honest: I am 64 and

I am one of the youngest people in my sector. It does not seem to be a young person's game, which is another thing that we must have in this area. We need to think about growing that sector so that it is attractive for young people to come into. That was not the case in the tech sector. We saw the age framework there. I cannot understand why farming cannot have the same kinds of interest and engagement.

Secondly, the sector has to have a link to science. That is why I call it agri-innovation, because the new agri-innovator has to have knowledge of science. You cannot be doing this without that knowledge. It is not instinctive; there is some great technology out there, some great things that we can be applying to the space, and we are not doing that enough. The agri-innovator is geared towards funds coming towards them and having an agri-business, but at the same time the agri-innovator is doing great things in the application of science to agriculture.

By the way, that is what I am trying to do at my place. We are doing great things. Obviously, we are using green technology, et cetera, but you can do lots of things, particularly on agri-tourism, where lots of people now want to come to see, understand and learn, so you are also an education space. So this whole thing has to change. We have a new Minister here and I am sure we will have new ideas coming in, but I am arguing that we should be championing the whole idea of getting a new generation into agriculture via that route.

On ELMS, I agree with my noble friend that I do not really want lots of regulation. People are being very snooty about the market and it working and not working, but we are driving this towards the big incentive, which is “Cash in the bank, please”—because that is really what this is about here, that is the big innovator: “You will take care of your environment”, et cetera. I know that mammon is not the only thing that drives us, but at the same time, it helps. You are coming out of farming because you are not making any money. The reality is that we need a vision and leadership that really sees agriculture as business, as science innovation and as something that we feel that we can actually make money from and get a real job from. So I urge the Minister to address some of these issues and come up with some answers on how he thinks we can make this work so that Britain can once again become a leader in this sector.

4.19 pm

**Baroness Bakewell of Hardington Mandeville (LD):** My Lords, I congratulate the noble Earl, Lord Caithness, on securing this important debate and on his excellent introduction to the subject, and welcome the Minister to his first debate in the Chamber. I am pleased to be able to tell the noble Lord, Lord Sewell of Sanderstead, who is a pleasure to follow, that there is a lot of innovation in science and technology going on in the agriculture industry already.

Every day of every year, the country and its residents ask farmers to perform a miracle. Without this miracle, we simply could not survive as a human population. We ask them to produce the healthy, nutritious and affordable food that sustains us all as a human population.



[BARONESS BAKEWELL OF HARDINGTON MANDEVILLE]

At the same time, we ask them to deliver positive outcomes for the environment, our landscapes and our biodiversity. I have met countless farmers who have decided to ignore the binary choice of producing food or improving the environment. They already embrace a farming approach that seeks to deliver the production of food alongside, and in harmony with, environmental enhancement and biodiversity gain.

There is a great deal of consensus, both within this Chamber and across our rural communities, that this approach is the only way to succeed in future. We cannot deal with the nation's vital food security without our hard-working farmers. At the same time, it is impossible to rectify the environmental damage that has occurred in recent decades without the help, support and local knowledge that exists within our farming communities.

When first introduced, ELMS had three strands—sustainable farming initiative, local nature recovery and landscape recovery. SFI was a universal scheme available to all farmers and those with land-managing responsibilities. But there have been changes along the way. In January 2023 came the announcement that ELMS would no longer introduce a new local nature recovery scheme. This would instead evolve into the existing Countryside Stewardship scheme. The Government's rollout of ELMS has been criticised for creating complexity and uncertainty among farmers and other land managers, as was excellently demonstrated by the noble Lord, Lord Robathan.

If the recent changes to SFI announced by the Secretary of State do not underpin this crucially important balance, it will fail. Unfortunately, recent experience with the SFI does not bode well. Since the original launch of the SFI, we have seen flip-flopping after flip-flopping of the measures being incentivised. The constant altering of payment rates and a horrendous underspend have seen farmers' funding cut by circa 50%, while at the same time their prospects of receiving new funding have become more and more challenging. While there are substantial increases to a few payment options in the January announcement, many are unchanged. There is less than hoped for to attract upland and hill farmers to change their farming practices to deliver more for nature, given that much land is tenanted or common land.

Establishing a single application process to enable farmers to apply for the SFI and the mid-tier Country Stewardship scheme at the same time is welcome. However, the Government have said that this new scheme will be available from summer 2024. The Country Land and Business Association has criticised the Government for not opening the applications for the updated scheme until summer 2024, arguing that farm businesses urgently need more financial support.

It takes six to 18 months to negotiate a Commons agreement, so if the detail is not available until summer 2024, new agreements will not start until late 2025. This is all taking too long. While there are some generous supplements proposed for rewetting and natural flood management, these require farmers and commoners to be able to undertake capital works. But the requirement to defray those substantial costs in advance before

being reimbursed remains a major block to moorland restoration. Overall, for the uplands it is too little, too slow and too vague. Historically, this Government wanted to achieve 70% of farmers entering 70% of their land into the SFI. Today, less than 10% of farmers have applied to SFI.

In turn, an annual underspend of over £100 million in such an important policy area is bad enough, but when, in the last few years, over £100 million a year has been taken from the funding that was already going to the very community we are seeking to support, it is almost unforgivable.

The underspending on the farming budget is justly criticised. As part of the rollout, the Government said that they would maintain the annual farming budget for England at £2.4 billion, as has already been referred to. However, as has already been said, the *Guardian* reported that the figures from Defra indicated that there was an underspend in the Government's environment farming schemes of £110 million in 2021-22 and £117 million in 2022-23.

I thank the noble Baroness, Lady Bennett of Manor Castle, for raising the issue of the land use framework. Can the Minister perhaps say when, if ever, it will be published?

I concede that the announcements made by the Secretary of State earlier this month have seen some improvements. For example, increased payment rates for species-rich grassland are welcome and long overdue, but let us be clear: this covers only around 0.1% of farmland in this country. There is precious little in these changes to support biodiversity improvement in the remaining grasslands, which can, if properly managed, become a thriving habitat for many iconic species in this country. I am sure that this House does not need to be reminded that we have lost over 90% of our hay meadows since the 1930s.

This is not about creating a chocolate box vision of a bygone era. Diversity of species benefits so much more than the simple flora and fauna of a field. We are now recognising the importance of multispecies pastures as reservoirs of beneficial predators. The technical term biological pest control, which is standard practice today in more than half of our horticulture production, is, at its heart, little more than the eradication of pest, disease or weed populations by a natural predator, whose population can be encouraged by a richer tapestry of habitats for food production and environment. I am afraid that I see little in the Secretary of State's announcements in this area.

The NFU has always supported sustainable food production alongside environmental work, provided that domestic food production levels are at least maintained, but the impact of this updated SFI is not clear. For arable farmers, some of the best-paying options are where they take land out of production—the right reverend Prelate the Bishop of Norwich referred to this.

On species management, the Government have said that the ELM scheme will support species recovery and management action by farmers, landowners and other managers. The Forestry Commission argues that, although wild deer contribute to the UK's biodiversity, they can have a negative impact, because they browse

on the seedlings and regrowth of certain trees and plant species. Deer populations are currently unsustainable and culling is now necessary. The same applies to the grey squirrel population. The Government have to provide realistic future certainty on a clear and stable ELM scheme, rather than this intensely frustrating drip feed of SFI options.

With 10 Secretaries of State in 13 years, it is perhaps not surprising that the Conservatives have failed to grasp the biggest opportunity in 70 years to recover nature. During the last seven-year period of mismanagement, the Conservatives have, unbelievably, increased core Defra staff almost fourfold, from 1,800 in 2016 to nearly 7,000 in 2023. Investing in nature is good value, and the Liberal Democrats will increase the agricultural budget by an additional £1 billion to ensure that farmers get the fair deal they deserve.

I strongly support using ELMS to support biodiversity, as I have highlighted, including specific management to support populations of endangered species in all habitats across the UK landscape. However, we will not achieve that with the current set of announcements, or without taking farmers with us on a journey where they can be properly rewarded for the vital role they play in addressing the declines we have seen in too many species across the UK. If the current Government continue as they are, with uncertainty and incompetence, before long it may well be the British farmer who becomes the endangered species.

4.30 pm

**Baroness Hayman of Ullock (Lab):** My Lords, I thank the noble Earl, Lord Caithness, for introducing this debate and for his clear and thorough introduction. As he did, I pay tribute to our many farmers, who have been going through a very difficult time in recent years. I also declare my interest, as laid out in the register, as president of the Rare Breeds Survival Trust.

We know that farming has a major impact on biodiversity and the natural world—the right reverend Prelate laid that out extremely clearly—so it is really important that farmers are properly supported to change how they farm so that they can remain resilient in this time of nature and climate crisis. Noble Lords discussed a number of concerns, some of which were raised by the Office for Environmental Protection earlier this month on progress in the implementation of ELMS. Although some progress has been made, it is clear that noble Lords and farmers feel that its rollout needs to be accelerated. The House of Commons Environmental Audit Committee also found that there was uncertainty about exactly how the scheme would operate. As noble Lords have also mentioned, this has particular challenges for tenant farmers and commoners.

But we broadly welcome the fact that we have an updated transition plan, which is what we needed. This has been welcomed by other organisations. For example, the Agricultural Industries Confederation has welcomed the changes, in particular the streamlining of the process for applications, and the NFU has welcomed the increase of some payments and support for a greater number of actions. However, it has also argued that the Government should provide further

details about exactly how the objectives would be delivered. The noble Earl mentioned that in his introduction.

As has also come across very clearly in this debate, the Government need to ensure a successful rollout to properly harness the opportunities for farm businesses, nature and our climate. The CLA, among others, has criticised the Government for not opening applications for the updated scheme until this summer. A number of noble Lords mentioned this. For example, when does summer start and end?

Farm businesses need action and financial support urgently. Nature Friendly Farming sent a very helpful brief, in which it mentioned its concerns that this delay could bring real cash flow problems for farmers. It has asked Defra to explore ways to alleviate this. It suggests introducing a one-off lump sum payment as an alternative to annual delinked payments. Can the Minister say whether Defra has looked at ways to alleviate the bumpy ride that farmers have during this process?

Although we are pleased to see that the changes are largely positive for nature, including the expanded set of actions, the average 10% uplift in payments, increased payment frequency and a commitment to double the number of agreements for more complex and targeted environmental land management, still more needs to be done. The changes will expand the contribution that farmed landscapes make to achieving our nature recovery targets in the Environment Act. However, as the right reverend Prelate the Bishop of Norwich and the noble Baroness, Lady Bennett, asked, how are we going to use this to dramatically increase our soil health? That is critical if we are to make real progress.

I should say that I thought it wonderful that the right reverend Prelate hands out trees at confirmations. That is fabulous. I shall talk to our church about doing the same.

It remains to be seen whether the incentives we now have will result in the right level of action at the required scale. Can incentives alone achieve this? If they cannot, there is a real risk that Defra could miss what are pretty ambitious goals.

Although there has been commendable progress on the development of farm payments, this could be undermined by a lack of regulation and enforcement—again, something mentioned by noble Lords during this debate. The noble Baroness, Lady Bennett of Manor Castle, talked in particular about the lack of evidence to show how ELMS will deliver against the Environment Act targets. Of course, there is no publicly available data to demonstrate how the payment rates have been calculated, how Defra evaluates progress and how value for money is secured. How will these robust rules be established and how will the gaps following the loss of cross compliance be closed? Will the Government publish their analysis of the actions needed under ELMS to deliver the Environment Act targets, as well as any gaps that have been identified? Has Defra considered publishing its scheme payment methodologies, as well as providing a clear payment strategy and the outcomes that are expected from farmers taking the grants?

The 2020 agricultural transition plan included actions to create and maintain habitats but did not include species management specifically. Instead, it is listed as

[BARONESS HAYMAN OF ULLOCK]

an example of the type of action that would be supported through what was then the local nature recovery scheme. The Government have confirmed that ELMS would support minimising harm caused by invasive species and promote the recovery of threatened native species. I have a particular interest in this, living in Cumbria: we see red squirrels out of our window and there is a real threat from the grey squirrel population in the areas where we are still fortunate enough to have red squirrels.

The case for supporting species management as part of the ELM scheme, brought forward in the Motion today, is advocated by the Game & Wildlife Conservation Trust, which argues that not enough focus has been given to species management; I thank it for its briefing on this matter. However, the Countryside Stewardship scheme already includes the control and management of some invasive non-native species; I am sure that the Minister will say the same. We question whether species management should be funded through ELMS, particularly the management of wild species that prey on farmland birds. As we have heard, last year's *State of Nature* report concluded that the decline in farmland birds is mainly due to an increase in intensive farming practices, not natural predation. The RSPB has further studied these impacts and found that predator control interventions carried out at the farm level—it is important to have that distinction—are not sufficient to make a difference.

I am aware that there have been challenges to this during the debate but we believe that ELMS should be focused on nature-friendly farming to help meet our nature and climate targets, rather than funding interventions that are already accessible through the Countryside Stewardship scheme. Perhaps extending that needs to be looked at.

Finally, I come to the important point made by the right reverend Prelate the Bishop of Norwich about farmers needing improved support and advice services. The transition from BPS to ELMS is significant and farmers need to be fully supported through this transition. The current advice service, the Farming Resilience Fund, is due to end next year. Can the Minister explain what will replace it?

4.38 pm

**The Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs (Lord Douglas-Miller) (Con):** My Lords, I declare my interests in farming, fishing and land management, as set out in the register. I congratulate my noble friend Lord Caithness on securing this important and timely debate.

I welcome this opportunity to speak about the changes to our environmental land management schemes and the case for including species management within the Countryside Stewardship section. Species management plays an important role in meeting our biodiversity targets. I am grateful for the many thoughtful and knowledgeable contributions that noble Lords have made today; I will return to this point in just a moment.

Given the relevance of this debate, it is worth highlighting how we are seizing the opportunities of moving away from the EU's inflexible common agricultural

policy and implementing our own bespoke environmental land management scheme, as this move constitutes the main element of the agricultural transition plan, as the noble Baroness, Lady Hayman of Ullock, explained so well just now.

First, and contrary to what was said by the noble Baronesses, Lady Bakewell and Lady Bennett, we are maintaining the £2.4 billion budget for the sector across this Parliament by using money released from the winding down of the basic payment scheme to fund our new set of ELMS modules aimed at improving the environment, productivity and the health and welfare of animals.

As many noble Lords will know, our ELMS modules fall into three main parts. The sustainable farming incentive pays for standard actions that are needed across the farmed landscape to deliver our environmental objectives. Since its launch, we have seen growing uptake for the SFI. As of yesterday, we have received more than 9,300 applications, which is approximately 15% of all farmers. Importantly, feedback from pilot participants has helped to shape the scheme to ensure that it is flexible and works for all farmers across England. As of this month, for those actions already agreed with the Rural Payments Agency, farmers have taken up actions which mean that circa 123,000 hectares of arable land is being managed without insecticides and circa 53,000 hectares of low-input grassland is focused on improving sustainability.

The second part of ELMS, Countryside Stewardship, pays for locally targeted actions relating to the creation of specific habitats and the management of some species. I reassure the right reverend Prelate the Bishop of Norwich: Countryside Stewardship schemes have helped to maintain and restore more than 10,000 kilometres of existing hedgerows and to plant an additional 4,000 kilometres across the country.

The third part, landscape recovery, is aimed at farmers and land managers who want to take a more long-term and large-scale approach to producing environmental goods on their land alongside food production. The first round of landscape recovery in 2023 focused on species recovery and river restoration. There were 22 successful projects. Among other things, they target the conservation of more than 260 flagship species. The second round of landscape recovery focuses on net zero, protected sites and wildlife-rich habitats. There are 34 shortlisted projects that will deliver a wide range of environmental benefits, including restoring more than 35,000 hectares of peatland and creating more than 7,000 hectares of new woodland.

At the Oxford Farming Conference earlier this month, the Secretary of State announced an update to the agricultural transition plan. This represents the biggest upgrade to farming schemes since the start of the agricultural transition in 2021. The key message from the Secretary of State, which I reiterate today, is that we are delivering more money, more choice and more trust. On money, we have updated the payment rates for existing SFI and Countryside Stewardship actions, increasing rates by an average of 10% across the board. Farmers will also be paid a premium for certain actions which deliver higher value outcomes.



On choice, we want to ensure that there is something available for every farmer regardless of whether they own or rent their land. We are adding around 50 new actions to our schemes and amending many more after taking feedback from farmers, researchers and stakeholders to improve and expand existing actions, creating the most flexible and comprehensive offer yet. For example, we have added five new actions and amended four existing ones to support the management of rivers and their catchments. These focus on slowing the flow of water through the landscape, thereby helping to reduce the impact of extreme weather events such as those that we have experienced recently.

Importantly, to build trust, we have listened to farmers and want to enable every farmer to access our schemes quickly and simply. We will be streamlining the application process by bringing together SFI and Countryside Stewardship mid-tier applications and exploring how we can simplify the Countryside Stewardship higher-tier application process as well. This and other changes will make it easier for our schemes to slot seamlessly into farm businesses. That will help to ensure that we get the scale and ambition we need to achieve our targets, including having 70% of farmers signed up by 2028.

I know from personal experience that no one cares more deeply about the land, the nature around them or the health of their farm than the farmer or land manager who lives and works there every day. The Government are keen that the relationship between farmers and regulatory bodies moves towards one of working together and building trust, and the guidance from the Government to regulatory bodies will reflect that farmers and land managers are the solution, not the problem, as my noble friend Lord Sewell of Sanderstead suggested. I should add that the Government support a range of innovations, but I shall take away my noble friend's thoughts on innovation and consider them further.

My noble friend Lord Caithness and other noble Lords asked about the balance between environmental benefits and food production. The Nature Friendly Farming Network is particularly interested in this point too. I know that my right honourable friend in the other place, the Farming Minister, met the Nature Friendly Farming Network on Monday this week. I was delighted to hear that they had a productive discussion on this topic and are working constructively together on potential routes forward.

I turn to species management, which my noble friend and other noble Lords spoke on with such knowledge today. As my noble friend explained, the evidence clearly points to three key functions that support biodiversity: suitable habitat, food source, and predator management. All three will be required if we are to hit our biodiversity targets. The lack of suitable habitat in good condition, and food scarcity, particularly over winter, are two of the primary reasons for species decline. We have many actions within ELM schemes that pay for habitat creation and management, and more are being added later this year. We also have specific actions to provide overwinter food for farmland bird species to boost their recovery.

Alongside those two critical components, we need predator management to support the recovery of certain species and priority habitats. Through Countryside Stewardship we already pay for actions to manage deer and grey squirrels to protect our woodlands, a subject raised by many noble Lords today, as well as the control of invasive non-native plant species such as Japanese knotweed and Himalayan balsam. This year we are expanding these offers to fund management across the landscape, beyond woodlands, and we are increasing payment rates to better reflect the complexity of the management actions that are required.

From this year, for the first time, we will also pay for the management control of edible dormice and American mink. The edible dormouse—a somewhat curious name, which I understand stems from the Romans acquiring a taste for this rodent—were first introduced to the UK from Europe in 1907. They cause damage to trees by bark stripping and ring barking, and they are known to eat fruit crops and compete with hole-nesting birds for nest boxes, and to predate on their eggs.

My noble friend Lord Robathan spoke with great emotion about the American mink, which is a widespread non-native invasive species with a broad diet that includes small mammals. The American mink has heavily preyed on our native water vole population, which is now endangered, as my noble friend mentioned. The key point, raised by the noble Baroness, Lady Hayman, and others, is that management of other generalist predators such as foxes, crows, stoats and weasels can and should be undertaken by farmers and land managers in accordance with the general licensing rules, which I appreciate have been a challenging area in the last year or so.

My noble friend Lord Robathan and others asked an important question concerning how we have taken species which are already included under general licences, such as GL38 for stoats, into account. I note that the evidence requirements for permitting the control of a species differ from the evidence requirements to incentivise the management of that same species through our schemes. The latter requires—

**Lord Robathan (Con):** My question really is: why do we need general licences and so on? We know that crows are very destructive, for instance. We have mentioned squirrels, mink and magpies. Why do we need a licence at all, general or otherwise? Is it to keep civil servants working?

**Lord Douglas-Miller (Con):** My noble friend raises a good point. It is the current law of the land. Perhaps I could take that point away and have a further discussion with him at a later stage.

Turning to future plans, I hope to reassure my noble friend and others in the House that, as part of the rolling review process, we will continue to explore whether to include additional species management actions within our schemes. This will involve working closely with stakeholders and farmers to understand specific issues as they emerge. It will keep our offers, including payments, up to date and allow us to respond to farmer feedback and changing scientific evidence to maintain progress towards achieving our biodiversity goals.

[LORD DOUGLAS-MILLER]

The noble Baroness, Lady Hayman, the right reverend Prelate the Bishop of Norwich and the noble Baroness, Lady Bennett, raised questions about soil. I emphasise that healthy soil, abundant pollinators and clean water are the foundations of our food security; I am sure that they would agree with me on that. The SFI pays farmers to improve and conserve their soils and provide flower-rich habitats for pollinators and other beneficial invertebrates. These actions support the delivery of our environmental objectives; they also benefit food production, by reducing farmers' reliance on costly artificial inputs.

The noble Baroness, Lady Bakewell, raised the issue of the land use framework, which I know is due to be published shortly. I am afraid I do not have an exact date for the noble Baroness, but perhaps I can get back to her on it at a later date.

In conclusion, our agricultural transition plan represents the most significant upgrade to farming support schemes since we gained the freedom to design and implement options that support the unique nature of our countryside. The Government will ensure that we maintain progress towards our outcomes by keeping our schemes under review, while ensuring that our offers reflect the latest scientific evidence and represent good value to both farmers and taxpayers. If I have missed any specific points from noble Lords or noble Baronesses, I will write to them in due course. I thank my noble friend for the opportunity to have this important debate.

4.53 pm

**The Earl of Caithness (Con):** My Lords, I am extremely grateful to all noble Lords who have taken part in this debate. I am also conscious of my noble friend Lord Robathan's remark that "less can be more", so I will curtail quite a lot of what I might be able to say.

However, I want to pick up one point made by the right reverend Prelate. He might not be aware, but it was due entirely to the work of the noble Baronesses, Lady Bennett and Lady Hayman, and myself that we got soil into the environmental improvement plan. It was promised through the soil health action plan. It was the pressure that we put on the noble Lord, Lord Goldsmith, that got the Government to change their view. It is a pity that the soil health action plan was not implemented, because the OEP is having great difficulty in getting any measurement of how soil can be improved.

I am extremely grateful to my noble friend the Minister. Again, we are lucky enough in this House to have a Minister who is experienced in farming and the countryside and who understands the matter probably far more than his civil servants. When it came to his remarks about the difference between management control of grey squirrel and deer and control of other species, I thought he was dancing on a pinhead. His officials need to be kicked pretty blooming hard and told that they need a better argument than that.

The Government have set farmers legally binding targets for 2030, but they are not letting farmers have a full toolbox of measures to tackle that. There is a risk of creating perfect habitats with taxpayers' money for a whole range of species which would just become population sinks unless there is more help for farmers in protecting those species from predators.

I hope that my noble friend the Minister will take two serious messages back to his Secretary of State and to No. 10. First, we need to get on with SFI schemes. It is no good just saying, "It's going to be in the summer"; we want it as soon as possible. Secondly, we need more on predator management.

*Motion agreed.*

*House adjourned at 4.56 pm.*





