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PARLIAMENTARY DEBATES  
(HANSARD)

# HOUSE OF LORDS

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

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

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# House of Lords

Wednesday 24 July 2024

3 pm

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

## Oaths and Affirmations

3.05 pm

*Several noble Lords took the oath and signed an undertaking to abide by the Code of Conduct.*

## Schools: Mental Health and Poor Attendance Question

3.09 pm

*Asked by Baroness Tyler of Enfield*

To ask His Majesty's Government what assessment they have made of the links between rising levels of mental health issues among school age children and poor school attendance; and what steps they are planning to take to address the situation.

**The Minister of State, Department for Education (Baroness Smith of Malvern) (Lab):** My Lords, mental ill-health and inadequate access to support are real challenges facing children today and have a detrimental impact on their school attendance. This is despite the excellent work done by education and health staff across the country. Poor mental health and low attendance are mutually reinforcing barriers to opportunity and learning. That is why we are committed to providing access to a specialist mental health professional in every school and developing new young futures hubs.

**Baroness Tyler of Enfield (LD):** My Lords, I thank the Minister for her Answer. As she has acknowledged, the evidence increasingly shows a clear link between school absences and poor mental health. There is also a growing recognition of the gap in mental health support available to children who need a greater level of support than is currently available in school mental health teams but do not require specialist treatment from CAMHS, and that this gap is best filled, as happens in Scotland and Wales, by school counsellors and suitably qualified practitioners. She talked about providing specialist mental health support for every school, mirroring my recent Private Member's Bill, and I very much welcome that. Could she confirm when these proposals will be brought forward and whether they will include primary as well as secondary schools?

**Baroness Smith of Malvern (Lab):** My Lords, I know that the noble Baroness has done much work in this area and, obviously, has had a Private Member's Bill on it. Access to mental health professionals will be for all schools, secondary and primary. We are working

with the Department of Health and Social Care to ensure that we get that model right and that we can, as she emphasises, provide that early support to alleviate the need for more acute mental health provision for young people, I hope.

**Lord Touhig (Lab):** My Lords, I welcome my noble friend to her position and congratulate her on her appointment to the House. Research by the Disabled Children's Partnership found that only one in three disabled children receive the support they need in education, and only one in five receive the support they need within the health service. In the light of these findings, it is unsurprising that mental health issues prevent many disabled children continuing their education. Can she assure the House that these two barriers in particular will receive urgent attention from the Government, because they are destroying lives?

**Baroness Smith of Malvern (Lab):** My noble friend identifies particular issues around mental health and special educational needs and disability. There are 1.6 million children identified with SEND. Unfortunately, outcomes are poor and confidence in that provision is declining. That is why we are working hard and, as I mentioned in my speech last week, are willing to engage widely to provide ways in which we can support those children and improve a system that is currently failing too many of them.

**Lord Farmer (Con):** My Lords, schools are called the fourth emergency service by the Association of School and College Leaders. They often help parents with benefit applications and mental health support so that their children will attend school. However, disrupted home environments, as well as mental ill-health, drive persistent absenteeism. Family hubs in Sefton, Salford, Kirklees and Bury St Edmunds are lifting this burden, freeing schools to teach. Will the new Government continue to support the growth of family hubs?

**Baroness Smith of Malvern (Lab):** The noble Lord is right, of course, that, for many children, schools are the stable part of their lives, but teachers, although they provide enormous levels of support along with other school staff, need to be able to focus on teaching children. Family hubs indeed play an important role in helping families to access vital services to improve the health, education and well-being of children and young people. We are already considering the overall approach to early childhood and family support, and how it can support this Government's opportunity mission. That includes reviewing the future vision and intentions for family support, including the core role played by family hubs.

**Baroness Bull (CB):** My Lords, may I press the Minister on what the Government will do to ensure access to mental health support for those children with disabilities and special educational needs? We know that they are disproportionately represented in absence and persistent absence figures, and that mental health is often a contributing issue. She spoke in her Answer about the evidence link between absenteeism

[BARONESS BULL]

and life chances. Does she agree that failing to address this risks widening even further the existing gap between attainment and life chances for those children who live with disabilities and educational challenges and those who are fortunate not to live with those challenges?

**Baroness Smith of Malvern (Lab):** The noble Baroness is absolutely right that, where special educational needs come alongside mental health problems and other issues in children's lives, they are more likely to be absent from school. Of course, while they are absent from school, they are not learning and it is also likely that mental health issues will increase, not reduce. That is why, for the vast majority of children with special educational needs who are being educated in mainstream schools, early intervention through the use of access to mental health support workers will be an important first way to support them and prevent conditions from becoming worse.

**Baroness Barran (Con):** My Lords, improving attendance is the most urgent and important priority to support our children's well-being and their academic attainment. There is rightly a focus on the most vulnerable children who are severely absent from school, including those with mental health issues. They represent about 2% of school-age children, but there is a much larger group—about 37% of our children last year, or 2.7 million pupils—who miss between 5% and 15% of school, with all the impact that has on behaviour and attendance, and the pressure it puts on teachers. What are the Government planning to do to help schools to improve the attendance of those children?

**Baroness Smith of Malvern (Lab):** The noble Baroness has done considerable work in this area, as I was reminded while being briefed for this Question. In particular, the whole range of work outlined in the updated *Working Together to Improve School Attendance* guidance, which of course becomes statutory in August, is important in outlining the responsibility of schools to develop a policy and the support that needs to be available to children and young people to enable them to attend. She worked carefully on improving access to data, so that schools can have a more granular approach to the reasons why individual children or cohorts of children may be missing from school, and can put tailored interventions in to support them. She will know that 93% of schools already provide that data to the department, and from September that will be compulsory for all schools.

**Lord Meston (CB):** My Lords, will the new Government seek to address the severe problems of child and adolescent mental health services coping with increased referrals and lack of staff? As reported by the Centre for Young Lives and others, there are now quite unacceptable delays in obtaining appointments, assessments and necessary treatment. Giving priority to children and families needing intervention will reduce much misery and save costs in the long run.

**Baroness Smith of Malvern (Lab):** The noble Lord is right that there is a considerable problem with access to child and adolescent mental health services,

at a time when one in five eight to 16 year-olds have a probable mental health disorder, it is suggested, and are seven times more likely to be absent for extended periods of time. When the median wait for these services for children is 201 days, there is clearly more that needs to happen. Alongside access to mental health professionals in all schools, my colleagues in the Department of Health and Social Care are also committed to recruiting an additional 8,500 mental health staff, with a priority for enabling them to work with children and young people.

**Baroness McIntosh of Hudnall (Lab):** My Lords, will my noble friend the Minister comment on what further work the Government plan to do specifically for young people with spectrum disorders, such as autism and ADHD? They can do well in mainstream schooling, but often do not because their needs are not recognised soon enough, and they can then present with mental health disorders on top of their spectrum disorders. What is being done to help teachers understand how to manage those children and keep them in the classroom, which is often not easy?

**Baroness Smith of Malvern (Lab):** My noble friend is of course right. There are a whole range of reasons why children may be absent from school. Special educational needs and particular disabilities, as she identifies, are a key reason. That is why, in a system that is not properly serving children, this Government are committed to improving that and working to ensure, across the whole spectrum of special educational needs and disability, that children get the support they need to remain in mainstream schools. As she also rightly says, teachers are getting the support they need, along with other staff within the school, to both identify and then support those children, so that they can achieve and succeed in a way that will be an important foundation for the rest of their lives.

## European Investment Bank Question

3.20 pm

Asked by **Lord Balfé**

To ask His Majesty's Government what plans they have to seek a closer relationship with the European Investment Bank to encourage investment in the United Kingdom.

**The Financial Secretary to the Treasury (Lord Livermore) (Lab):** My Lords, the Government have set out plans to significantly increase investment in the UK economy, including through a new national wealth fund and far-reaching reforms to the planning system. The Government have not set out any specific plans in relation to the European Investment Bank.

**Lord Balfé (Con):** I thank the Minister for his reply. When we left the European Union, we left the agencies in a particularly violent way. We did not really deal with them at all, but there is nothing in the EIB statutes that precludes it lending to non-EU countries such as the United Kingdom. Will the Government

consider opening negotiations with the EIB to get a closer relationship, one that is based not on cherry picking but on the mutual concerns on both sides to get a better spread of investment in the United Kingdom and Europe?

**Lord Livermore (Lab):** I agree with the substantive points that the noble Lord is making. We need to reset our relationship with the European Union. The Government are committed to doing this in order to strengthen ties, reinforce our commitment to security and tackle barriers to trade. We also need, as he says, to increase investment in our economy, so we have set out significant steps to unlock billions of pounds in private sector investment in the industries of the future through a national wealth fund, planning reform, a pensions review and a modern industrial strategy.

The noble Lord asked specifically about a third-party relationship with the European Investment Bank. Although it is possible to agree such an arrangement, it is unlikely that such an arrangement would provide anything like as much investment into the UK as membership of the EIB did.

**Baroness Bowles of Berkhamsted (LD):** My Lords, there are substantial links through the financial sector, legacy projects and joint development funding with the EIB at present, and I think there are opportunities that the Government could investigate further in the areas of defence and energy security, which have increased in significance since Brexit and where there is obviously mutual advantage. Will the Government look to explore those areas and make significantly greater political engagement by means of higher-level Civil Service relationships with the EIB and possibly the secondment of staff between the UKIB and the EIB, which could be mutually beneficial? These could all be measures where we could move forward and obtain greater funding or greater joint projects.

**Lord Livermore (Lab):** The noble Baroness is correct that there are continuing projects in the UK that were financed by the EIB prior to leaving the EU and which it continues to support. I agree with her that there is merit in improving our relationship with the European Union. We have not yet set any plans on working with the European Investment Bank, but I will absolutely consider the point she makes.

**Lord Watts (Lab):** When we left the European Union we were told that there were loads of trade deals to be done around the world. The previous Government sent people to every quarter of the world to try to do trade deals and failed. Will the Minister redirect his staff into doing something positive rather than waste our time?

**Lord Livermore (Lab):** I do not think it is a question of either/or. Clearly we need to do more to reset our trade relationships right around the world. We want strong multilateral partnerships with new countries and to reset our relationship with the strongest and closest partners that we have in the European Union. We should work hard to develop stronger trade relationships right across the board.

**Baroness Wheatcroft (CB):** If the Government are to set a good example about investing in the UK, should they not perhaps start at home and invest a little more of the MPs' pension fund?

**Lord Livermore (Lab):** I think that is a question for Parliament rather than the Government.

**Baroness Blackwood of North Oxford (Con):** I declare my interest as chair of Oxford University Innovation. At the heart of this question is the need to have more scale-up capital invested in UK innovations. Australian pensions invest more than 10 times the amount of capital than we do in private markets. The previous Chancellor was trying to unlock UK pension capitals into our UK innovations. Are the Government going to continue that work and unlock pension capitals into these innovations? How do they intend to make sure that that happens at pace?

**Lord Livermore (Lab):** I am grateful to the noble Baroness for her question, and I agree with the premise behind it. We as a country need to get better at start-up and scale-up capital, and we need to increase the levels of investment in our economy. Our goal is absolutely to unlock billions of pounds of private sector investment into the infrastructure that our economy desperately needs. The noble Baroness will be aware that the Chancellor and the new Pensions Minister have launched a review to boost investment, increase pension pots and tackle waste in the pensions system. In order to boost investment in Britain, we want to see more pension schemes investing in fast-growing British firms. As she will know, just a 1% increase in the £800 billion of assets that DC schemes are set to manage by the end of this decade could raise £8 billion of investment into the UK economy. The sectors that she identifies are definitely ones that we should prioritise.

**Baroness Kramer (LD):** I would not argue for a moment that we should not be turning to UK pension funds as a source of long-term patient capital in the British economy, but will the Minister take on board that for people with small pension pots, for whom risk is very dire, investing their funds in illiquid long-term assets could be a significant blow when they reach retirement and find that their pots have shrunk dramatically?

**Lord Livermore (Lab):** I agree with the noble Baroness. That absolutely has to be one of the criteria or conditions that we establish as part of the pensions review. I am sure that, as more details are announced, that will be taken into account.

**Lord Foulkes of Cumnock (Lab Co-op):** My Lords, I congratulate my noble friend on his patience and understanding in not pointing out to Members opposite who are sitting quietly—not asking questions, even from the Front Bench—that they are the people who got us into this problem in the first place.

**Lord Livermore (Lab):** Apologies. I was unsure whether that was a question. I am most grateful to my noble friend for his warm words. He knows that I agree with him that we must reset our relationship with our closest and strongest partners in the EU.



**Lord Fox (LD):** During his very good summing up at the end of Monday's excellent debate, the Minister did not get a chance to answer some of the questions that I had asked about the national wealth fund, so I will ask one of them now and perhaps he can go through *Hansard* and look at the others. How will the national wealth fund decide what it is going to invest in? Will it be a strategic investment or purely commercial? Who will be setting the criteria for those investments?

**Lord Livermore (Lab):** The national wealth fund will work on the same basis as the UK Infrastructure Bank in terms of allocating investment. I think that is the answer to the noble Lord's question.

**Lord Davies of Brixton (Lab):** In a similar vein to the question from the noble Lord, Lord Fox, I had a question in the debate on Monday about the first phase of the pensions review, looking at the investment of pension scheme monies in productive economy. I am sure my noble friend will agree that in such discussions the voice of the trade unions that represent scheme members and pensioners through their organisation should be an important part of the debate.

**Lord Livermore (Lab):** I thank my noble friend for his question. I did not address his question in the debate, because I hoped he knew that I would agree with him, which I do. As part of the pensions review, we will consult all interested bodies.

**Lord Evans of Rainow (Con):** Will the Minister confirm that, during this pension review, the thousands of savers in pensions over decades will enjoy the 25% tax-free element when they eventually retire?

**Lord Livermore (Lab):** Yes, I am happy to confirm that.

## Household Support Fund *Question*

3.30 pm

*Asked by Baroness Lister of Burtersett*

To ask His Majesty's Government what plans they have for the future of the local authority Household Support Fund, due to expire in September.

**The Parliamentary Under-Secretary of State, Department for Work and Pensions (Baroness Sherlock) (Lab):** My Lords, the household support fund is a scheme to provide local support to those most in need. For the period April to September 2024 DWP has provided £500 million, of which £421 million is for local authorities in England to spend at their discretion, with the balance going to the devolved Administrations. No funding was budgeted beyond September. As a new Government, we keep all policies under review, including the household support fund.

**Baroness Lister of Burtersett (Lab):** My Lords, I welcome my noble friend to her rightful place. May I urge her to impress on her government colleagues the

urgent need for the fund's extension for at least six months, to give local authorities certainty and to enable the development of a longer-term, ring-fenced local crisis support scheme to replace also the discretionary welfare assistance that many authorities have scrapped and that is vulnerable to further cuts? As she knows, the alternative is even greater hardship for people in very vulnerable circumstances and even greater reliance on food banks.

**Baroness Sherlock (Lab):** My Lords, I thank my noble friend for that question and for the warmth of her welcome. We appreciate very much the crucial role that local authorities are playing in providing crisis support to vulnerable people in their areas. Indeed, my department is engaging closely with each local authority in England to make sure that we understand the ways in which they are using the household support fund.

She mentioned that it is not the only source of support; some local authorities still have local welfare assistance schemes and there are other forms of localised support. But the Government are very conscious of the financial pressures facing local authorities and we are committed to ensuring that councils have the resources they need to provide public services to their communities. As I say, the policy is under review but my noble friend's points are well made and I will take note of them.

**Baroness Pinnock (LD):** My Lords, I have relevant interests recorded in the register. Prevention is better than cure, for the reason that it can improve lives at a lower cost. Does the Minister agree with that and will she consider working with councils and the Local Government Association to develop a scheme that enables preventive work, rather than the existing household support scheme?

**Baroness Sherlock (Lab):** I am grateful; that is a really important point and I thank the noble Baroness for making it. Prevention is always better than cure, even if it is not always possible to replace cures entirely with prevention. There may always be the need for some support locally. The way that the fund runs has been designed deliberately so that every local authority can choose how it spends it; and they have chosen to do it in different ways. DWP has given guidance about the nature of the groups that need supporting, and it is for essential support. Some authorities have given grants to third parties; others have given money directly to people and some have even given food. But her broader point is well made. I certainly know that my colleagues in the Ministry for local government—MHCLG—are talking closely with local authorities about how we can get better at doing multiyear funding, giving stability to local government and engaging more effectively in the way that we spend this money.

**Lord Bird (CB):** While we are talking about poverty and children, can I ask a very cheeky question? Why is it that the Government are punishing seven members of the Labour Party who have put the party behind the interests of the people? Why are they doing this? This is a very disgraceful thing to be doing so early in their Administration.

**Baroness Sherlock (Lab):** My Lords, I assume that the noble Lord is talking about a vote in the other place on the two-child limit. I certainly would not comment on the decisions of the Chief Whip here—never mind at the other end—who is of course always right. I simply take gentle issue with the suggestion that people taking a particular view are putting party before country. I recognise that there is a concern about the two-child limit, but our new Prime Minister could not have shown a greater commitment on child poverty. One of the earliest major announcements he made, in his second week, was to create a major commission on child poverty, with Ministers drawn from across government. It will of course look at important questions such as household income, but poverty is not just about that. It is going to draw in and look at education, childcare and health—all the things that prevent our children having the best start in life—and I am really excited about that.

**Lord Young of Cookham (Con):** Does the Minister recall that, the last time we debated this, the outgoing Government agreed to extend the household support fund for a further six months until September? Does she recall that, at that time, I intervened to suggest that, instead of a cliff edge at the end of September, there should be some form of taper? Will the Government consider that?

**Baroness Sherlock (Lab):** I remember that very well. In fact, I read the *Hansard* of the last time this came up and noticed that the noble Lord made that point. When I looked at how the financing had been provided, I saw that the money had been provided for only six months. Therefore, there is currently nothing in the budget to go beyond that. But I take his broader point about cliff edges and short notice being unhelpful. As I said, we need to get back to a space where we can support councils with longer, multiyear funding to give them the kind of stability they need but simply have not had recently.

**The Lord Bishop of Manchester:** Something like seven out of every eight local authorities now use this money to alleviate holiday hunger among our children. Can we have any hope that the Government will look at a more strategic way of helping children cope with hunger during the school holidays? Many of the churches in my diocese, and those of my right reverend friends here, are having to put on voluntary projects to support children during those periods. What can we hope for?

**Baroness Sherlock (Lab):** I pay tribute to the Church and other faith organisations, which do such important work with children, families and their communities. I commend them for that. The question of holiday hunger, and indeed of children and food, will clearly be considered by the child poverty strategy and the task force when it gets together. We will set up a child poverty unit in the Cabinet Office that will work with the task force. We have already begun talking to stakeholders of different kinds, asking for experiences and getting expertise from inside and outside government to look at the best ways we can make this better. But we are also making some specific starts. For example, we are committed to making sure we have breakfast

clubs in every single primary school. That is a simple measure that helps with the cost of living for families and helps children to start the school day able to concentrate because they have had something to eat. So I fully accept the importance of ensuring children have food and of being consistent; that will be part of what we look at.

**Baroness Thornhill (LD):** My Lords, it will be music to the local government sector's ears that the Government are looking at multiyear funding. I ask them also to consider ending the begging-bowl regime, where councils have to bid every year against each other for funding. As we have heard in this House just in the last two days, funding is ending in September and ending in March. We need to move away from that to give much more financial sustainability to local government.

**Baroness Sherlock (Lab):** My Lords, certainly in this Parliament, we will provide councils with more stability and certainty through multiyear funding settlements. The aim is to ensure that councils can plan their finances for the future properly. But we will also work with local leaders to try to end competitive bidding for pots of money, and to reform things such as the local audit system to ensure value for money for the taxpayer. I know that my colleagues in MHCLG are very interested in working together with local government to find a better way of funding local councils.

**Baroness Boycott (CB):** My Lords, I am sure everyone welcomes the government scheme to introduce free breakfasts, but I am concerned about the rates of obesity, especially in lower-income areas. When kids come in at five, 25% are obese, and when they leave at 11, 47% are obese. What are the standards of these breakfasts? Many breakfasts that schools offer are bagels and high-sugar cereal, because these get donated by companies trying to “look good” in the eyes of their shareholders. I have not read anywhere what the standards of food are and I would be very interested to meet with the Minister to discuss this, because it is critical if we are to have a genuine health impact.

**Baroness Sherlock (Lab):** The noble Baroness makes a good point and I commend her for raising it repeatedly in this House. It is an important question and I have two things to say. First, the breakfasts will be fully funded; they will not be done on the cheap. Secondly, colleagues in the Department for Education will consider carefully the question of the composition and health nature of the breakfasts; I am sure that will be taken into account. I will make sure that point gets passed back.

**Baroness Bull (CB):** My Lords, despite household support fund guidance making it clear that local authorities should consider the needs of low-income families that cannot work, particularly those with disabilities, we know that people with learning disabilities are disproportionately impacted by the cost of living crisis. So can the Minister say whether the Government will commit to an additional tranche of funding that is strategically targeted at disabled people in crisis, while a longer-term plan for their financial well-being is implemented?

**Baroness Sherlock (Lab):** My Lords, I regret that I am not in a position to commit to another tranche of funding. What I will say is that one reason why the scheme was designed to give maximum discretion to local authorities was a recognition of the difference in composition in local areas and different sets of needs, but also the different resources available. We have given some guidance out from DWP about the nature of the client groups, and we have said previously that at least part of the money should be available on application. I can certainly feed that point back in. At this stage we do not know what the future of the fund is—but it is an important point and I shall make sure that it is taken back to the department.

## Strategic Lawsuits Against Public Participation Question

3.40pm

Asked by **Baroness Stowell of Beeston**

To ask His Majesty's Government what plans they have to introduce legislation to prevent 'strategic lawsuits against public participation'.

**The Parliamentary Under-Secretary of State, Ministry of Justice (Lord Ponsonby of Shulbrede) (Lab):** My Lords, the Economic Crime and Corporate Transparency Act 2023 was a positive and significant step forward in tackling SLAPPs relating to economic crime. The Government are now carefully considering options to tackle SLAPPs comprehensively. I know that the noble Baroness has a long-standing interest in this area, and I assure her that the Government are taking the matter very seriously and are establishing working parties, working at pace to try to address this issue.

**Baroness Stowell of Beeston (Con):** First, I welcome the noble Lord to his new appointment. It is very important for us to understand that SLAPPs are related not just to economic crime. SLAPPs are illegitimate and aggressive lawfare, used by all kinds of the rich and powerful to silence politicians, journalists and public bodies. They are an abuse of our legal system, and they are a threat to press freedom. Before Dissolution, we were very close to outlawing SLAPPs in their entirety, through the then Government supporting a Labour MP's Private Member's Bill. Would the Minister ensure that his Government supported another Private Member's Bill, if another MP was to bring forward a revised version that incorporated all the amendments and agreements reached with the previous Government before the general election? If not, could he commit to the Government bringing forward their own legislation in this first Session of Parliament to outlaw SLAPPs comprehensively?

**Lord Ponsonby of Shulbrede (Lab):** I agree with the first point that the noble Baroness made. It is not just about economic crime, and that is one of the reasons why we want to have a wider review of potential SLAPPs legislation coming forward. I am not in a position to make the commitment that the noble Baroness has asked for around when any legislation might come

forward, but I reassure her that we are taking this matter very seriously. On the Private Member's Bill that fell at Dissolution, we support the principle behind it. However, we believe that there are outstanding questions that need to be properly balanced. That is to prevent the abuse of the process of SLAPPs, about which the noble Baroness spoke, but we also need to protect access to justice for legitimate claims. It is that balance that needs to be fully worked through. There were live discussions with important stakeholders—for example, the Law Society—at the time of the previous Private Member's Bill. We have every intention of continuing those discussions as we review any potential legislation.

**Lord Thomas of Gresford (LD):** The Private Member's Bill that I produced on the abusive SLAPPs civil litigation, which was given its First Reading in the last Session of the last Parliament, was based on the Ontario model, which was approved in the Supreme Court of Canada as recently as last year and provides a way forward. It was also well received, as I recall, by the Ministry of Justice. Will the Minister take that into account?

**Lord Ponsonby of Shulbrede (Lab):** My Lords, there are various attempts at dealing with SLAPPs in different legislatures across the world. The Government are currently working with the Council of Europe, with its 46 member states, to try to get a more comprehensive approach. The noble Lord's experience in Ontario, which he referred to, will be taken into account.

**Lord Faulks (Non-Aff):** My Lords, I congratulate the noble Lord on his appointment. He is of course doubly there—he is not only elected but appointed, which gives him particular status on the Front Bench. I sympathise greatly with his position in the Ministry of Justice, which he will much enjoy. He will remember the terms of the amendment put down to the then Economic Crime and Corporate Transparency Bill; it was a start, but will he agree that it is important that we have really muscular legislation? Can he bear in mind that his own Foreign Secretary said that these SLAPPs have the effect of

"stifling effectively not just the rule of law and freedom of speech, but particularly going to journalists doing their job"?

**Lord Ponsonby of Shulbrede (Lab):** Regarding the noble Lord's opening comments, I am a hereditary Peer, though not an elected one, but I am a life Peer, which is the reason I am standing here at the moment. The noble Lord is absolutely right: my right honourable friend David Lammy has expressed very strong views on this matter, which is one that the Government are taking seriously. As I tried to reassure noble Lords in my earlier answers, we want to get this right and to be trenchant in the legislation that we bring forward.

**Lord Cromwell (CB):** Does the Minister agree that any further legislation coming forward on SLAPPs should enable the judge to determine the intent of the litigant by their actions as to whether they are trying to harass the defendant? Will the legislation further make clear that no level of such harassment is acceptable?



**Lord Ponsonby of Shulbrede (Lab):** I thank the noble Lord for that question. SLAPPs represent an abuse of the legal system, where the primary objective is to harass, intimidate and financially and psychologically exhaust one's opponent via improper means. Judges are able to assess that. One objective of any forthcoming legislation will be to give them greater capacity to assess improper use of these objectives within the court's process.

**Lord Keen of Elie (Con):** I welcome the Minister to his place on the Front Bench. As has been indicated, SLAPPs often involve an insidious abuse of domestic legal systems in order to intimidate investigative journalists, or indeed human rights defenders. At the same time, it is necessary to balance any consideration of that with the issue of access to justice. The issue of harassment can sometimes be a somewhat subjective one. However, at the end of last year, the European Union published a directive to address SLAPPs and how they might be dealt with in domestic jurisdictions. The Minister may not yet have had an opportunity to consider that directive. Will he undertake to do so, lest it might give some guidance to our way forward as well?

**Lord Ponsonby of Shulbrede (Lab):** I thank the noble and learned Lord for that question. I am happy to give that undertaking. As I mentioned, there is a Council of Europe initiative going on, but clearly we should, and we will, look at the EU directive.

**Lord Browne of Ladyton (Lab):** My Lords, I welcome my noble friend to the Dispatch Box. Recognising that the Government are planning a review, do they still agree that there is an urgent need for a stand-alone anti-SLAPP Bill, and that the lack of legislation will see SLAPP litigations continue? In the words of our right honourable friend the Foreign Secretary, as already mentioned, and as reported in the *i* newspaper on 3 June, they will continue effectively to stifle

"not just the rule of law and freedom of speech, but particularly ... journalists doing their job to throw a spotlight and transparency on the most egregious behaviour of oligarchy, plutocracy, and very corrupt individuals doing bad things".

Surely we need to stop that as soon as possible.

**Lord Ponsonby of Shulbrede (Lab):** I agree with everything that my noble friend has said. I cannot make a commitment to a stand-alone Bill, but there is nevertheless an urgent need for legislation. My noble friend may be interested to know that the number of Russian litigants appearing in judgments from the Commercial Court has more than halved in the year to March 2024, falling to 27 from a record high of 58. We believe that that is a result of the successful UK sanctions regime taking effect.

**Viscount Colville of Culross (CB):** My Lords, to build on the question from the noble Lord, Lord Cromwell, surely it would be better for a judge to be able to infer the intention of a SLAPP litigant based on their actions, rather than, as happens at present, having to infer the litigant's state of mind, which is so hard to determine.

**Lord Ponsonby of Shulbrede (Lab):** I agree with that point, but it is a complex question and we want to look at it in the round.

**Lord Garnier (Con):** My Lords, I declare an interest, in that I have been practising at the defamation Bar since the mid-1970s. Much has been said in this House and in Committee about the need for SLAPP laws. I invite the Minister to look, if he can, at the letter I wrote to his predecessor, my noble and learned friend Lord Bellamy, on this very subject just before the election; if he cannot look at it, I will send him a copy. Will he also undertake to put this matter before the Law Commission, so that we can generate rather more light than heat?

**Lord Ponsonby of Shulbrede (Lab):** My Lords, I am happy to look at the letter and to consider whether the matter should go before the Law Commission.

## Business of the House

### *Motion on Standing Orders*

3.51 pm

*Moved by Baroness Smith of Basildon*

That Standing Order 73 (*Affirmative Instruments*) be dispensed with on Monday 29 July to enable motions to approve the Criminal Justice Act 2003 (Requisite and Minimum Custodial Periods) Order 2024 and the Global Combat Air Programme International Government Organisation (Immunities and Privileges) Order 2024 to be moved, notwithstanding that no report from the Joint Committee on Statutory Instruments on the instruments has been laid before the House.

**The Lord Privy Seal (Baroness Smith of Basildon):** My Lords, I thought it would be helpful to the House to set out why this Motion is needed. Noble Lords will see that the Motion enables the debate and approval of two statutory instruments, but in this case before the Joint Committee on Statutory Instruments has been re-formed and therefore able to consider them. As I have said before and I think colleagues are aware, I can assure the whole House that I take very seriously the Standing Orders of your Lordships' House and, in particular, the importance of committee scrutiny of primary and secondary legislation. I am therefore moving this Motion on an exceptional basis, due to their urgency, to ensure we have a full debate on the substance of the issues as soon as possible.

I am clear that, across government, this is not best practice, which is obviously for the JCSI to consider matters before they come to your Lordships' House. I bring this forward only because the statutory instruments must be implemented with some urgency. The first statutory instrument we are discussing supports the response to the crisis in our prisons. The second supports the implementation of an international treaty. This was agreed before the election but could not be implemented due to the Dissolution. Action is needed now to ensure we meet the timelines that have been agreed with our international partners. The usual channels have agreed

[BARONESS SMITH OF BASILDON]

that we will hold full debates on both before the summer, on an exceptional basis, and I am grateful for their support in this.

I very much hope and anticipate that the JCSI will be re-formed in September, enabling it to consider instruments before debate as part of the normal procedures of your Lordships' House. I am sure that the Ministers, my noble friends Lord Timpson and Lady Chapman, look forward to debating and engaging with your Lordships on the substance of the instruments next week.

*Motion agreed.*

### **Business of the House** *Motion on Standing Orders*

3.53 pm

*Moved by Baroness Smith of Basildon*

That, in the event that the Supply and Appropriation (Main Estimates) Bill has been brought from the Commons, Standing Order 44 (*No two stages of a Bill to be taken on one day*) be dispensed with on Monday 29 July to allow the Bill to be taken through its remaining stages that day.

*Motion agreed.*

### **Post Office Horizon** *Commons Urgent Question*

3.54 pm

*The following Answer to an Urgent Question was given in the House of Commons on Thursday 18 July.*

“Members will know that the Government made a key manifesto commitment to ensure that justice and compensation are delivered as swiftly as possible for every postmaster caught up in the Horizon scandal. The Secretary of State has already met Sir Alan Bates, Kevan Jones and the chair of the Post Office, Nigel Railton, to discuss the progress being made and what more can be done. The Government intend to make a significant announcement on the new redress scheme before the Summer Recess. This scheme will apply to postmasters whose convictions have been overturned by the Post Office (Horizon System) Offences Act 2024, passed in the last Parliament”.

**The Parliamentary Under-Secretary of State, Department for Science, Innovation and Technology (Baroness Jones of Whitchurch) (Lab):** My Lords, I am grateful for the opportunity to make this new Government's first Statement in your Lordships' House on the Horizon scandal. It was one of the Government's key manifesto commitments to ensure that full and fair compensation is delivered for every sub-postmaster caught up in the Horizon scandal.

I echo what my colleague Justin Madders MP said in the other place. This has been a huge miscarriage of justice and I am deeply grateful to those sub-postmasters who pursued justice against the odds. We owe them a debt of gratitude for their tireless campaigning. I am

also deeply grateful to colleagues in this House, particularly the noble Lord, Lord Arbutnot, and in the other place for their work in righting this wrong.

The Secretary of State for Business and Trade has already met with Alan Bates, Kevan Jones and Nigel Railton to discuss progress and what more can be done. We intend to make another announcement on the redress scheme before the Summer Recess and to help those whose convictions were overturned in the last Parliament.

3.55 pm

**Lord Offord of Garvel (Con):** I welcome the noble Baroness, Lady Jones, to her place on the Front Bench. I am glad that the Government are picking up with a sense of urgency the last piece of business that went through this House before the general election. At this point we might take a moment to congratulate the tireless campaigner Alan Bates on his recent knighthood. It reflects the will of the people to congratulate him on his tireless campaigning on this matter over 20 years.

The Post Office (Horizon System) Offences Act 2024 was an unprecedented piece of legislation that overturned the convictions of 800-plus postmasters and postmistresses. However, the Act quashes convictions but does not provide compensation. That is what we need to turn our attention to now. Can the Minister please clarify whether the July deadline for the letters offering the final settlement of £600,000 to go out to the 800-plus postmasters and postmistresses will be met? Has the Horizon shortfall scheme been implemented, allowing the additional £75,000 top-up? When the Minister says that this will be done before Recess, does she realise that is next Tuesday?

**Baroness Jones of Whitchurch (Lab):** My Lords, I thank the noble Lord for his kind comments and welcome him to his new role. I echo his congratulations to Alan Bates on his very well-deserved knighthood.

Obviously, we are awaiting the details of the scheme, but once they are in place the follow-up letters will go out at pace. As the noble Lord knows, in the meantime we are implementing the £75,000 fixed sum awards and we will set out further plans for that in due course. I take note that the beginning of the Recess is next week, and I hope to come back with further information in the meantime.

**Lord Fox (LD):** My Lords, I also welcome the noble Baroness to her position, which I believe spans two departments. I am not quite sure what she has done to deserve that. I associate myself with the remarks made by the spokesperson for His Majesty's Opposition and credit him for the energy he brought to this subject in the latter half of the last Parliament.

In those discussions, there was a group of people who are still not covered by what we are doing: the unsuccessful appellants of the case. There was a small but significant number who had the courage to take their case to appeal, lost their appeal and are now hanging outside this scheme. I spoke to the last Government in both this place and the other place about the reasons for that. I understand the reasons around the judicial nature of what has gone on, but can the Minister assure us

that these people are not forgotten and that a route is being sought to make sure they get the same of level of redress received by the others as a result of the legislation?

**Baroness Jones of Whitchurch (Lab):** My Lords, of course we are mindful of those cases and are carefully watching the numbers that remain in that camp. The usual routes of appeal remain for those cases. In particular, those individuals can apply to the Criminal Cases Review Commission to be referred back to the Court of Appeal, if it considers that

“there is a real possibility that the conviction would not be upheld were a reference to be made”.

I hope that advice will be taken by a number of those individuals.

**Lord Sikka (Lab):** My Lords, for nearly 20 years, institutions of government and corporations claimed that there was nothing wrong with the prosecutions of sub-postmasters. Now, of course, we know different. With that in mind, I urge the Minister to appoint an independent inquiry into the 100 or so convictions of sub-postmasters that were secured by the Department for Work and Pensions. In many cases, the affected individuals have passed away and their families are traumatised.

**Baroness Jones of Whitchurch (Lab):** The noble Lord makes a very good point. He is absolutely right about the long delays that took place, and I think we around this House have all accepted that that was unacceptable. I hope that all parts of government have learned the lesson from that. On the individuals and the question of whether there should be an independent inquiry, we believe that the best way to deal with this issue now is through the current arrangements being set up, rather than by having another third party involved. I am sure that all these matters will be taken into account in the eventual recommendations.

## Prison Capacity

### Statement

4.01 pm

**The Minister of State, Ministry of Justice (Lord Timpson) (Lab):** My Lords, with the leave of the House, I will repeat a Statement made in the House of Commons by the Lord Chancellor. Before I do so, I will say that I look forward to addressing the House more fully with my maiden speech during the debate on the King’s most gracious Speech. I understand that it is rare for a Minister in your Lordships’ House to take a Statement before giving their maiden speech. However, given the timely importance of the subject at hand today, we thought it helpful to take this Statement at the earliest opportunity.

I will now repeat the Statement:

“Mr Speaker, with permission, I will make a Statement about prison capacity in England and Wales. As you know, I wanted to make this announcement first in this House. However, given the scale of the emergency facing our prisons, I was forced to set out these measures before Parliament returned.

It has become clear, since this Government took office two weeks ago, that our prisons are in crisis and are at the point of collapse. The male prison estate has been running at over 99% capacity for the last 18 months. We now know that my predecessor warned No. 10 Downing Street but, rather than address this crisis, the former Prime Minister called an election, leaving a time bomb ticking away. If that bomb were to go off—if our prisons were to run out of space—the courts would grind to a halt, suspects could not be held in custody and police officers would be unable to make arrests, leaving criminals free to act without consequence. In short, if we fail to intervene now, we face the prospect of a total breakdown of law and order.

Rather than act, the last Prime Minister allowed us to edge ever closer to catastrophe. Last week, there were around 700 spaces remaining in the male prison estate. With 300 places left, we reach critical capacity. At that point, the smallest change could trigger the chain of events I just set out. With the prison population rising, it is now clear that by September this year our prisons will overflow. That means there is now only one way to avert disaster.

As the House knows, most of those serving standard determinate sentences leave prison at the halfway point, serving the rest of their sentence in the community. The Government now have no option but to introduce a temporary change in the law. Yesterday, we laid a statutory instrument in draft. Subject to the agreement of both Houses, those serving eligible standard determinate sentences will leave prison after serving 40%, rather than 50%, of their sentence. Our impact assessment estimates that around 5,500 offenders will be released in September and October. From that time until we are able to reverse this emergency measure, 40% will be the new point of automatic release for eligible standard determinate sentences.

The Government do not take this decision lightly, but to disguise reality and delay any further, as the last Government did, is unconscionable. We are clear that this is the safest way forward. In the words of the Metropolitan Police Commissioner, Sir Mark Rowley, these steps are ‘the least worst option’. He said that

‘the worst possible thing would be for the system to block’,

and that any alternative to these measures would be ‘dangerous for the public’.

I understand that some may feel worried by this decision, but I can assure the House that we are taking every precaution available to us. There will be important exclusions. Sentences for the most dangerous crimes—for sexual and serious violent offences—will not change. That will also be the case for a series of offences linked to domestic violence, including stalking, controlling or coercive behaviour and non-fatal strangulation, as well as those related to national security.

We will also implement stringent protections. First, this change will not take effect until early September, giving the Probation Service time to prepare. Secondly, all offenders released will be subject to strict licence conditions, to ensure they can be managed safely in the community. Thirdly, offenders can be ordered to wear electronic tags and curfews will be imposed where appropriate.



[LORD TIMPSON]

Let me be clear: this is an emergency measure, not a permanent change. This Government are clear that criminals must be punished. We do not intend to allow the 40% release point to stand in perpetuity. That is why I will review these measures again, in 18 months' time, when the situation in our prisons will have stabilised. Throughout, this Government will be transparent. We will publish data on the number of offenders released quarterly and we will publish an annual prison capacity statement, legislating to make this a statutory requirement.

When we implement this change, we will stop the end of the custody supervised licence scheme introduced by the last Government. This scheme operated under a veil of secrecy. From the Benches opposite, I was forced to demand more information about who was being released and what crimes they had committed. This Government have now released the data showing that over 10,000 offenders were released early, often with very little warning to probation officers, placing them under enormous strain. This was only ever a short-term fix. It was one of a series of decisions this Government believe must be examined more fully, which is why we are announcing a review into how this capacity crisis was allowed to happen, looking at why the necessary decisions were not taken at critical moments.

The measures I have set out today are not a silver bullet. The capacity crisis will not disappear immediately, and these measures will take time to take effect. But when they do, they will give us the time to address the prisons crisis, not just today but for years to come. This includes accelerating the prison building programme to ensure we have the cells we need. Later this year, we will publish a 10-year capacity strategy. It will outline the steps that this Government will take to acquire land for new prison sites and will be supported by this Government's new planning and infrastructure Bill, which will take control of the planning process. It will also classify prisons as being of national importance, placing decision-making in Ministers' hands. This Government are also committed to longer-term reform and cutting reoffending.

Too often, our prisons create better criminals, not better citizens. Nearly 80% of offending is reoffending, at immense cost to communities and the taxpayer. As Lord Chancellor, my priority is to drive that number down. To do that, this Government will strengthen probation, starting with the recruitment of at least 1,000 new trainee probation officers by the end of March 2025. We will work with prisons to improve offenders' access to learning and other training, as well as bringing together prison governors, local employers and the voluntary sector to get ex-offenders into work. If an offender has a job within a year of release, they are less likely to reoffend. It is only by driving down reoffending that we will find a sustainable solution to the prisons crisis.

In a speech last week, I called the last occupants of 10 Downing Street 'the guilty men'. I did not use that analogy flippantly. I believe that they placed the country in grave danger. Their legacy is a prison system in crisis, moments from catastrophic disaster. It was only by pure luck, and the heroic efforts of prison and probation staff, that disaster did not strike while they were in office. The legacy of this Government will be different: a prison system brought under control; a

Probation Service that keeps the public safe; enough prison places to meet our needs; and prisons, probation and other services working together to break the cycle of reoffending.

I never thought that I would have to announce the measures that I have set out today, but this Government have been forced by the scale of this emergency to act now rather than delaying any longer, because this Government will always put the country and its safety first. I commend this Statement to the House".

4.10 pm

**Lord Stewart of Dirleton (Con):** My Lords, I welcome the noble Lord, Lord Timpson of Manley, to his place on the Front Bench. Repeating a Statement has always struck me as one of the odder things that one has to do from the Front Bench, and I congratulate him on having completed it. I also have a further degree of sympathy with him in his opening outing in your Lordships' Chamber. When I gave my maiden speech, I had to speak half of it as a maiden speech and half of it on a Bill, prompting my noble and learned friend Lord Mackay of Clashfern to say, "I very much enjoyed half of the Minister's speech". However, I look forward to welcoming properly the noble Lord to his place on the occasion of his maiden speech, which he is shortly to deliver.

The strain on prison capacity has been a matter of anxious concern for Parliament for some time, and the matter was brought frequently before your Lordships' House in the course of the last Parliament. This is an area of great complexity, in which the actions of the Government of the day must take into account considerations over which they have no control, and should never seek to have control—such as decisions taken by the independent judiciary on sentencing, carried out on a case-by-case basis, to arrive at a sentence apt for the individual circumstances of the case and the need at once to protect the public, to punish, to deter and to rehabilitate.

It also has to reflect the physical capacity of the prison estate to accommodate prisoners. There is an inevitable tension between the need to protect the public by imprisoning serious offenders and the need to have sufficient provision of prison accommodation and staff so that the crucial function of rehabilitation might be best accomplished. It is liable to be upset by sudden contingencies, such as the closure of HM Prison Dartmoor and the effect that had on the number of available places on the estate.

At all times, the previous Government sought to manage this difficult problem in a manner which addressed all concerns while reflecting their paramount concern: the safety of the public. That is why, during the pandemic, in circumstances wholly without precedent, the previous Government made the decision not to order a mass release of prisoners from our jails, as happened in other countries and as was pressed on us by public health experts and others. I acknowledge immediately that we were supported in that steadfastly by the then Opposition, who now sit on the Government Front Bench. Events demonstrated that that was the correct decision. During the pandemic, we maintained that vital safeguard of our liberties which we all enjoy: trial by jury.



However, all that added to the pressure on the prison estate: the numbers of those remanded pending trial or sentencing increased from around 9,000 to 16,500. The previous Government acted to allow longer sentences for the most serious crimes, conscious of the possible strain on prison places, and acted at all times to reflect the overriding necessity of protecting the law-abiding public and reflecting their concerns that punishment should properly reflect the gravity of the crime for which it is imposed.

The previous Government also acted responsibly and with foresight to address the capacity of the prison system in England and Wales. The biggest prison-building programme since the 19th century was commenced. During the last Government, more than 13,000 additional prison places were created, two new prisons were opened, a third is under construction at present, planning permission has been granted for two more and a decision is imminent on another. Some £30 million was allocated for the purchase of land on which prison construction could take place.

On probation, a detailed Statement was made to the other place and repeated in your Lordships' House on 13 March. I repeat some of the details: additional funding for probation of £155 million; more than 4,000 trainee probation officers beginning their training; and probation practice redirected to areas which bring the best results in reducing reoffending, as well as public protection.

When the Lord Chancellor says that she will recruit at least 1,000 new trainee probation officers, is that in addition to those that we announced? Will the Government commit more funds to recruitment and training of probation officers? We do not see any acknowledgement of that in the Lord Chancellor's Statement. She professes to find herself shocked by what she discovered on taking up office about the pressures on the system, but the figures on the prison population in England and Wales were not only widely publicly available during the last Parliament but matters of urgent debate here and in the other place. They can have come as a surprise to no one.

The previous Government left the new Government with no ticking time bomb, but the Lord Chancellor's Statement prompts real concern for public safety. These Benches will watch what develops with anxious concern. In the Statement, she made a promise to be transparent in a way that she says the previous Government simply were not. In the spirit of that transparency, I pose certain questions.

Does the Minister agree with the position outlined from the Liberal Democrat Front Bench in the other place by Alistair Carmichael MP that prisons should be used less? It is a perfectly defensible position which is perfectly capable of being argued. We do not agree with it on these Benches, but do the Government? If they do, how do they intend to deal with violent crime, rapists, persistent offenders who have no fear of the system and the epidemic of benefit and financial fraud which the country is experiencing? Does the Minister agree that it is easier to speak about community alternatives to custody than to devise ones which are not expensive to operate and difficult to organise and command the support of the public and the judiciary?

We heard from the Lord Chancellor of the safety measures on which she relies in relation to this new measure of early release. I submit that she does nothing more than rehearse safeguards which already exist. She speaks of strict licensing conditions, electronic tagging and curfews where appropriate. These are familiar measures, deployed to support prisoners released on licence. They are measures of long standing. The Lord Chancellor announces a policy which will understandably create concerns for public safety and then, to allay concerns arising from that new policy, founds a series of safeguards that already exist. That is nothing new.

The Lord Chancellor offered specific reassurance on crimes of domestic violence in the debate that followed her Statement. Before too long, I hope that we will hear from her about the significance of other crimes, such as those relating to public order, the need to maintain our civic spaces and free thoroughfares and the need to protect our retail sector and those working in it from those who try to dictate to us what we should buy and from whom. We look forward to hearing from her on these matters.

I wonder whether the Lord Chancellor would agree with that great man of the left, George Orwell, about the harmful properties of stale, clichéd language and dead metaphor. Her Statement gives us “ticking time bomb”, “silver bullet”, “veil of secrecy”, “the guilty men” and much more tired language besides. Orwell's point is that such language not only serves to disguise meaning or conceal the absence of content in a statement but has actively harmful effects on the reader by helping to deaden not only the capacity for clarity of expression but the capacity for clarity of thought. It is inevitable that we express ourselves in such a way in politics—and I certainly would not hold up my own contributions to this House as models—but the Lord Chancellor's Statement was filled with cliché. Can we see clarity from the Government?

**Lord Marks of Henley-on-Thames (LD):** My Lords, we too welcome the Minister to his new role, and we look forward to his official maiden speech later today with enthusiasm, not least because we have for a number of years on these Benches cited his ground-breaking commitment in his business and more generally to the rehabilitation of prisoners through training and employment.

However, to say we welcome this Statement would be inaccurate, because it reflects a complete failure of our prison system, but we recognise the emergency and, with it, the need for the measures announced in the Statement. We also endorse the Statement's serious criticisms of the last Government's performance; they allowed, encouraged and created the present prison capacity crisis. I disagree with the noble and learned Lord, Lord Stewart of Dirlerton, for whom I have the greatest respect, as to the foresight, commitment and care of the last Government on this issue, which was sadly lacking.

On these Benches, and on the Labour Benches, we warned of this crisis during the last Parliament over and over again, but the Government carried on in the same old way, filling our prisons to bursting and failing to address the disastrous conditions within them.

[LORD MARKS OF HENLEY-ON-THAMES]

The Government's stated aim is that the 40% early release point should not stand in perpetuity and is to be reviewed in 18 months' time. We agree with that and that this process will be a slow one, but progress is thoroughly necessary. A wholesale programme of prison reform is needed. We imprison far too many people in this country for far too long. We have seen significant sentence inflation over recent years, and it is no good just blaming the judges for passing longer sentences; government legislation on sentencing and later release dates has significantly increased prisoner numbers. We need more use of community sentences and that means more probation officers—we welcome the commitment in the Statement to an urgent recruitment programme. However, to echo the question from the noble and learned Lord, Lord Stewart, does that include a commitment to fully funding an increased overall number of probation officers?

Our prisons are desperately overcrowded; cells are packed to well over capacity; temporary prefab cells are used; repairs and maintenance are cancelled. Cells that should not be in service are brought back into use. Prisoners are shuffled around the prison estate at the expense of continuity of training and supervision. Understaffing remains acute, with insufficient officers to manage our prisons, even to get prisoners to where they need to be for education and training courses when they are available. Twenty-two hours daily in overcrowded cells has become the new commonplace within our prison system, which has led to mental health issues, serious violence and massive drug abuse. When will we introduce mandatory drugs checks for everyone entering prisons, staff as well as visitors? There is ample evidence that too many drugs enter prisons in the hands of members of staff who give their colleagues a bad name and seriously damage morale.

The prison building programme set out to provide 20,000 new places under the last Government, but, of those, some 4,000 already counted as present capacity. Only Millisike in Yorkshire, with just 1,500 places, is approaching completion next year. Grendon in Buckinghamshire now at least has planning permission for another 1,500 places, but in the other sites not a brick has been laid. Two prisons at Gartree and Chorley are still in the planning process, and two near Braintree have not even been decided on yet. The whole promised programme of the last Government involved double counting and smoke and mirrors. The new Government's programme is welcome, and so is the caution and moderation with which the Statement stressed it—but it is crucial.

On any view, the last Government's building programme could not possibly keep up with the projected rise in prison numbers—17,000 more places needed in three years on present trends. The only answer is to reverse those trends; reduce reoffending, emphasise reform and rehabilitation as the function of prisons and do all we can to reduce prison numbers. Does the Minister agree?

**Lord Timpson (Lab):** My Lords, I start by thanking the noble and learned Lord, Lord Stewart, and the noble Lord, Lord Marks of Henley-on-Thames, for their questions. This is my first time in this House

answering questions, so I apologise in advance should I not respect any of the customs and courtesies of the House by mistake. Having not even done my maiden speech yet, this feels to me like having a first ski lesson on a black run. I thank noble Lords for their patience and will do my best to answer all their questions.

The noble and learned Lord, Lord Stewart, raised a point on the sentencing review that we are planning. The sentencing framework has been allowed to develop piecemeal, over time. As a result, there have been inconsistencies that do not make sense to victims or the wider public. We will be launching a review of sentencing. While the terms of reference are not yet defined, this will look to ensure that the sentencing framework is consistent and clear to the public. More details of this review will be announced in due course.

On HMP Dartmoor, one of the first roles that I have had since taking on this job is focusing on prison capacity. It was unfortunate that I had a note from my officials regarding the temporary closure of HMP Dartmoor at a time when we really need capacity. At Dartmoor, safety is our number one priority. After close monitoring of the situation, it has been decided that the prison will temporarily close. I will update the House as the situation develops.

This Government are committed to a 10-year capacity strategy, and we recognise that we need to make sure that this country has the prison places that it needs. We will deliver where the previous Government failed, and we will never allow the planning process to get in the way of having the prisons we need.

Talking about the prisons we need, we need to build more prisons, because we need to keep the public safe, but one of the themes also raised is around reducing reoffending. I have been working on this for the last 22 years, finding ways to recruit people from prison to help them get a job, live a normal life and not reoffend. This is not a quick fix—it takes time—but recruiting 1,000 probation officers is a good start. These will be in addition to the probation staff we have now.

Only late last week, I went to the Camden and Islington probation delivery unit and met the team there, which was preparing to deal with the offenders who were being released in September and October. I was delighted at the commitment, focus and professionalism of this team, and I am confident that they will do their best in very difficult circumstances.

On training, I do not know about probation officers but, just before I came into this role, I completed a review for the Government on prison officer training. It was clear to me where the gaps were, and I am looking forward to working with colleagues in the months ahead to see what can be learned not just for prison officers but for probation officers.

On safeguards put in place for early release, the scheme currently in place is a very rushed and disorganised way of releasing people from prison, which puts extra pressure on probation officers to do all the work they need to do to identify victims, to find places to live, and to connect the offenders up with mental health and drug workers. The eight weeks that they now have to prepare for the releases will make this easier, but it is far from perfect.

The 40% early release scheme will be reviewed and, in 18 months' time, the plan is for it to go back to 50%, but the noble Lord is right when he says that we need a wholesale programme of prison reform. Community sentences are vital, but we need to resolve the capacity crisis we have now, because our probation officers are overworked. The recruiting of 1,000 extra probation officers will help, but they also need time for the system to settle down.

Finally, I will mention training and education. Prisons are not places where we want people just to be locked up. We want them to have opportunities to turn their lives around. A lot of that is around training and learning skills, so that when they are released they can have a job and not go back. Some 80% of people who offend are reoffenders. It is hard to do this well in the current crisis, but I emphasise that I look forward to working with the noble and learned Lord and the noble Lord and having countless important debates. I stress to all noble Lords that I will write a letter, which might be quite a long one, on all the points I did not answer today.

4.30 pm

**Lord Blunkett (Lab):** My Lords, I commend my noble friend on getting through his maiden Statement, and in particular for answering the questions so concisely and clearly. He of all people, as he has already referred to, is fully aware of the big challenges of rehabilitation and avoiding reoffending and, therefore, recall. Would he be prepared to talk to his right honourable friend the Secretary of State and, I hope, Ministers in the Department for Work and Pensions and the Ministry of Housing, Communities and Local Government about the very real challenge of additional large numbers being released into local communities in September and October, to avoid homelessness and to ensure that there is not a return to prison, which all of us fear?

**Lord Timpson (Lab):** I thank my noble friend for the question. It is crucial that people leaving prison have somewhere to live. Having been in this space for a number of years, I have met too many people who have left prison—I have seen them outside the gate—and there is no one to meet them, they have nowhere to live and nowhere to stay that night. It is not surprising that the revolving door often means they come back in. I will take my noble friend's questions away and get back to him. I know we are meeting very soon.

**Baroness Butler-Sloss (CB):** I also welcome the noble Lord to his post. He said that the Probation Service is overworked, so what will the Government do to help it immediately to deal with the 40% situation coming in September?

**Lord Timpson (Lab):** Recruiting 1,000 extra probation officers will take time. From conversations with the probation officers that I have recently met, I know that we are asking a lot of them, but they are confident that they can manage the influx of offenders in September and October safely. In the longer term, they need the extra colleagues and a system that is more stable.

**Lord Clarke of Nottingham (Con):** My Lords, I welcome very warmly the noble Lord to his position, and congratulate him and his family company on the most remarkable work they have done for the past two decades in protecting the public by rehabilitating so many people who would otherwise have gone on to commit more crimes and settle down to a life of criminality. Other firms have done the same things, but Timpson, as I saw myself when I was Justice Secretary and before that when I was Home Secretary—I was responsible for prisons on both occasions—did quite remarkable work. We need more of that kind of opportunity for those who wish to be rehabilitated and to contribute in future.

Does the noble Lord agree that the level of sentencing and the rate of incarceration have steadily increased in this country at a quite extraordinary rate in the 30 years since I held those offices, and even more remarkably since the many years ago when I practised at the criminal Bar? Although it is right that the public are entitled to see just retribution and punishment for crime, does he agree that it is equally important that the criminal justice system tries to stop these men and women reoffending, and gives whatever support is available to those willing to be reformed to lead honest lives and therefore not create victims of future crime? That is just as important as the punishment.

I will not go on. I give the noble Lord cross-party support; I agree with every word that he and the Liberal Democrat spokesman have said so far. I hope that the new prisons that he has to build will be designed to provide space for rehabilitation, training and the civilised opportunities that I am sure he wishes to provide. I am sure he agrees that the long-term answer is not just to lock up more and more people and have massive building programmes going on and on, with ever more people turning to crime as soon as they are released.

**Lord Timpson (Lab):** I thank the noble Lord; if he stays around long enough, he may find a mention of himself in my maiden speech—a positive one. So far as finding work, when I first started recruiting people from prison, I was the only one knocking on the gates of the prison. We now have a good problem: that so many companies have recognised that there are talented people who want to leave prison and get a job that it has become a very competitive process. That is a positive thing.

We will conduct a sentencing review; it needs to focus on cutting crime, and to be consistent and coherent. The noble Lord asked about the new design of prisons. Two weeks ago we went to Five Wells, a very new prison just outside Wellingborough. The facilities it has really help to reduce reoffending; it has fantastic workshops and educational facilities, and the maintenance bills are much lower. I look forward to having the conversations again that we had probably 15 years ago.

**The Lord Bishop of Gloucester:** My Lords, I too welcome the noble Lord, Lord Timpson—someone so brilliantly equipped for the task. I welcome this Statement and all the good sense contained in it as we lift this immediate crisis. I am all for new prison places, as long



[THE LORD BISHOP OF GLOUCESTER]

as they are not in addition to all the crumbling prison places. It was wonderful to hear him offer assurance that increased prison capacity will not become the main aim but rather, if I heard correctly, that we will have the courage to look at a whole-systems approach in a solution-focused way.

One of my concerns in all this is that unless we change the public perception and public narrative, we will not have support. Can the noble Lord say something about the thinking about how we change public education and perception, so that people understand what prison is for and not for, that two-thirds of people in prison are there for non-violent offences, and that we need to look upstream?

**Lord Timpson (Lab):** I thank the right reverend Prelate. New prison places are important and we will build more prisons—prisons we are proud of. So far as the public narrative goes, I could not agree more, but I have confidence in the fact that 20 years ago, when I first started recruiting people from prison, no one thought it was a good idea. Now, every company I meet thinks it is a good idea. It proves that changing perception when it comes to offenders and prisons takes time. I hope to be in this role longer than many other people who have done my role, and to be able to get into the detail and try to get prisons we are proud of.

**Lord Browne of Ladyton (Lab):** My Lords, I welcome the noble Lord, Lord Timpson, to the Dispatch Box as the Minister for Prisons, Parole and Probation. From the noise the House made earlier, I think I am not alone in thinking that he is probably the best man for the job. I suppose I should draw attention to my entry in the register of interests; I am a non-practising member of the Faculty of Advocates. In fact, I presently have another interest that I suppose is not yet registered, in that I have a pair of shoes in my local Timpson for repair.

Speaking to Channel 4 News earlier this year, my noble friend said that in his view only one-third of people in prison needed to be there. In order to emphasise that radically reducing the prison population is not impossible, he added that the Netherlands had halved its prison population while reducing crime. That contradicts what I think the noble and learned Lord, Lord Stewart of Dirleton, implied in what I can describe only as a plea in mitigation on behalf of the previous Government, which was that these two things were impossible. I know the Minister has studied this. How did the Netherlands manage to reduce crime and reduce the prison population by almost half?

**Lord Timpson (Lab):** Before we look at any other countries and international comparisons, we need to fix the system we have first. Before we can do anything on reducing reoffending and having prisons we are proud of, we need to stabilise the system. It is our first priority. We need to fix it, and we need to fix the capacity so that we do not have this problem again. We need to enable our fantastic staff in our prisons and Probation Services to do what they want to do, to put the building blocks in place so people who go to prison have a much better chance of not going back.

**Viscount Hailsham (Con):** My Lords, the Minister has a great deal of personal experience to give, and his presence is greatly to be welcomed. I support the policy that he has announced; it is sensible in the circumstances. But, if it is to be safe, there needs to be proper provision for the accommodation and employment of released prisoners. Can he be a little more specific about that?

**Lord Timpson (Lab):** Having somewhere to live when someone is released from prison is vital, and we are planning to continue with all the schemes that are currently in place, including the 84 nights that are scheduled for people who leave prison. One of my concerns is that recently, because capacity has been so constrained, hard-working prison and probation staff have not always been able to manage the transition from prison to the community as well as I would like to see in future.

**Baroness Burt of Solihull (LD):** My Lords, I warmly welcome the noble Lord to his new role and to this House. His considerable experience and reputation go before him and he is highly respected as a man who lives his values. Having said that, it has to be said that he has inherited a crock, and I am afraid it is not a crock of gold.

The Minister paints a truly horrific picture of the situation now facing this country and we on this side are looking forward to working with him constructively over the next parliamentary term. In time, we can further reduce the prison population by implementing the recommendations of the Justice Select Committee and conducting a resentencing exercise for the unfortunate indeterminate sentence prisoners still stuck in a limbo of uncertainty. Will the IPP sentencing review include indeterminate sentence prisoners? I know that is perhaps a discussion for another day, but right now we can do little other than agree to the release, with suitable support and safety conditions, of certain categories of prisoners who are towards the end of their tariff to make room for other individuals who present more of a threat to society.

**Lord Timpson (Lab):** I am well aware of the issues around indeterminate sentences for public protection. I know that matter is of great interest to noble Lords. It would not be appropriate to make changes in relation to IPP prisoners, because they are a different order of public protection risk. I am determined to make more progress on IPP prisoners. As I say, we will build on the work done by the previous Government. We worked constructively with the previous Administration on sensible changes that could be made in the safest possible way for the public. Those changes were on the licence period and the action plan, and we will crack on with that as a new Government. Any changes that we make to the regime for that type of sentence, which has rightly been abolished, must be done while balancing the public protection risk, which we would never take lightly.

**Baroness Watkins of Tavistock (CB):** My Lords, I welcome the Minister to his new role. I want to bring up the issue of Dartmoor prison; I live six miles from it and have been very involved with it for over 30 years.



The significance is that 175 people will be moved within the next two weeks. Does that mean there will be only 525 male places available in England? How long will it take to reopen Dartmoor, if at all? If it is not to be reopened, what are we to do to ensure that the skills and expertise there are used elsewhere in the prison service? Because of the potential challenges to the local economy, can we seriously consider a new prison somewhere nearby?

**Lord Timpson (Lab):** I thank the noble Baroness, Lady Watkins, for her question. Interestingly, this week I have heard of Members of Parliament in the other place complaining about people wanting to build a new prison in their area, and then people also complaining that we are closing prisons in their area.

The circumstances at Dartmoor are exceptional and it is a very unfortunate situation that we are in. We spoke to the Prison Officers' Association, which I met last week to discuss our plans to support the workforce there. It has been a very successful prison, as I am sure the noble Baroness is aware; it has been very well run and has had very good outcomes. We need to make sure that we retain the talented staff who are there. I have also spoken to the local MP to assure him that we will inform him of everything we know as soon as it happens, and that we will maintain the prison while it is temporarily closed so it will be ready to be reopened if we can.

**Lord Garnier (Con):** My Lords, I declare an interest as a trustee of the Prison Reform Trust, which is already known to the Minister. Will he accept that it was a great pity that, under the last Labour Government—I was shadow Prisons Minister during part of that time—a large number of prison farms and gardens and equally rehabilitative facilities were closed, allowing prisoners to leave prison unable to get jobs with Timpson and indeed unable to get jobs at all? Will he make it a point that, first, he gets direct access to the Prime Minister on prisons policy—without that, he may drift—and that, secondly, he will reintroduce prison farms and gardens and introduce purposeful activity in our prisons? There are too many prisoners sitting in cramped cells, essentially living in a shared lavatory, when they ought to be getting out, training, reading, writing and learning how to fend for themselves once they have left prison.

**Lord Timpson (Lab):** I used to see the noble and learned Lord, Lord Garnier, at the other end of a much smaller table when I was chair of the Prison Reform Trust. He sat in the middle on the right. This time he is straight in front of me.

**Lord Garnier (Con):** I am still on the right.

**Lord Timpson (Lab):** He is still on the right. In fact, he never sat on the left.

I accept that farms and gardens are very positive in prison environments. In fact, one of the prisons I visited recently is HMP Haverigg, a prison that Prisons Ministers rarely visit at all at the far end of Cumbria. One of my goals in this role is to go and see the prisons that Prisons Ministers have never been to. At Haverigg there is a

big focus on gardening and market gardening, which creates not just extra skills but a great nurturing environment for the prisoners there. It is also a source of income, because they have a little shop at the gate. That is something I am a big fan of and I will be ensuring that we do all we can to support that

**Baroness Jones of Moulsecoomb (GP):** I welcome the Minister to his place; it is a brilliant stroke by the Labour Government. However, I did not quite understand his reply on the IPP prisoners. Clearly there is an injustice there that needs to be sorted as fast as possible. It was created by the last Labour Government, so it would be appropriate for the current Labour Government to sort it out as quickly as possible.

**Lord Timpson (Lab):** The situation with IPP prisoners is of great concern. I know that huge numbers of Members on both sides of the House care about it deeply, and I share that concern. IPP prisoners are not caught by the changes that we are putting forward. I have spent a lot of time talking to IPP prisoners inside and outside prison—in fact, in my previous role a number of IPP prisoners were colleagues—so I know the complexity of the issues involved. I also know that we as a House need to be determined to find all that we can do to support IPP prisoners and their families, and to make sure that we still maintain safety.

**Baroness Bottomley of Nettlestone (Con):** My Lords, will the Minister have an early meeting with his opposite number in the Department of Health, because the NHS has responsibility for prison health services? I regret that it is not always its highest priority, and the prisons are full, as the Minister will know, of people with long-term conditions, including physical and mental health problems. It is essential that they are given appropriate health understanding. Lastly, whenever he visits a prison, will he see whether he can find time to meet the chaplain? The chaplain has a unique role, supporting staff and families, as well as prisoners.

**Lord Timpson (Lab):** I thank the noble Baroness. I often meet chaplains when I go into prisons. The last time I had a long meeting with one was in Belmarsh, at a small part of the prison where terminally ill prisoners were living. I thought the kindness and compassion that they had was wonderful to see. As for health commissioning in prisons, one of the things that I want to work on in this role is understanding how commissioning works in prisons, as well as supporting governors, who are often managing multi-million-pound contracts, so that they can ensure that things are working well and people are accountable for what they do.

Perhaps I could leave your Lordships with one thing that I have seen in the last few years to support people with challenges. It was in Wakefield prison, where an autism wing has been set up. When the prisoners were put in this unit, having been very disruptive and moved around the estate all the time, they were very calm. They stayed there and made the whole prison environment much better. I agree that a lot needs to be done.

## Arrangement of Business

### Announcement

4.52 pm

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, before we resume the debate on the gracious Speech, I thought it would be helpful to the House to remind all Back-Bench speakers that the advisory time for today's debate is five minutes. That means that when the clock has reached four minutes, noble Lords should start to make their closing remarks. At five minutes, their time is up. I have asked the Government Whips to remind noble Lords of this, if necessary, during the debate.

## King's Speech

### Debate (6th Day)

*Principal topics for debate: Justice and home affairs*

4.53 pm

*Moved on Wednesday 17 July by Lord Reid of Cardowan*

That an humble Address be presented to His Majesty as follows:

“Most Gracious Sovereign—We, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to thank Your Majesty for the most gracious Speech which Your Majesty has addressed to both Houses of Parliament”.

**The Minister of State, Ministry of Justice (Lord Timpson) (Lab) (Maiden Speech):** My Lords, it is a privilege to open this debate in my new role as Minister for Prisons, Probation and Public Protection. It will not have escaped your Lordships' attention that, apart from the 40-minute session we just did, this is my maiden speech, so I will say a few words before moving on to the substance of the debate.

I start with a thank you—for the welcome that I have received from your Lordships but also from Black Rod, the doorkeepers, the catering staff and the many colleagues who work tirelessly to keep this place running.

I am here, I hope, because of my experience, including as CEO of the Timpson Group and having grown the family retail business from 300 shops to over 2,000. I learned a lot about leadership and responsibility, and let me say at the outset that trust and kindness are vital traits to me as a leader. As CEO, I learned that if people are happy in their jobs and feel valued, trusted and cared for, they will perform day in, day out. Sometimes, life throws challenges at us. If this impacts work it is the job of a caring company to offer support, not penalise the individual. I have found over the years that, when you care for people, they care back. It is an approach I intend to bring to this job in how I support the thousands of front-line prison and probation staff working hard in the system every day to keep the public safe.

I also bring experience as a former chair of the Prison Reform Trust. I am very clear that prisons must be available as a punishment and a deterrent, but currently our prisons are not working: they create better criminals,

not better citizens. That makes the public less safe. We have to make prisons rehabilitative and make sure that, when offenders are given a second chance, they can seize it. That is good for society because it reduces crime.

The criminal justice system exists to keep the public safe, but it should not hold back the one in four working-age people in the UK with a criminal record from getting jobs. That is a huge, largely untapped talent pool. Let us not forget that nearly 80% of offenders are reoffenders. At the same time, ex-offenders are less likely to reoffend if they have a job within a year of release, so helping them to find work both cuts crime and supports our economy to grow. It is a win-win that we cannot ignore.

That was one of the drivers behind me setting up the Employment Advisory Boards network, which now operates in 93 prisons. I am grateful to all those involved: the board networks in England, Wales and Scotland, and every business leader, board chair and prison governor who has played their part. In 2021, when we started, only 14% of prison leavers had a job after six months of release; by March 2023, it was over 30%. Most importantly, I thank the prison staff across the country who make initiatives such as this possible, as well as their colleagues in the probation service, who continue the efforts to get people on the straight and narrow when they are released. They work every day with some of the most complex people in our country, inside one of its most complex systems.

I will mention the late Lord Ramsbotham, who was a Chief Inspector of Prisons before coming to your Lordships' House. He encouraged me to carry on working with offenders when other people were not so convinced. I will also mention my friend the noble Lord, Lord Carter of Haslemere, who is a trustee of the Prison Reform Trust. I thank my fellow “justice league” members, my noble friends and sponsors, former Prisons Minister and deputy chair of the Prison Reform Trust, the noble Lord, Lord Bradley, and my Ministry of Justice colleague, the noble Lord, Lord Ponsonby, for their sage advice and support.

Before I finish this maiden element of my speech, I thank my family, who support me in this endeavour and in all things—my wife, Roisin, and my children, Bede, Patrick and Niamh. I thank my dad, John, who, alongside my late mother, Alex, brought our family up in a mad house full of foster children, allowing me to see the challenges young people can face and the potential they have when someone gives them a chance in life.

I turn to the substance of this debate and the home affairs and justice elements of the Government's agenda. I put on record my gratitude to His Majesty for delivering the gracious Speech. It has become immediately clear to me, on entering your Lordships' House, that there is a huge amount of knowledge, experience and wisdom on these important subjects in this place. I look forward to a wide-ranging debate, with thoughtful contributions from noble Lords on all sides. Although I am nervous as I stand here for my first speech, I was more nervous about the prisons Statement, the contents of which I will not repeat now. I am telling myself that all noble Lords were once in my position and are still here, so it cannot be that difficult to get the hang of it.

Reducing crime is key to achieving one of this Government's guiding missions: to take back our streets. Violent crime in our country, particularly knife crime, is too high. Over the last decade the most serious homicides involving knives have risen sharply, with young men most likely to be both the perpetrators and victims. As set out in His Majesty's gracious Speech, we will tackle this scourge on our society by bringing in a ban on ninja swords and other lethal blades used in attacks, and by introducing strict sanctions on the executives of online companies which fail to comply with the law. To prevent young people being drawn into gangs, we will strengthen the law on those who exploit children for criminal purposes, and bring together services that support at-risk teenagers.

Anti-social behaviour also blights our communities. The police recorded 1 million incidents last year and the crime survey estimates that more than one-third of people in England and Wales have experienced or witnessed anti-social behaviour in some form. We will introduce new respect orders for adults who consistently offend and make it possible to fast-track public spaces protection orders, so that it is quicker and more straightforward to clamp down on street drinking.

Shoplifting increased by 30% last year compared to the year before, and the retail sector estimates the figure to be up to 40 times higher than that. This not only puts additional strain on businesses already struggling in a difficult economic environment; it can also lead to assaults on staff who try to prevent thefts. No one comes to work to be assaulted, so to counter this we will create a specific offence of assaulting a shopworker and introduce stronger measures to tackle low-level shoplifting.

His Majesty's gracious Speech also includes a range of proposals to rebuild neighbourhood policing, get officers back on the beat, deliver higher policing standards and improve vetting processes to ensure that only the best candidates join the police's ranks. We will also ensure that the police can respond robustly to domestic abuse, rape and other sexual offences and strengthen the law to improve how the police respond to secure justice for victims of spiking. This will aid our mission to halve levels of violence against women and girls within a decade.

Continuing on that subject, let me now turn to victims and the courts. In recent years, justice in our country has too often been delayed and, in the worst cases, denied. This has proved particularly true of women and girls who are the victims of violence and abuse. As your Lordships will know, lengthy delays for rape victims have become commonplace in recent years, which may cause additional harm to victims' mental health and well-being. We will deliver on our manifesto commitments to allow associate prosecutors to work on appropriate cases and roll out specialist rape courts. We will work with the judiciary to fast-track rape cases, to make sure that the system can deliver swifter justice to victims of this terrible crime.

We will also strengthen the powers of the Victims' Commissioner to hold the system to account for how it delivers for victims, and make changes to require all offenders to attend their sentencing hearings. This will ensure that their victims, and bereaved families of deceased

victims, see justice being done and that perpetrators face the consequences of their actions, just as the public would expect.

I turn to another matter of great importance to the public: borders and immigration. Noble Lords will be aware that the previous Government's Rwanda scheme was not the deterrent to small boat crossings that it was intended to be. There have been no enforced relocations over the last two years and just four volunteers have gone to Rwanda. In that same period, the Rwandan Government have received £290 million of taxpayers' money. Most asylum seekers who have arrived by small boat are currently stuck in a backlog under the previous Government's Illegal Migration Act. They are eligible for accommodation but have little prospect of being removed, with asylum hotels currently costing the taxpayer nearly £8 million every single day. This Government are clear that we need a new approach.

We will bring forward legislation to fix the broken asylum system, making it more efficient so that we can end hotel use through clearing the backlog of asylum cases, ensure individuals from safe countries are fast-tracked for return to their country of origin, and end the agreements with Rwanda to save over £100 million in future payments. We will redirect that money into the new border security command, which will be given the tools to crack down on the criminal gangs at the root of this problem, including stronger powers to investigate organised immigration crime. We will ensure there is a strong deterrent for those involved, including offences such as advertising migrant smuggling services, and others relating to the supply of materials required by the gangs.

I turn now to the Hillsborough disaster, the victims of which suffered an unimaginable tragedy. The devastating impact on the bereaved and survivors was compounded by deliberate attempts by those in power to hide the truth and to put their own reputations first. The report from the former right reverend Prelate, Bishop James Jones of Liverpool, into what happened laid bare the horrendous experiences of the Hillsborough families, brought about by an unacceptable defensive culture in too many areas of the public sector. The recent report by the inquiry into the infected blood scandal, which affected thousands of people in our country, highlighted similar failings.

We will deliver on our manifesto commitment to implement a "Hillsborough law" to place a legal duty of candour on public servants and authorities. This will be a catalyst for a changed culture in the public sector by improving transparency and accountability, helping to ensure that no other family has to endure the same ordeal. We will take action to improve assistance for bereaved persons and core participants at inquests and public inquiries, to ensure that families are able fully to participate. This includes delivering the Government's manifesto commitment to provide legal aid for victims of disasters or state-related death.

I now move on to another tragedy from which government, the emergency services and the events industry must learn important lessons. The country was horrified by the events at Manchester Arena seven years ago, when 22 people lost their lives and countless more were injured as a result of a senseless terrorist attack. This Government are determined to ensure



[LORD TIMPSON]

that such a tragedy never happens again. That is why we will bring forward Martyn's law. This legislation is intended to strengthen the security of public premises and events. Our measures will require those responsible for certain premises and events to take steps to mitigate the impact of a terrorist attack and to reduce harm in the event of a terrorist attack occurring.

The measures required will vary according to the capacity of the premises or event, ensuring that the public are protected without placing unnecessary burdens on smaller businesses. In bringing forward this legislation, the Government are deeply grateful to Figen Murray, mother of Martyn Hett, who was murdered in the Manchester Arena attack. Her campaigning has been crucial in driving forward this legislation and raising awareness about security measures at public venues.

Before I finish, I would like to mention arbitration, which I know will be of interest to your Lordships. I am aware, however, that there will be plenty in His Majesty's gracious Speech that I have not mentioned and which your Lordships will be keen to discuss. I welcome the debate to follow, and I would like noble Lords to know that my door is always open should they wish to discuss particular issues, either in this place or elsewhere.

Arbitration is a critical part of our legal landscape, enabling parties to resolve disputes privately and without the need for costly litigation. As your Lordships will be aware, the Arbitration Act 1996 has long been seen as a gold standard across the world; however, almost 30 years later, it requires reform to bring it up to date, as highlighted by the Law Commission's helpful 2023 review. We are bringing forward changes to ensure that the law in this area is able to adapt to a changing business landscape, support efficient and effective dispute resolution, continue to attract international legal business to the UK and promote our economic growth.

His Majesty's gracious Speech set out the new Government's approach for changing our country through the justice system, with less crime, fewer but better supported victims, stronger borders and more security. It is a plan to set us on the path of national renewal and I look forward to debating it with your Lordships in more detail over the coming weeks and months.

5.07 pm

**Lord Stewart of Dirleton (Con):** My Lords, I renew my welcome to the noble Lord on the Front Bench. As has been recognised by noble Lords across the House and by the right reverend Prelate who commented earlier, he will bring to our deliberations great experience in a number of important areas, including the rehabilitation of prisoners and the training and employment of disadvantaged people, in relation to which he was honoured by the award of the OBE. He is distinguished also in the field of business. We have heard of his work with the Prison Reform Trust, and I understand that he has also distinguished himself in the field of academia, acting as Keele University chancellor. He referred to that in replying to the Statement repeat, and noble Lords across the House—beginning with my noble friend Lord Clarke of Nottingham—went on to speak very warmly of him. We welcome the noble Lord among us.

As the noble Lord said, his work in the field of rehabilitation of offenders builds on the work carried out by the Timpson family, including his father and others. I congratulate him on recognising the importance of families, which over generations provide a focus for endeavours in useful public service and public life—as the selfless service embodied in generations of our hereditary Peers amply demonstrates. I look forward to meeting the noble Lord properly and personally, but I know his brother, with whom I served for a time as a law officer in the previous Administration. We have two parliamentary brothers then, one Labour, one Conservative—a useful reminder to all of us that there are men and women of good will to be found inhabiting every shade of political opinion, and that no one party can command a monopoly of either skill or compassion. Indeed, no merely human body can claim to be an unchallengeable source of wisdom—not even the Cross-Benchers of this noble House, however much some of them sometimes contrive to give that impression.

I am sure that the noble Lord's relations with his brother demonstrate that love transcends political differences. In that regard, they may resemble my relationship with my own brother. We get on famously, in a spirit of brotherly love, in spite of the fact that I am a carnivorous Tory and he is a vegan Marxist. I say of him, "Robin has some extreme ideas but basically he is a Conservative". He says of me, "Keith has some extreme ideas but fundamentally he is a Marxist".

A King's Speech must necessarily be delivered in general terms and it would be wrong to demand that the noble Lord addresses specific matters in specific detail, but he touched on a number of points which I will do no more than touch on equally lightly in return. The establishment of a new border security command delivering enhanced counterterrorism powers to tackle organised immigration crime is, on a view, a laudable objective. However, as was pointed out several times during debates in this place on Rwanda legislation, Labour's position was to call loudly, theatrically and repeatedly for steps the Government were already taking to combat organised criminal gangs and ensure co-operation with our continental neighbours.

The Government, in opposition, stopped short of taking the step that we identified as necessary, drawing on an analogy with the highly successful scheme in operation between Australia and Nauru, to genuinely challenge the criminal gangs. By contrast, that has been ditched. Creating a border security command sounds very much like deploying purposeful, urgent-sounding language to foster the illusion of activity. It sounds like a piece of subterfuge to disguise how out of touch and out of step Labour is with the country and its mood in relation to this vital matter. Instead, a treaty entered into with a sovereign, friendly country has been cast to one side without ceremony. We wait to see what the new border security command will accomplish in the face of that.

The noble Lord touched on the Terrorism (Protection of Premises) Bill. These measures will seek to improve the safety and security of public venues to keep the British public safe from terrorism. The noble Lord, necessarily I think, referred to the Manchester Arena atrocity in that regard. I pledge on behalf of His Majesty's



loyal Opposition that we will work constructively where we can with the Government. We will do precisely what His Majesty's Government did when they were in opposition; they subjected our proposals to scrutiny and test, and we will do the same. The House would expect no less of us.

I look forward to working with the noble Lord to make sure that the measures he describes do not impose unduly onerous duties on smaller businesses. In particular—I appreciate the noble Lord was careful to set this out but, as always, the devil is in the detail—we must be careful to make sure that it is not only smaller businesses that are excluded, which cannot afford the expenditure of time, money and expertise to conform to regulation which may not be effective in a way that it might be for larger companies, but also the voluntary sector, which is the very backbone of public civic life in our country. If anything prevents one person offering to take a hand in running a church hall or a village hall, to keep alive community life as best they can, that will be a step too far. We look forward to testing these proposals and making sure that they are not unduly burdensome on those who can least of all afford it.

We also look forward to discovering whether, in the wake of the Manchester Arena atrocity, we will have legislation to address other important matters that emerged from it. These include, for example, the response of the emergency services to the first 999 calls and the concern that the venue's security staff had quite reasonable concerns about the behaviour of the man responsible which they were frightened to air lest they be accused of racism. We will work with His Majesty's Government to address such a culture and make sure that people draw attention to emergencies in life in the way that they should.

His Majesty's gracious Speech set out laudable objectives: strengthening community policing, working to address antisocial behaviour, increasing support for victims, control of our streets and tackling minor levels of crime. We look forward to bringing the necessary scrutiny to these proposals. In relation to the offence of assault on a shopworker, which the Minister mentioned specifically, while we recognise the importance of people being able to go to and carry out work protected from harm and in the knowledge that the courts and police will step forward to protect them, is it an appropriate use of legislative time to set out a specific offence of this nature? In the past, it has always been dealt with by the court's sentencing considerations and by prosecutors' decisions as to the level of court in which to indite particular cases. I stress that these are matter of details and I look forward to discussing them with the noble Lord.

The gracious Speech also said, somewhat starkly, that His Majesty's Government will bring forward plans to halve violence against women. Again, this is a laudable aim but such a stark statement is essentially meaningless. We have to caution against the Government speaking as though they really believed that it is possible to accomplish such a pledge, given that it is a hugely complex area involving social, criminological and legal consideration, and suggesting that such a thing could be accomplished by legislative fiat, having set it out in the course of a single sentence.

I listened with interest to the noble Lord's points about arbitration. Again, we look forward to working closely with His Majesty's Government on that important matter.

Finally, going back to the concluding days of the previous Parliament, I think I will speak on behalf of the noble Lord, Lord Marks of Henley-on-Thames, in expressing my regret that the King's Speech did not specifically feature the litigation funding Bill, which was in Committee when the procedural wash-up began and we moved and expedited only certain Bills. That important measure, which enjoyed cross-party support among all Benches, fell to the floor.

At the risk of repeating myself, I issue a warm welcome to a Minister who, it seems to everyone who contributed to the discussion on the Statement repeat, is extremely well placed to inform our counsels on the important matters for which he now has responsibility.

5.20 pm

**Baroness Doocey (LD):** My Lords, I welcome the new Minister and hope that the new appointments will lead to a fresh conversation about our police service. Policing in this country is not working properly: not for the public, who have little faith that the police will turn up, let alone solve their crime; not for the police, who are under attack from all sides and resigning at an unprecedented rate; and not for the wider criminal justice system. A quarter of police forces are in special measures, less than six in every 100 reported crimes result in a charge or summons, and 40% of cases are closed because the police cannot identify a suspect.

Let me outline some of the most pressing issues. The network of agencies we rely on to protect our most vulnerable has been stretched to breaking point, leaving no one but the police to cover the gaps. Over the last few months, I have spoken to dozens of serving officers, all of whom said that the wider system's inability to meet demand has left the police with no choice but to take on significant amounts of extra work. They are spending hours, and sometimes up to three days, supervising vulnerable children while waiting for social services to find a safe place to put them, and spending whole shifts in A&E while detainees wait their turn for assessment and treatment. They are fielding call after call from people warning about somebody threatening to commit suicide. I heard from one police chief that almost every call to her force now revolves around mental health issues.

The police are also picking up the pieces from the court backlogs, full prisons and overwhelmed probation and prosecution services. The average time that the CPS now takes to make a charging decision is 44 days. It can take eight months to get a simple shoplifting offence to court. At a time when there is an epidemic of violence against women and girls, victims are seeing sex offenders out on bail for up to two years before their case can come to court.

The police have become the service of first resort, forced to pick up the baton for the rest of our crumbling public service. That is not understood by the public, who believe that the job of the police is to solve crime and catch criminals. They have no idea of the other work that the police are forced to take on. How could

[BARONESS DOOCEY]

they? Is it any wonder that officers are crying out for a clearer definition of modern policing's role and mission?

The Liberal Democrats have always been advocates for neighbourhood policing, so we welcome the Prime Minister's community policing guarantee. However, police forces must be given the extra funding to pay for that on top of their current budgets. If chief constables are forced to find savings to implement this plan, the result will be more officers having to do back-office tasks at the cost of patrolling, prevention and proactive policing.

Fraud and computer misuse now make up nearly half of all crime, and almost every crime has a digital footprint, so having specialist staff in all police forces is becoming ever more vital. However, the police lack the skills and resources to tackle that head on. Even when forces manage to attract cyber professionals with the necessary skills, these new recruits almost have to be untrained to adapt to the old-fashioned, outdated IT systems that the police are still using. The UK is a world leader in AI, so why have our police not seen some of the benefits? Our police need 21st-century tools to fight 21st-century crime, which means having up-to-date technical solutions and being able to employ tech-savvy staff who understand algorithms and can penetrate the dark web to tackle child exploitation and other heinous online crimes.

Without a sea-change in approach, no amount of superficial fixes or even extra funding will result in a police service that is equipped to keep up with the realities of today's criminal landscape. I hope the Minister will address these issues when he responds to the debate.

5.25 pm

**Baroness Manningham-Buller (CB):** My Lords, I am delighted to be the first Back-Bencher to speak on this debate. I join in the chorus of approval and congratulations to the Minister. It is not just me: this morning, I went into Timpson to get a new battery for my watch in order to rehearse my speech so as to avoid the Chief Whip—he is not in his place—getting irritated with me for going over time. There, I spoke to my friend, who knows me by a different name and does not know that I am a Member of this House. He was very sad that the Minister will no longer be leading that business but thought that the greater interests of the country rested in this appointment. So I bring his congratulations as well.

I am going to talk a bit about national security. I was undecided whether to speak today or in tomorrow's debate on defence, security and foreign affairs. I do not know how vulnerable we are—that is a good thing, because then, presumably, our enemies do not—but I am clear that the threats to our security are not diminishing; they are increasing. We need to face that reality and its implications. Despite the pressure on public expenditure, there will be some unwelcome decisions to be made. Like other noble Lords, I have confidence that the review by the noble Lord, Lord Robertson of Port Ellen, Sir Richard Barrons and Fiona Hill, who probably knows more about Putin than most people, will come up with some good recommendations. There is urgency attached, because we need to defend ourselves robustly against these threats.

What constitutes national security is undefined and evolves. We now worry, as the Government must do, about food security, energy security, health security and water security, but in MI5, in which I was privileged to be for 33 years, the law states its responsibilities. They include—I should know this by heart, but I just need to remind myself—

“the protection of national security and, in particular, its protection against threats from espionage, terrorism and sabotage, from the activities of agents of foreign powers and from actions intended to overthrow or undermine parliamentary democracy”.

To do this work, there have to be secrets. That will not come as a surprise to your Lordships' House, but I do have some current concerns, which I wish to flag. There is some pressure from various quarters for greater openness and transparency. There is the view that the public interest, however it is defined, trumps all. We now have—and I completely understand why—the legislation resulting from Hillsborough, with a duty of candour to prevent, if we can, repetitions of the Post Office scandal, the Hillsborough scandal and others. However, unless we maintain secrets in intelligence work, we will soon have no intelligence.

Your Lordships will remember legislation from a few years back to consider covert human intelligence sources. These are people who are not members of the organisation but who provide, often at risk to their lives, intelligence that is life-saving and important. Their identities must be protected. I welcome the legislation on the security of public places. I caution the new Minister against saying, “We must never let this happen again”. There are lots of people determined to reduce those threats and to work against them, but there is never such a thing as 100% security.

If these secrets are to be kept, it is also important that the UK intelligence community is fully accountable for its actions, the things that it gets wrong and the things that it gets right, and nobody, I hope, would argue otherwise.

I end by picking out the comment of the noble and learned Lord, Lord Stewart of Dirlerton—with which I strongly agree—that, as far as possible, the approach to national security should be cross-party and not party political. It is right that this House will pick over legislation, try to improve it and amend it. But in my experience in MI5, it was really important that—with the approval of the noble Lord, Lord Blunkett, who is in his place, and the noble Lord, Lord Reid of Cardowan, who is not, who were among the Home Secretaries I worked for—I always briefed their opposition equivalents. We should continue to do our job properly but, where possible, we should do it in a cross-party, apolitical way.

5.30 pm

**The Lord Bishop of Gloucester:** My Lords, I congratulate the noble Lord, Lord Timpson, on his superb maiden speech, and I refer to my interest as stated in the register as Anglican bishop for prisons.

The gracious Speech began with the principles of “security, fairness and opportunity for all”.

What does that mean for our criminal justice system? Much mention has been made of overcrowded prisons, an overflowing remand population and a void of

rehabilitation leading to reoffending. In the past year I have convened cross-party, round-table discussions with key people in this and the other place, plus academics, those with lived experience and prison reformers. We are all agreed that we need a legislative definition of the purpose of imprisonment, and we need to improve the public's understanding of sentencing. The concepts of punishment and vengeance are strong in the public narrative.

Beyond these doors, in the Prince's Chamber, is the statue of Queen Victoria, positioned between the figures of Justice and Mercy. How would our criminal justice system be different if we allowed those two figures to properly dialogue? I recently visited the Netherlands, where there has been a huge reduction in the incarcerated population, not least through an imaginative rethink of sentencing, including different and appropriate care of those with mental health problems and addiction. Children are also dealt with differently, and I hope that in due course I will be able to share more of what I believe we could learn.

The narrative that our streets will be safer if we lock more people up and for longer is not supported by the evidence, and simply leads to doing more of the same thing. Just criticising the previous Government for not building more prisons is missing the point. A system that results in more imprisonment, continued repeat offending, more victims and no change in what is broken in lives and society is not only failing but is not cost effective. The government commitment to a "justice system that puts victims first"

not only requires tackling reoffending with a fresh look at appropriate education, rehabilitation and purposeful training in prison and beyond the gate. It also requires whole-system change, with a public health approach focusing on what will make for stronger and transformed communities, including tackling root causes. I am sure the Minister is aware of the Better Justice Partnership and its work on whole-system change, and I hope he might commit to meet with it.

Over decades, the inequality of our society has contributed to the warehousing of the vulnerable. We need a whole-community approach, and the issue of relationship is key. We need to look at the big picture, including up stream. We need that long-overdue review of sentencing. We need courage to establish alternatives to the revolving prison door and the repeated pattern of fractured relationship, and this must include community-based alternatives as well as the presumption against short sentences, not least with their disproportionate impact on women.

We need to properly resource, train and value prison and probation staff. More needs to be done with them, and for them—it is the big picture. The ambition of security, fairness and opportunity for all needs a large, articulated vision for the society and world we wish to see. Even our debate on the gracious Speech is siloed across government departments. We need to do join-up. It would be wonderful if we could start from a person-centred way of doing things. How about saying, "For a child born today, how will all that we do enable their flourishing into adulthood?"

But back to reality. I applaud the acknowledgement of children of prisoners. They also often serve a hidden sentence, so identification is long overdue. I am

sure the Minister will connect with the charities Children Heard and Seen and the Prison Advice and Care Trust, which bring much expertise. I also applaud the intention to expand the remit of the Victims' Commissioner and the ambition to halve the violence against women and girls—but that too requires looking up stream.

Time is ticking. Even if people are not driven by mercy in dialogue with justice, perhaps finance will be the driver. Prison costs just over £50,000 per person per year, and the annual social and economic cost of reoffending is estimated at £18 billion. A different and more effective approach means not higher cost but a redistribution of funds. As a Lord spiritual motivated by my faith in Jesus Christ and my belief in every person created in the image of God, I am hopeful about the opportunities that we have to transform the system, holding fast to those principles of security, fairness and opportunity for all.

5.35 pm

**Lord Blunkett (Lab):** My Lords, the right reverend Prelate has demonstrated how sermons should really be delivered—in under five minutes. I offer a very warm welcome to my noble friend and congratulate him on his maiden speech. I look forward to the maiden speech of my noble friend Lord Hanson, whom I welcome back to the Palace of Westminster after all this time. I too have connections with the Timpson family. I worked with Edward on citizenship and youth engagement and always thought he was a social democrat, so there we are.

I would love to speak about home affairs, immigration and security, but because of the time restraint I will concentrate on the elements of justice, first welcoming the words used by my noble friend on imprisonment for public protection. Earlier today, in response to the noble Baronesses, Lady Burt and Lady Jones, he talked about cracking on with the agreement reached on 21 May, which was just in time as the election was called the following day. Had we not compromised, it would have fallen, including the drastic reduction in licence period, the action plan progression task force and all that went with it. That is a lesson in politics.

There is much more that we now need to do, including reversing the ridiculous executive action of Dominic Raab, which continues to hold up the Parole Board recommendations by sending them back for people to be sent into the open estate and to approved premises. We could immediately release quite a number of category A, B and C places. Let me give statistics to the House on which I will very quickly build. Last year 27,800 people were recalled. Almost 27,000 of them had determinate sentences; 600 had indeterminate sentences. It is a farcical system that has people recalled for 28 days for more serious sentences, and they are most likely released. It is a revolving door of the most ridiculous proportions, equalled by the farcical situation that we have at the moment where there are 16,500 people on remand, not yet to trial or sentence. There are now listings for 2026 for people who are held on remand.

In the 10-year review, I hope that we will very quickly look at the ridiculous recall—which is inappropriate, blocks up cells and does nothing to rehabilitate or help with the actions that have resulted in people being



[LORD BLUNKETT] recalled in the first place—and change the approach. Of course we need the bigger prisons; I am familiar with the review by the noble Lord, Lord Carter, all those years ago. But if we want to get planning permission quickly and be able to recruit effectively and rehabilitate, let us build some smaller remand units across the country so that people are closer to home on remand and can be treated before their sentence in a reasonable and humane fashion. We could then release places in the main prison estate for those who need longer-term help. We could also reduce the frightening picture, mentioned during Questions earlier, in respect of those who are taking illicit substances. The highly respected former governing governor Ian Acheson believes that 50% of prisoners are taking illicit substances, so let us try to get it right.

The probation service is under enormous strain, led brilliantly by Martin Jones. Give it the backing it needs and the support to work with the voluntary and community sector. We know what needs to be done. If my noble friend can navigate the civil service governmental system, he will get the Francis Drake award for doing something that some of us struggled with for many years.

5.40 pm

**Lord Howard of Lympne (Con):** My Lords, it is a great pleasure to follow the noble Lord, Lord Blunkett, with whom I had many jousts in the past. We often found—speaking for myself at least—that we agreed with each other far more extensively than we cared to admit, and that goes for much of what he said this afternoon.

I congratulate the Government on their election victory and the Minister on his appointment and maiden speech. I echo the warm words of tribute which have rightly been paid to him for his astonishing work on the rehabilitation of offenders—an objective which we all share. I wish the Government well. As my right honourable friend, the leader of the Opposition, whose premiership will I think be treated kindly by history, has said, their successes will be our successes; we all want our country to succeed. It is in that spirit that I intend to offer the Government, respectfully, some advice.

One of the most intractable challenges that the new Government faces is that posed by illegal immigration, and it is to that that I intend to devote my remarks. All we have seen so far is the Prime Minister's commitment of £84 million to help what is often referred to as tackling the matter at source. I welcome that. It was under my leadership that the Conservative Party first committed to the 0.7% target, so I support the measure and hope that, together with other sources of development assistance, it helps to improve living conditions in some of those countries which are much less well off than we are. But we must be realistic: those countries will, whatever happens, remain for the foreseeable future much less well off than we are, so there will continue to be people who want a better life and who are prepared to take terrible risks to reach our country. Rebadging the Border Force will not stop them, but there is one way which would, and I speak from experience.

In 1995, as Home Secretary, I reached an agreement with France, under which we undertook to return to each other those who illegally entered one of our

countries from the other. It worked, even though the number returned to France was, of course, far greater than the number returned to the UK. What, you may ask, did we give France in return? Nothing. We were able to reach this agreement because I persuaded my French opposite numbers that it was in their interest to come to it. Why? Because no French Government could take pride in the number of migrants congregating on their northern coastline or the numbers making their way through France to Calais to get to the UK. I suggested, and they agreed, that if it became clear that getting to Calais was no longer a way of getting into the UK, there would be no incentive for these migrants to come to France in the first place.

The agreement worked; it worked for the two remaining years of my time as Home Secretary, but it had a wrinkle: it applied to those who claimed asylum and to those who did not. It contained a provision that it would not apply to asylum seekers once the Dublin convention came into force. The Dublin convention, which came into force after I left office in 1997, provided that asylum seekers should apply for asylum in the first European member state they reached, and if they did not, they would be returned to that member state. Here I was guilty of naivety: I thought the Dublin convention would work, but it did not. In 2018, for example, 1,215 asylum seekers were transferred into the UK but only 209 out of it, despite the fact there were far more cases where the first country they reached was not the UK. The Dublin convention did not preclude bilateral agreement, and one was reached between Germany and Denmark. My Labour successors could have sought to revive the application of my agreement to asylum seekers once it became clear that the convention was not working, but they did not.

I respectfully suggest that the Government might look at this agreement again. As far as I know, it has never been revoked, but the arguments that persuaded my opposite numbers in 1995 are as valid and strong now as they were then. There is no reason why the original terms could not be restored. It seems quite likely that the new Prime Minister of France will be a socialist. I think it was Clement Attlee who coined the phrase, "Let left talk to left", so there may well be an opportunity—to use a phrase currently much in vogue—for a reset in our relations with France on this issue. I commend it to the Government.

5.45 pm

**Lord Beith (LD):** My Lords, the gracious Speech makes only limited reference to the criminal justice system and none to the crisis within it, but, even as it was being prepared, delivered and debated, the Government were making some significant steps. One that we have heard more detail on this afternoon is the release of 5,500 prisoners, not as part of a developing policy on the effective use of custody but as a crisis response to the fact that the prisons are full. This is clearly a disgraceful inheritance from the Tory Government and one that the Government have tackled with difficulty. However, the current Government cannot escape all blame for the situation: Labour ramped up the rhetoric on locking people up some years ago, which set a trend that has continued since and needs to be reversed.



One positive thing that the new Government have done is to appoint a Prisons Minister with knowledge, commitment and practical experience in rehabilitating offenders, the noble Lord, Lord Timpson. I congratulate him on his Maiden speech. I also welcome the appointment of our respected colleague the noble Lord, Lord Ponsonby of Shulbrede, to the department, and the noble Lord, Lord Hanson, with whom I worked on these issues when we were both in the Commons. These Ministers will need firm backing at Cabinet level for the steps they will need to take to end the chaos and redesign the system with the objective of reducing crime, not of winning headlines for talking tough.

I draw the Minister's attention to the report on community sentences from our Home Affairs and Justice Committee, and I apologise that I cannot be at Friday's debate, when he will hear more about it from my noble friend Lady Hamwee. I also commend the House of Commons Justice Committee's report, *Public Opinion and Understanding of Sentencing*. That is the issue I want to touch on now.

Parliament proposes, the Sentencing Council interprets, and judges and magistrates impose sentences, which may include custody. Custody is a massively expensive and huge commitment of resources, in a criminal justice system that is desperately short of resources, but it has often been the most readily available option. In a particular court area, there may not be a combination of measures that could be effective in dealing with an offender, so custody becomes the alternative.

Why does our system put and keep in prison more people than any other system in a western European democracy? There are several reasons for imprisonment. The first reason is the protection of the public from dangerous and violent offenders, but that protection is necessarily limited by the fact that most offenders will eventually be released, and therefore need the prison system to provide—the second reason—rehabilitation by means of courses, training and other activity that can reduce reoffending. An overcrowded and understaffed prison system cannot do this. The third reason for custody is the belief that the risk of a prison sentence is a deterrent. There are some crimes for which that may be true, but some of the crimes we are most anxious to deal with do not fall into that category: domestic violence is not cured or prevented by the fear of a prison sentence, nor is much alcohol or drug-related violence.

We need to recognise that there is a fourth factor—a powerful one—promoting the inappropriate use of custody: prison sentence and its length is used by the public and the media as a yardstick by which to measure the relative seriousness with which we take any particular offence. Custody and its length are used as a proxy for disapproval and for indicating how seriously we take a crime. That distorts the effective use of the remedies that are available. Relying on a community sentence, however effective, is seen as not taking a crime seriously enough.

This is compounded by newspapers. I refer to an article in a newspaper that takes all these issues seriously and is working on them: the *Times*, which has a commission on justice. Last Thursday, we had the headline:

“Asylum seekers who snatched Rolex watch walk free”.

It is that “walk free” that so distorts the debate. In fact, they were given five-year criminal behaviour orders, subjected to six-month curfews, required to live in Home Office accommodation, required to complete 150 hours of unpaid work and 40 hours of rehabilitation, and banned from the City of Westminster. That does not sound like walking free to me.

This makes me reflect on the other side: I am not convinced that four-year or five-year prison sentences for disruptive but non-violent environmental protesters is a very good use of scarce resources. We need to develop the understanding that the way to take crime seriously is to make sure that the sentence is likely to reduce reoffending. That is the measure. I hope that the new Ministers can encourage rational debate on this issue so that we can start to use custody where it needs to be used and not abuse it when other things would work better.

5.50 pm

**Lord Green of Deddington (CB):** My Lords, I will speak very briefly about one issue that has not been covered in our debate so far—or, as far as I know, in this House for many years. I put it to your Lordships that our country now faces its most serious challenge for nearly a century, yet nobody seems to be willing to discuss it. I refer to the sheer scale of current immigration and its implications for the future scale and nature of our society.

Over the past 20 years, the UK population has grown by 8 million. That is roughly eight times the population of Birmingham. Some 85% of that growth has been due to the arrival of migrants and their subsequent children. As a result, the ethnic proportion of our population is now already 21%. Recent Conservative manifestos for 2010, 2015 and 2017 all promised to get net migration down to tens of thousands. In 2019, the manifesto promised that “overall numbers will come down”.

What actually happened? Despite all those commitments, we now face by far the highest levels of net migration in modern history. The total for the last two calendar years taken together was nearly 1.5 million. That outcome is no accident. It results from specific decisions by the previous Government to cave in to pressure groups such as universities and the care sector. That is the result, and it has not yet been tackled.

The response of the new Labour Government has so far been non-committal. There are no serious measures to reduce net migration and no targets have been set. Instead, Labour has focused on asylum, which accounts for less than one 1/10th of the overall net inflow. Even if Labour was able to achieve a reduction in net migration, let us say to 350,000 a year—about a third of the present level—the population of the UK would increase by 9 million by the mid-2040s. That is roughly the population of London. The impact on housing and public services will be immense.

The social aspects are no less important. Unless the new Government get a firm grip on immigration, it is likely that children born today to an indigenous British couple will find themselves in a minority in our country by the time they reach their late 40s. Yes: a minority in their own country.

[LORD GREEN OF DEDDINGTON]

Change on such a scale, and against the oft-repeated wishes of the current majority, carries very serious risks for the future stability and cohesion of our society. It is now time for some courageous leadership from our new Government, including a clear commitment to get net migration down as close as possible to 100,000 a year. That is a goal which, as we know from surveys, 80% of the public would favour, including, as the Government must know, many of their own supporters. Action on this barely even addressed matter is essential if really serious difficulties are to be avoided in the future.

5.55 pm

**Lord Dubs (Lab):** My Lords, I wish the new Minister well. He started very well, and I am delighted that all the effort that many of us put into canvassing during the election resulted in people like him getting to where he is; it was all worth while. I differ very much from the previous contribution, but I am not sure this is quite the occasion when we can debate it. I welcome the chance to debate it on another day.

I want to talk a bit about justice and a bit about asylum. I clearly understand why the Government have had to go in for the early release scheme. I remember when I was in the Commons in the early 1980s, and the prison population went up from 40,000 to 44,000. We thought that we were heading for a disaster. Where are we now? We are getting nearer to 90,000. I do not understand why, relative to our population, we have the largest prison population in Europe. Surely our fellow citizens are not more criminal than those of other countries.

I am concerned about the extra pressure that the prisoner release scheme will put on probation officers. I know the Government are going to recruit some more, but there is another issue. I understand that the function or the role of probation officers has changed in recent years. It has become more limited and more a matter of making sure that people behave when they are under probation. I think probation officers had a wider remit in the past. I wonder whether my noble friend would look at that as part of his remit.

Some time ago, I spoke to a police officer who told me of a very distressing incident when a young man mugged an elderly woman quite seriously. The police officer said to me, "Yes, the young man was caught and will end up in Feltham". The police officer also went to the home of the young man and found a terrible situation. There was just his mother, who was spaced out on drugs. The place was completely derelict. The police officer said to me, "After Feltham, that young man will go back to the same environment, and it won't help at all". Unless we tackle the environment and do something about distressing situations such as that, we will have the revolving door revolving and revolving.

We need a more radical approach than just an early release scheme. I know my noble friend is aware of that, but we do. A friend of mine, Andrew Coyle, wrote a book called *Prisons of the World*. I especially commend a chapter called, "Towards a better way". I cannot paraphrase him, so I quote him:

"We need a more radical solution to the current prison crisis and it may lie in what has become known as Justice Reinvestment. Very broadly, this is a process which involves assessing the total resources, financial and other, that are currently expended on the

criminal justice system; evaluating what benefits members of the public and taxpayers get from this expenditure; and considering whether there might be other ways of distributing these considerable resources to provide a better return on the investment".

One day, when we have a longer debate on penal reform than is possible just now, I will develop those arguments. I think they may be helpful.

I turn to asylum seekers and refugees. The Home Secretary probably has the toughest job in government, and I very much welcome the advice she gave me over the years when I contributed to debates on this issue. Of course we are all shocked that the total cost of the Rwanda scheme has been £700 million. I am delighted the Government said, I think today or yesterday, that the 125,000 or so people who were prevented from claiming asylum by the Illegal Migration Act will now be able to do so.

I was in Calais a few months ago. It was a very depressing situation. Some of the people there said that they could not apply for asylum in France because they were fingerprinted on arrival in Greece or Italy. That meant they were virtually precluded from claiming asylum back in Greece or Italy, or from coming to this country.

I also met some young people, again in Calais, who had no money to pay traffickers. They said to me that they were hoping to be offered a free lift on a boat on condition that they steered the boat. They would be regarded as traffickers by us, but actually they are young people who have been caught in this very dangerous situation.

We need safe routes for child refugees. We need to establish a better way of achieving family reunion. I agree with the comments made about a better relationship with France.

One last challenge is that we need to find a way of supporting local communities who want to welcome asylum seekers, refugees and others in such a way that we have proper community cohesion. That is a real challenge for this Government.

6 pm

**Lord Bellamy (Con):** My Lords, I warmly welcome the Minister and congratulate him on a most outstanding maiden speech. I will briefly deal with two topics not mentioned in His Majesty's gracious Speech: family justice and the efficiency of our courts.

Such is the pressure on the prisons and on our court system that family justice struggles very often to get attention. I know that the noble Lord, Lord Ponsonby, whom I also warmly welcome and congratulate on his appointment, is a distinguished family magistrate, but I first ask the Minister for an assurance that the family justice system will receive both the attention and the resources it needs under the new Government.

More particularly, the previous Government quietly embarked on an ambitious programme to improve family justice, including setting new objectives through the Family Justice Board; reinvigorating the local family justice boards; rolling out the pathfinder project in private family law across the country, which transforms the old adversarial system into a problem-solving system; instituting a pilot scheme for early legal advice, because in family law many litigants are unrepresented;

encouraging mediation; and taking other measures. Will the Minister kindly assure the House that this programme will continue, that in particular the rollout of the pathfinder project across the country will be taken forward and that the Lord Chancellor will not take no for an answer, whatever the alleged lack of financial resources or other feeble excuses might be put forward? Our children deserve no less.

Similarly, and in the same vein, will the Minister consider closely reforming the adversarial system that exists in public family law to encourage a more conciliatory and cost-effective approach, including earlier resolution? Will the Minister particularly investigate why the cost of family law proceedings is so high and has risen so sharply, and why, in particular, some 13,000 or so cases in public family law consume about half the whole civil legal aid budget and cost almost as much as legal aid in the entire Crown Court?

I turn briefly to court administration. The general public, and indeed noble Lords, may not know or entirely appreciate that each year there is an extremely painful negotiation between the Government and judges as to how many days courts are allowed to sit, with a view to restricting the latter. Much emphasis has already been put on the appalling delays in our court system. Faced as we are with that, does the Minister agree that any system intended to restrict court sittings should be fully transparent and explained, and that the rationale for this system and the decisions made thereunder should be explained fully to Parliament and the general public?

Still on the subject of court administration, this is largely in the hands of His Majesty's Courts and Tribunals Service, HMCTS. Serious questions arise about the transparency and accountability of the present framework under which that system operates. Those questions are for another day, but the final question I would like to ask the Minister is this: is he aware that in our country which, as the Attorney-General emphasised yesterday, prides itself on the rule of law, our dedicated and hard-working court staff are the worst-paid public servants? Apart from anything else, that seriously undermines the efficiency of our entire court system. What do the Government propose to do about it?

6.05 pm

**Lord Macdonald of River Glaven (CB):** My Lords, I too warmly welcome the noble Lord, Lord Timpson, and I regard his appointment as Prisons Minister as one of the best decisions the new Prime Minister has made since he took office. I also welcome the noble Lord, Lord Hanson, who will be winding up this debate. I wish to address penal policy, and I declare an interest as president of the Howard League for Penal Reform.

After decades during which, if we are honest with ourselves, we have to concede that both the UK's main political parties were occasionally prone to weaponising criminal justice for electoral gain, the chickens really have come home to roost. Successive Governments created new offences, raised sentences, reduced remission and increased tariffs, and the result has been an epic failure of public policy, filling our crumbling prisons to capacity and forcing the new Lord Chancellor to announce emergency measures on remission—just to

keep the system from complete collapse, as she made clear. But this response buys just 18 months until the prisons are full again, so on its own it looks rather like the sort of sticking-plaster politics that the new Prime Minister decried so often in opposition.

It is a crisis that was foreseeable. As we know, Alex Chalk, the estimable former Secretary of State for Justice, who is a great loss to Parliament, warned the Prime Minister that this would happen, and it was left until after the election. But this is precisely how we got here. Headlines before delivery, a sporadic arms race in punitive rhetoric—these were political choices made over many years by Governments of all stripes, quite disconnected from the pragmatic delivery of justice. As everyone now sees, a particular low was the failure to increase prison capacity in the face of a rocketing prison population driven by deliberate public policy. A bit like operating a brewery without manufacturing bottles, for 30 years Governments have been drunkenly good at increasing the flow of inmates, but without creating sufficient new spaces to house them. A government spending review in 2020 promising an impressive 20,000 new prison cells by 2025 has brought us fewer than 4,000, with one year to go. They claimed the full number would be operational by 2030: did anyone really believe that?

There are two reasons why prison-building is unpopular with Governments. First, it is mind-bogglingly expensive: each new cell costs over £600,000 of capital expenditure. At this price, who would choose a prison over a school or a hospital? The second reason is that for the great majority of prisoners on short sentences—those who are not dangerous, and those who are addicts, mentally ill or just a nuisance—prison demonstrably does not work, and successive Governments have known it.

We do not just have the highest prison population in western Europe; we also have some of the worst recidivism rates. For adults released from sentences of less than two years, no less than 50% reoffend. We know from research that recidivism rates are lower for those on community punishments. Why should this be surprising? As a notably right-wing Conservative Home Secretary, Lord Waddington, said many years ago:

“Prison is an expensive way of making bad people worse”.

Bereft of proper facilities for education or rehabilitation, strained to breaking point by austerity and neglect, ludicrously portrayed by some media outlets as holiday camps, and warehousing some of the most damaged people in our society, British prisons should be a stain on our collective conscience. Many of the chief inspector's reports should be a source of national shame. What a tragic farce, then, that in so many cases they do not even work.

Perhaps something is changing. The Prime Minister is a careful and strategic man. He will have been well aware of the history of the noble Lord, Lord Timpson, as a prison reformer, and from what we know of the Prime Minister's attachment to planning and process, and we know quite a lot, it seems unlikely that he would have brought someone with the noble Lord's views into government if he did not intend to give him some space to imagine a fresh penal policy, less focused on incarceration and more directed towards punishment and rehabilitation in the community.



[LORD MACDONALD OF RIVER GLAVEN]

As the noble Lord, Lord Timpson, has said in the past, only around a third of those presently in jail truly belong there: those who are dangerous, are a risk to the public and must be confined for reasons of public safety. Another third should be receiving therapeutic mental health and addiction interventions in the community, and the rest should be on proper rehabilitative community sentences.

This watershed in prison overcrowding is a shared responsibility, and it is important to note this. It will not do for the new Government to try to blame everything on their immediate predecessors. The truth is that the previous Labour Government were also culpable, frequently criticising judges, introducing the policy of imprisonment for public protection and driving up tariffs with no adequate prison building programme to house the inmates their punitive policies were creating. I am confident that under the new Prime Minister and his law officers, attacks on the judges and the Parole Board will cease, but if this new Labour Government do not understand and accept their own predecessors' role in this debacle, they will hardly start from the right place in what must become a shared process of broad and deep reform and a real change in the way we think about crime and punishment in our country.

6.11 pm

**Baroness Royall of Blaisdon (Lab):** My Lords, I warmly welcome two superb new Ministers: the noble Lord, Lord Hanson, with whom I worked in government and in opposition, and the noble Lord, Lord Timpson, an inspired appointment, who made a brilliant maiden speech. I share the view that he expressed some time ago that we are addicted to sentencing and punishment. Of course some people must be punished, but for too many people prison simply does not work. I hope that this prison crisis can be turned into an opportunity, with fewer people being sent to prison, including women, whose crimes often do not warrant imprisonment and whose families are torn apart, including by short sentences. If all offenders had proper access to training and learning while in prison and came out to a job and a roof over their heads, reoffending would decrease dramatically.

I co-chair the Oxfordshire Inclusive Economy Partnership. One issue on which we are working at the moment is to support prison leavers into employment, and we are redoubling our efforts in the light of early release. We were inspired by a speech at our launch by Darren Burns, who is the head of the Timpson Foundation. A few months ago, we organised a visit by employers to Bullingdon prison. They met staff, the governor, people providing training and offenders who were learning building and barista skills and hairdressing. At the end of the visit, one employer, who had never been in a prison before, said, "But they're just like you and me". Indeed, they too are human beings, just like you and me. Some fantastic employers in Oxfordshire train and support prison leavers, such as RAW and Tap Social, and more are being encouraged to do so, including the universities, in which I have a registered interest.

Access to employment and accommodation must go together if someone is to succeed and keep out of prison. The biggest block to employment is often the

cost and availability of housing, and I pay tribute to charities such as Aspire. There is an excellent initiative at Bullingdon prison called Community Connections, an independently evaluated two-year pilot with a prison officer in the role of community connections officer. He opens up the prison to opportunities and resources in the community and breaks down barriers. This should be replicated in other prisons. Shortly, there will be a new Bullingdon project, a departure lounge in the visitors' centre to support men with hot drinks, information, clothes, toiletries and phones immediately on release. Getting Oxfordshire Online and National Databank will provide the men with phones and SIMs with six months of calls and some data. I hope the Minister might consider visiting Oxfordshire soon.

Moving to justice, or rather injustice, for women and girls, yesterday a police report warned that violence against women and girls is a national emergency that for too long has not been taken seriously. I am proud that the Prime Minister spoke in the King's Speech debate of this Government's mission to reduce violence against women and girls by 50% in 10 years. He mentioned our mutual friends John and Penny Clough, who have courageously campaigned on stalking since their daughter Jane was brutally murdered by her stalker 14 years ago tomorrow. Since then I have campaigned on this insidious crime, and over that time an offence was introduced, various orders and reams of guidance were issued and countless demands were made that lessons be learned, but the violence, the stalking and the murders continue. Since 6 May, 18 women have been murdered in this country by men.

I welcome proposals in the new crime and policing Bill to ensure that we have rape and sexual assault units in every police station, as well as specialist domestic abuse experts in 999 control rooms. I am delighted by Jess Phillips's determination to improve the police and criminal justice system's response to stalking, which will include strengthening the use of stalking protection orders and giving women the right to know the identity of online stalkers, but even more needs to be done. I hope that the Met's V100 initiative will be rolled out in every police force. Claire Waxman, London's victims' commissioner said following her stalking review that the system has become compliant in allowing stalking cases to escalate. Together with the National Police Chiefs' Council, she called for an improved approach to the use of technology to track and pursue high-harm and repeat perpetrators of violence against women and girls. I am in favour of tagging.

Justice and home affairs will have to deal with enormous challenges immediately and in the coming years. I am confident that this Government and our two excellent Ministers will do so with fairness, firmness and compassion.

6.16 pm

**Baroness Bottomley of Nettlestone (Con):** My Lords, it is always a great pleasure to follow the noble Baroness, for whom I have very high regard. The Minister will discover that in the House of Lords the debates are much better than they are in another place. I know he does not have much experience in another place, but criminal justice, of all subjects, is an enormously complex problem, and the debates and the speeches on it here

are always some of the best that we have. I welcome him most warmly. He brings a tremendous example to the House. I just hope he stays in post, because we have heard it all before. What we need is tenacity, continuity and delivery. We really were not sure whether we wanted the noble Lord as our Minister. We were quite tempted by the right reverend Prelate the Bishop of Gloucester, and we were thinking that if the most reverend Primate the Archbishop would allow that, it could be a constitutional innovation. She has consistency and dedication. She was the first woman bishop in this place and is a wonderful woman.

I want to say in passing that the Minister made an excellent maiden speech and that I look forward to the maiden speech of the noble Lord, Lord Hanson. I am afraid the shop steward for all matters relating to Hull—the noble Lord, Lord Norton—has already tapped me on the shoulder. I was chancellor for only 17 years. I know the noble Lord, Lord Timpson, is chancellor at Keele. I knew he was at Hull, and I was going to mention it in passing—it is in my notes—as was another great entrant to the House, the noble Baroness, Lady Hazarika.

My noble and learned friend Lord Bellamy said so much in his speech that I care deeply about. I could go off on many highways and byways in this debate, but I have very little time. I want to say how impressed I have been by the appointments in this Government. Not many people are as old as me, but I remember 1997 when it was carnage. All the people who had done the shadow jobs were chucked out, and Tony's cronies arrived. As Alex Aiken said, it was tears all the way down Downing Street, not from John Major and his team leaving but from all the people who thought they were going to get the jobs when the new people arrived. To my amazement, the shadows have been appointed—people who have served an apprenticeship. I think the credit for this goes to Sue Gray for ensuring that there has been a measured and sensible adoption of office.

I must declare an interest: as most people know, 25 years ago I decided that it was not just policies that matter but people, so I have been in executive search for 25 years. We appoint some important people. In 2008 we handled the job of the Director of Public Prosecutions, in 2018 we handled the Government Chief Scientific Adviser, and in 2003 I found the chief executive of the Refugee Council, so I am pleased that the Prime Minister, the noble Baroness, Lady Sherlock, and the noble Lord, Lord Vallance, are all people who have been vetted—as I would say without that sounding like a conflict of interest, which I am terrified of in this place. We have the noble Lord, Lord Hendy, and many others who bring expertise.

I envy the Minister. The only job I wanted in government was to be Home Secretary, but my problem is that I think prisons are throwing good money after bad. I was alienated about prisons for many years when it was very unfashionable for a Conservative to feel that. My experience was that I was chairman of the juvenile court in Lambeth at the time of the Brixton riots, when I was only 32. I sat at one stage with my noble friend Lord Waldegrave and the late Baroness Howe. These were children from the most appalling homes, or who had no home and no education. They could not read the oath. They had drawn the

short straw and nobody wanted them. I wanted a levy on local authorities that had their residents in prison, because nearly always they had not invested in their education, healthcare or training. But it was not to be.

I had a bloodcurdling row with my very close and good noble friend Lord Howard when he introduced secure training centres. I am deeply sceptical about putting young people in prison. I admire those who have made such a difference. I pay credit not only to the Minister but to the wonderful Finlay Scott, who founded the Clink—I would like to speak for 20 minutes on the Clink but I cannot—and to Jocelyn Hillman at Working Chance. These are practical schemes that make a difference.

I also want to warn the Whips that I will be against them if they try to whip me on the Holocaust Memorial Museum. It is an error and a waste of money. It can be a little memorial but it must not be a learning centre. I am pleased that the King did not mention it and that the Prime Minister mentioned only a memorial, not a learning centre. Best wishes to the Minister.

6.22 pm

**Baroness Burt of Solihull (LD):** My Lords, there is very little time to say all the things that I want to say today. Nevertheless, here I am, casting my own small pearls of wisdom before your Lordships. I still hope that they will somehow make a contribution to the workings of this House.

I repeat my welcome to the Minister. Just for a moment, I shall continue on the theme of prisoners. I belong to a small, doughty cross-party group determined to rectify the most terrible of injustices still being perpetrated on the suffering, lonely rump of 3,700 indeterminate-sentence prisoners. Can the Minister at least give some hope that he has not totally ruled out a resentencing exercise? It could be combined with some of the innovative alternatives mentioned by many noble Lords, including the right reverend Prelate the Bishop of Gloucester and the noble Lord, Lord Macdonald of River Glaven.

The noble Lord, Lord Blunkett, spoke about small local remand centres. Not a lot of people know this, but it was at one of those centres—which then rejoiced in the name of Pucklechurch remand centre—that I began my training as an assistant governor in the Prison Service. However, there is no time to go into that fascinating aspect of my career here.

I will leave the subject of prisons and turn to the area that I mainly speak on: equalities. There is much to welcome on equalities in the King's Speech. I look forward to working constructively with the Government to make the lives of women, ethnic minorities, disabled people and members of the LGBT+ community more just and more free. During the last Government, I and the then Labour MP Lloyd Russell-Moyle brought forward Private Members' Bills to ban conversion practices, and I am absolutely delighted to see that return as a government Bill.

The employment rights Bill also includes many things that I strongly back, including greater entitlement to flexible-hours working, employee protections from day one and banning zero-hour contracts and the egregious practice of fire and rehire. We look forward to working with the Government on all these issues.

[BARONESS BURT OF SOLIHULL]

The draft equality race and disability requirement for pay-gap reporting for disabled and ethnic minority workers for larger businesses is most welcome. We have fought for that for a long time and we wish it every speed on its way.

I believe that the most challenging problem in the field of equalities facing the Government is the scourge of violence against women and girls. Only yesterday, as a noble Lord said, we saw in the news a sharp increase in the reporting of violence and a sharp decrease in prosecutions. The Government have committed to halving violence against women and girls. The Minister has given us a flavour of the coming measures and we all look forward to learning more.

There are many things that I would love to have seen in this King's Speech—for example, equal marriage for humanists and the equal and inclusive treatment of children from religious and non-religious families in schools: I am hoping for a favourable wind for the return of my inclusive assemblies Private Member's Bill.

Many challenges face this Government. My party will work constructively with them to make the new equality laws the most effective that they can possibly be.

6.26 pm

**Baroness Gohir (CB):** My Lords, I too congratulate the Ministers on their new roles and their maiden speeches today. I look forward to asking them many questions. I will focus my contribution on violence against black, Asian and minority-ethnic women. I declare my interest as CEO of Muslim Women's Network UK.

I welcome the Government's bold pledge to halve violence against women and girls. However, to be successful they will need to tackle the radicalisation of boys into extreme misogyny by online male toxic influencers, which is a problem in every community. How will the Government tackle this? To be successful, they will also need tailored approaches to different communities according to their needs.

I welcome efforts to date on tackling FGM, forced marriage and honour-based violence, but when it comes to minority-ethnic communities I notice that there is a greater tendency to focus on abuses linked to cultural practices. What is actually killing women is domestic abuse, but that does not get the same attention in minority-ethnic communities. In fact, when it comes to domestic homicides, minority-ethnic women are overrepresented by 22%. So I urge the Government to hold a public consultation to uncover the contributing factors to this overrepresentation and come up with recommendations across government departments and services. I also urge the Government to think about a legal definition of spiritual abuse. I will be holding a round-table meeting in September with minority-ethnic groups and I urge the Government to send policy advisers to that meeting to listen to what women have to say.

I turn my attention to hate crime. I was disappointed not to see this in His Majesty's Speech, given that hate crime has been going up for over a decade now. But I shall focus my comments more on Muslim women. Police data actually shows that the vast majority of perpetrators are white males, so I consider this a form

of gender-based violence, yet this type of hate crime tends not to be included in violence against women and girls strategies. I urge the Government to consider putting it in.

The Labour manifesto talks about improving the way that Islamophobia is monitored. I welcome that, but what action will the Government take to tackle anti-Muslim prejudice? For example, will they engage with Muslim communities and groups around the country and engage with Muslim women? That is something that the previous Government did not do. Instead, from 2011 they focused on funding one project, Tell MAMA, which is now given £1 million a year even though Muslim communities do not have trust and confidence in that project any more. There are concerns over transparency, governance, how funding is being spent and the quality of the data.

I was so concerned that I asked the previous Government 31 questions, which were not answered. That caused me a lot of anxiety, and I hope that the new Government will answer those questions. In fact, recently, an academic, Dr Nafeez Ahmed, tried to write articles about my concerns. The project spent a lot of money hiring Mishcon de Reya, which has expensive lawyers, to try to block the articles. Thankfully, that was not successful. I think I am on to something and that we need to look into this very deeply and carefully. What are they hiding? Could it be the inflation-busting pay rise of the CEO? That went from £77,000 to £93,000, which is a 21% pay rise.

I urge the Government to review this expenditure of public funding, to talk to Muslim communities around the country and to set up alternative hate-crime reporting hubs within communities. I am more than happy to support the Government to engage with and to speak to affected communities, in particular Muslim women.

6.31 pm

**Lord Paddick (Non-Aff):** My Lords, I declare my interest, as set out in the register, as a non-executive director of the Metropolitan Police Service. I warmly welcome the noble Lords, Lord Hanson of Flint and Lord Timpson, to this House. This House values experience, and both Ministers have relevant experience in abundance. I also warmly welcome this Government and their declared principles of security, fairness and opportunity for all.

I welcome the Government's commitment to make streets safer, although I believe it will take more than just legislation to strengthen policing, to give the police greater powers to deal with antisocial behaviour and to strengthen support for victims. It is the implementation of such measures, and the holding of police forces to account for achieving these laudable goals, that may prove difficult.

We still have 43 operationally independent chief constables, almost all of whom are overseen by elected police and crime commissioners or elected regional mayors, each of whom has their own political mandate. The former tripartite arrangement of chief constable, Home Office and police authority that was in place when the noble Lord, Lord Hanson, was previously Minister for Crime and Policing, no longer exists. The current complex governance arrangements not only



allow the Home Office to absolve itself of responsibility, as happened under previous Conservative Governments, but make it much harder for the Home Office to drive change, achieve savings and focus policing on the Government's priorities.

The operational independence of chief constables and the political independence of police and crime commissioners, who now appoint chief constables with little Home Office input, together create a potential barrier to national policing reform if police chiefs and PCCs decide to resist them. In His Majesty's gracious Speech and in the accompanying documentation and commentary, including the very useful Library briefing, the Government apparently intend to introduce a crime and policing Bill as one of their first laws, enabling the Home Office to take a "more active" approach to crime and policing. Can the Minister explain how that can be done within the current governance arrangements?

The Government's determination to tackle knife crime is also welcome. Can the Minister explain how executives of online companies that break new rules on the supply of ninja swords, lethal zombie-style knives and machetes online will be personally held to account if those companies are based overseas, as many of them are?

The neighbourhood policing guarantee is also welcome and crucial in a policing system based on policing by consent, where trust and confidence in the police is inextricably linked to police effectiveness. New police officers, police community support officers and special constables are to be paid for by setting national standards for procurement, and by establishing shared services and specialist functions to drive down costs. Can the Minister explain how this is to be done when the financing of police forces is in the hands of elected mayors and police and crime commissioners, and the deployment of those resources is a matter for operationally independent chief constables? Similar constitutional difficulty appears to lie in the proposal to compel operationally independent chief constables to follow the recommendations of His Majesty's Inspectorate of Constabulary and Fire & Rescue Services.

As the noble Baronesses, Lady Doocey and Lady Royall of Blaisdon, have said, the breathtaking extent of violence against women and girls, as set out by the National Police Chiefs' Council yesterday, is deeply concerning. Can the Minister say what, if any, evidential test will be applied to the proposed automatic suspension of police officers being investigated for domestic abuse or sexual offences, or whether an uncorroborated allegation with no supporting evidence would be sufficient?

I only raise these issues as matters which I respectfully ask the new Government to consider, in the earnest hope that any difficulties can be overcome, so that they can achieve their policing goals, which I wholeheartedly support.

6.36 pm

**Lord Browne of Ladyton (Lab):** My Lords, it is a pleasure to follow the noble Lord, Lord Paddick. I await with some expectation, as he does, the answers to the relevant questions he asked.

I congratulate my noble friend Lord Timpson on an excellent maiden speech and, before that, an excellent maiden Statement. I can pay him no higher a compliment

than to say that he clearly has the ear of your Lordships' House. Mind you, from my conversations and reading since his appointment was announced, it seems that he has the ear of quite a large proportion of the population in this country as well.

Attempting to describe even a small percentage of the challenges bequeathed to this Government would more than exhaust my allotted time. Among them, I suggest that nowhere, perhaps, have the new Government been saddled with a more unenviable inheritance than in the sphere of justice and, more specifically, prisons. Of course, I acknowledge that it is common practice for Governments to take office bemoaning the parlous state to which their opponents have reduced the country. Indeed, your Lordships will recall the noble Lord, Lord Cameron of Chipping Norton, and his Sancho Panza, George Osborne, carrying around and flourishing copies of Liam Byrne's valedictory note for years afterwards.

What the last election and the public mood demonstrate is that not only is Labour in step with the country, but there is no need for such spurious props today. The electorate has grown tired of living in a country in which so many critical services simply do not work. The failure of the last 14 years is as observable as it is evident. Our prisons are in crisis. I agree with the noble and learned Lord, Lord Stewart of Dirleton, that there is no ticking time-bomb. The ticking stopped before the election took place and we are in a much worse situation than that. Ten prisons are operating at over 140% capacity; Leeds, designed safely to accommodate 641 inmates, currently houses over 1,100; Durham, designed to accommodate 573, currently houses 970. This means that prisons are more unsanitary, violence is more common and disease can spread more easily.

Equally, when hard-pressed staff are seeking to achieve safety and order, the things that are sacrificed or neglected are those elements of incarceration that are most conducive to rehabilitation. The prison library and opportunities for prisoners to learn skills or simply to pursue knowledge for its own sake are the first casualties in a system that has been asked to do far too much with far too little.

Wandsworth is the subject of an urgent notification from the Chief Inspector of Prisons. Only a couple of months ago, many of its inmates began to be locked in their cells 24 hours a day and 80% of inmates were sharing cells designed for one. The inspectors found vermin, failing security, drugs and rising rates of self-harm. It is just one prison, but that description shames the entire country.

A quarter of prisoners across the prison estate are held in Victorian facilities with no in-cell sanitation, forced to use bins as makeshift toilets. More than half report feeling unsafe. More than a quarter have received threats or intimidation, 13% of which have escalated into physical assaults. This is the inheritance of my noble friend the Minister, the Secretary of State and the wider ministerial team, and it is against that context that their future performance should be judged.

My strong belief is that, while prisons remove people from society, the welfare of prisoners and their successful rehabilitation should be a matter of universal interest. I believe it is equally true that an improvement in the

[LORD BROWNE OF LADYTON]

prison education system is a necessary precondition for any substantial fall in recidivism. Over 50% of the prison population have a literacy level below that of the average 11 year-old. This fact, perhaps more than any other, allows us to understand the cycle of poverty and alienation that too often ends in jail.

Churchill, in his Edwardian incarnation, was a reforming Liberal Home Secretary. In his autobiography *My Early Life*, he describes his approach to prison reform by saying that

“when I was Home Secretary ... I did my utmost consistent with public policy to introduce some sort of variety and indulgence into the life of their inmates, to give to educated minds books to feed on ... and to mitigate as far as is reasonable the hard lot which, if they have deserved, they must none the less endure”.

This strikes me as a pretty useful starting point for any determined programme of prison reform.

I know I am not alone in your Lordships' House in greeting the appointment of my noble friend Lord Timpson with great enthusiasm and optimism. I have confidence in him and the wider ministerial team effecting a real and lasting change to our prison system, as well as widening access to justice. This will have my full support in this House and outside as they engage with these challenges.

6.41 pm

**Lord Garnier (Con):** My Lords, I gladly follow the noble Lord, Lord Browne. I could have made exactly the same speech that he has just made when we came into government in 2010. I spent quite a time as shadow Prisons Minister studying the state of our prisons in the period from 2005 to 2008, and I wrote a paper called *Prisons for a Purpose*. I suggest the noble Lord reads it; he will find a lot of what he has just said in it.

Before reading the Henley report into the Criminal Cases Review Commission's conduct in the Andrew Malkinson case, I had intended to speak about prisons and indeterminate sentences for public protection. But I will now concentrate on the CCRC and rely on other noble Lords to say what needs to be said on those subjects—save to say that I reject the new Lord Chancellor's assertion that the current state of our prisons is all the fault of the last Conservative Government. As I indicated to the noble Lord so politely, the Blair-Brown Government still have plenty to answer for, and the noble Lord, Lord Hanson of Flint, knows that as well as I do because he was the Minister for Prisons for part of that period. That said, I genuinely welcome him to your Lordships' House. I shadowed him in the other place when he was Minister for Prisons and he was an honest and hard-working opponent for whom I have and had the greatest of respect. I know that he will bring his skill and determination to his work in the Home Office.

I also welcome the noble Lord, Lord Timpson, the former chairman of the Prison Reform Trust, of which, as I said in earlier business, I am a trustee. He has spent his adult life and fortune thinking constructively about caring for the welfare of prisoners and former prisoners. I congratulate him on his appointment and the Prime Minister on making that appointment. I also congratulate him on his fine maiden speech this afternoon.

I urge him to achieve direct access to the Prime Minister on prisons policy, as he must be seen to be speaking with the direct authority of the Prime Minister. Without it, he could well be lost in the quagmire that is Whitehall. For far too long, under Conservative and Labour Governments alike, prisons policy has been delegated to Ministers without adequate political power—as a job to fill, rather than a central part of the conduct of good government. The noble Lord, Lord Ponsonby of Shulbrede, needs no welcome, but I congratulate him on his appointment within the Government.

The Henley report opens to urgent public examination a state of affairs that those in charge of the CCRC should be ashamed of. It should lead them to consider their positions. In 2023, the Court of Appeal quashed Andrew Malkinson's rape conviction. In 2004, he had been sentenced to life imprisonment, and he spent 17 years in prison before he was released, with a further three on probation. Throughout that time, he steadfastly maintained his innocence, but it took 20 years and two Court of Appeal hearings for his conviction to be overturned. He made three applications to the CCRC in 2009, 2018 and 2021 to refer his case to the Court of Appeal. The first two were refused, and the third resulted in a successful appeal hearing in July 2023.

From 2021 to 2022, the noble Baroness, Lady Stern, and I co-chaired the Westminster Commission on Miscarriages of Justice. We were set up to review the work of the CCRC after 25 years of operation. It can refer a case to the Court of Appeal if it considers that there is a real possibility that the court will quash the conviction or reduce the sentence in the case. It receives over 1,000 applications every year.

Our report was written in ignorance of the Malkinson case and before the 2023 Court of Appeal decision. We recommended that the roles of the chair and commissioners should be strengthened and that the processes for their appointments should be reviewed. We also found that the CCRC was underfunded, a problem exacerbated by the financial restrictions on the public provision of advice and representation for applicants. But one has only to read the 2024 Henley report on the Malkinson case to see that, even without the hideous facts of that case, we reached very similar conclusions.

We urge that the test for the CCRC should be altered to something less predictable. It should refer a case if it considers that the conviction rate may be unsafe, that the sentence may be manifestly excessive or wrong in law, or that it is in the interests of justice to make a referral. That would encourage a more independent mindset. The CCRC is presently too deferential to the Court of Appeal. It needs bold and determined leadership. It is my experience, having read the Henley report, that it is simply not getting it.

After the 2023 Court of Appeal decision, I publicly criticised the chair of the CCRC, not least because she said nothing in public to recognise what had happened to Mr Malkinson or to atone for the CCRC's failures. I met her so that she could explain her position, but I came away from that meeting even more convinced that the CCRC needed new leadership. Had the Westminster commission known in 2022 what Mr Henley now tells us, we would have been less kind.

Having read the Henley report, it is now my view—in this I agree with the new Justice Secretary—that the CCRC unquestionably needs new leadership. If the chair and the chief executive will not resign immediately, they should be replaced. The CCRC cannot move forward with them in post. We need a full-time executive chair, with at least the standing of a High Court judge, and full-time salaried commissioners rather than the current part-timers. It needs better and better-resourced case managers. The CCRC, as presently organised and managed, is moribund.

6.47 pm

**Lord Dholakia (LD):** My Lords, I warmly welcome the appointment of the noble Lord, Lord Timpson. Given the scale of the emergency facing our prisons, the Lord Chancellor has been forced to set out new measures, which we heard about earlier in a Statement from the Minister. When resources are so stretched, we must make sure that we are using them in the best possible way. In my view, the Government should legislate to make the Sentencing Council take account of the capacity of the prison system. This proposal is not new. It was made by the Carter report on the prison system in 2007, and it still makes sense.

At a time when all other areas of public services have to work within the reality of limited resources, there is no reason why courts should be exempt. Sentencing guidelines should scale down the number and length of prison sentences, except for the most serious crimes. This may be a short-term solution, but it is not a long-term remedy. The corresponding impact on other criminal justice agencies will remain great.

Let me take one such example. There is admission on the part of the Government that this change will not take effect until early September, giving the Probation Service time to prepare. This is overoptimistic. In many parts of the country, the Probation Service is overstretched and overworked. The annual report of prisons and probation has just been published. There were 4,575 complaints about the services, an increase of 2% compared to last year. These include complaints about Probation Services, immigration removal centres and secure training centres. The level of suicides and self-harm is an unacceptable feature of our custodial system. How are we dealing with mental health issues in our prisons?

I wish to draw the House's attention once again to the issue of the overuse of imprisonment. Of the 41,000 people who were sent to prison in the 12 months to June 2021, 40% were sentenced to serve terms of six months or less. These short sentences do little to reduce crime, as they are too short for any serious rehabilitative work to take place, yet they can result in offenders losing jobs and accommodation, which increases, rather than reduces, their likelihood of reoffending. The previous Government projected an increase in the prison population to over 98,000 by 2026. Sentences have become significantly longer. Community sentences result in significantly lower reoffending, which has more than halved in the last decade.

Let me spell out my main concern. Numerous research studies have shown that offenders from minority-ethnic groups are disproportionately likely to receive custodial sentences. Previous estimates published by the Ministry of Justice indicated that black people

were over 50% more likely to be sent to prison for an indictable offence at the Crown Courts, even when higher not guilty pleas were factored in. The Ministry of Justice publication estimated that, if the prison population reflected the ethnic composition of the general population, we would have 9,000 fewer people in prison, the equivalent of 12 average-sized prisons. The question we should ask is how we have produced this anomaly within our criminal justice system.

The primary aim is for the court to send to prison only those whose offending makes any other course unacceptable, and, secondly, those who are sent to prison should not stay there any longer than strictly necessary. We had an opportunity to look critically at our criminal justice system. In April 2020, we were promised a royal commission on the criminal justice system. We all know that it was kicked into the long grass; instead, we have had a piecemeal approach to legislation in this field. It is not too late to revisit this option.

6.53 pm

**Lord Sentamu (CB):** My Lords, it is a pleasure to follow the noble Lord, Lord Dholakia. I begin my contribution to this debate on justice by calling Lord Bingham, a noble and learned Lord, as my expert witness. He is in glory. Thankfully, his incisive and illuminating legal mind speaks with authority on justice. He says at page 174 of his excellent book, *The Rule of Law*:

“The rule of law is ... one of the greatest unifying factors, perhaps the greatest, the nearest we are likely to approach to a universal secular religion. It remains an ideal, but an ideal worth striving for, in the interests of good government and peace, at home and in the world at large”.

I humbly suggest to His Majesty's Government that *The Rule of Law* should be the golden thread that runs through the legislative programme outlined in the King's Speech, as well as in the governance of our four nations. It is the perfect glue that binds together governance and the laws passed by Parliament. The Attorney-General's excellent maiden speech chimes in well with this, as does the maiden speech from the noble Lord, Lord Timpson. Bravo!

Take poverty, for example. President Nelson Mandela said:

“Overcoming poverty is not a gesture of charity. It is an act of justice. It is the protection of a fundamental human right, the right to dignity and a decent life. While poverty persists, there is no true freedom”.

Now then, what are we to understand by the rule of law, a phrase that we regularly use? My expert witness says the existing principle is

“that all persons and authorities within the state, whether public or private, should be bound and entitled to the benefit of laws publicly and prospectively promulgated and publicly administered in the courts”.

Further:

“State observance of the rule of law requires the availability of effective and impartial dispute resolution mechanisms. This means that citizens must be able to access the courts, and be heard by independent judges, under a fair process”.

A manifesto commitment to put victims first, supporting them at every stage of the criminal justice system, is a good innovation, but surely it must treat all alleged perpetrators of crimes as innocent until proven guilty, and therefore supported as well.



[LORD SENTAMU]

Building more prisons will ease overcrowding. However, as a former chaplain in the 1980s of a sizeable remand centre that was full beyond capacity most nights, I know that building new prisons must go hand in hand with increased funding for the courts system; legal aid; the rehabilitation and education of offenders; a fully funded and renewed Probation Service; a regular training review of all prison officers; a rigorous refreshing of the workings of the Crown Prosecution Service; and the renewal of restorative justice—

“To no one will we ... deny or delay right or justice”.

The rule of law is not an arid legal doctrine but the foundation of a fair and just society, and a guarantee of responsible government. It makes an important contribution to economic growth, as well as offering the best means yet devised for securing peace and co-operation. My expert witness in *The Rule of Law* advocates eight conditions which capture its essence. I will give you four:

“The law must be accessible and so far as possible intelligible, clear and predictable ... Means must be provided for resolving, without prohibitive cost or inordinate delay, bona fide civil disputes which the parties themselves are unable to resolve ... Ministers and public officers at all levels must exercise the powers conferred on them in good faith, fairly, for the purpose for which the powers were conferred, without exceeding the limits of such powers”.

Finally, there must be

“compliance by the state with its obligations in international law”.

When it comes to justice, the rule of law guards, protects, drives and guarantees its delivery. Love without justice is self-indulgence. Justice without love is tyranny. The rule of law holds both justice and love together in a creative tension.

6.58 pm

**The Lord Bishop of Manchester:** My Lords, it is always a pleasure to follow my former boss.

As a trustee of the Clink Charity, where we help prisoners build skills for employment in the catering industry, I too welcome the noble Lord, Lord Timpson, and congratulate him on a powerful and hopeful speech. He might wish to know that the Clink restaurant at Styal prison won the Cheshire Life restaurant of the year award earlier this week. If his team can draw my remarks to his attention, I hope he will accept an invitation to dine with me there later this year, so he can see for himself. However, as my right reverend friend the Bishop of Gloucester has spoken eloquently about prisons already, I will focus elsewhere.

As co-chair of the national police ethics committee, I am deeply committed to the principles that Sir Robert Peel set out two centuries ago. Our police are civilians in uniform, not paramilitaries; they are servants of the Crown and society, not tools of government policy. Those distinctions have not always been clear in recent years, not least during the Covid pandemic. Hence, if we are to recover the levels of confidence in policing that Peel's vision requires, visible neighbourhood policing and responding to every crime is vital. I welcome measures in the gracious Speech to those ends. I also welcome efforts to divert young people away from the criminal justice system at an early stage, and a focus on violence against women and girls.

One mark of a mature society is that it is willing to listen and learn when things have gone badly wrong. Hence, I am pleased to see proposals to extend the duty of candour. This, as the Minister has said, was a cornerstone of the report which the former Bishop of Liverpool produced in response to the Hillsborough tragedy. I will never forget meeting bereaved families at the stadium, as a young priest, seeking to offer such comfort as I could. I will also be supporting measures to improve safety at public events, and especially Martyn's law, named, as we have heard today, after a victim of the Manchester Arena attack. I am grateful to the noble and learned Lord, Lord Stewart of Dirleton, who addressed the point about proportionality for voluntary and faith community venues in that regard.

Meanwhile, there are other past failings that we need to consider. I would be pleased to hear Ministers indicate how they wish to take forward the recommendations of the Independent Inquiry into Child Sexual Abuse. I would further urge His Majesty's Government to set up the long-needed inquiry into the events that took place at the Orgreave coking plant during the miners' strike—it was the parish next door to my own—so that we can guard against attempts to politicise policing in future.

I applaud the ending of the Rwanda scheme. Setting aside any moral concerns, I hope we will never again see a Bill before this House that the responsible Minister cannot confirm to be fully compliant with international law. Meanwhile, I and many others will continue to argue for safe and legal routes, so that genuine refugees who have firm reasons why Britain is the best place for them to begin rebuilding their traumatised lives can do so here. Given that refugee numbers remain a small fraction of net migration, I am confident that we can do this within the total migration numbers that Britain can absorb. Mindful of the skills that many refugees bring, I urge His Majesty's Government to allow those who have spent months—or longer—waiting for a claim to be processed to contribute to our economy by taking paid employment.

On a wider matter, I welcome the commitment to ban conversion practices. I welcomed its appearance in the previous Government's programme, not long after the Church of England General Synod had called by a huge majority for such a ban. Progress stalled, of course. I have met too many people suffering lifelong damage from such abuse. I and others stand ready to help frame a law that will outlaw these disgraceful practices while not criminalising medical practitioners and registered therapists, or private non-coercive prayer.

Finally, I am delighted to be followed today by the noble Lord, Lord Goodman of Wycombe, who will make his maiden speech. I remember, during my time as Bishop of Dudley, when he was in the other place, he came to visit my diocese. I was so impressed by his work supporting faith communities. I look forward to the significant contributions that he will make to your Lordships' House, both immediately following my speech and in times to come.

7.02 pm

**Lord Goodman of Wycombe (Con) (Maiden Speech):** My Lords, it is a pleasure to follow the right reverend Prelate the Bishop of Manchester, to be a Member of

your House and to make my maiden speech today. I begin by thanking all the officers of the House, from Black Rod all the way through to the doorkeepers—I am told that one should never neglect the doorkeepers. I also thank my supporters, my noble friends Lord Howard of Lympne and Lord McLoughlin, who are here today, and other noble Lords for their courtesy, not least my noble friends Lord Sherbourne of Didsbury, Lord Gascoigne and Lord King of Bridgwater.

I am told that in one's maiden speech, it is customary to introduce oneself to the House, but I prefer instead to introduce my grandfather: Sam Goodman who, family legend has it, was the first Jewish private soldier in the Life Guards. He wrote to his family on 16 December 1916 from the Somme, where he had been dragged from the mud by French soldiers and hauled to safety. The horror and Holocaust of the last century has made a mark on my imagination in two particular ways. First, I believe that the institutions developed on these islands organically over time have helped to shield us from the worst of some of the suffering endured by our neighbours. Secondly, the crust of civilisation is thin, as we all know from looking across the channel towards Ukraine and Vladimir Putin's bloody war there.

My own path may have diverged from my family's somewhat, but it was an interesting experience, given my background, to be for 10 years the representative—the right reverend Prelate has just alluded to this—of the largest number of Muslims in any seat represented by the Conservative Party. I am grateful to all my former constituents in Wycombe, the true home of one-nation Conservatism, for it is there that Hughenden Manor, where Disraeli lived during his political heyday, is to be found. During those 10 years I acquired a great love of the traditional, classical Islam, one of the world's three great Abrahamic religions. However, those 10 years were not all plain sailing for any of us. I arrived a few months before 9/11, I left a few weeks after an Israeli incursion into Gaza and in between came the Afghanistan and Iraq wars; and terror incidents carried on after I left the House of Commons. That was a very hard time for all of us.

I now turn to the King's Speech. The Home Secretary, among her other responsibilities—in respect of which I wish her well—is responsible for countering extremism and, I suppose also, therefore, for building moderation, integration and cohesion, which are the opposites of that extremism. I recommend to the Government Front Bench and to the Minister, whose own maiden speech I look forward to hearing later today, the wise words not of Disraeli but of Bing Crosby, who, the House will remember, sang “Eliminate the negative, accentuate the positive”. On eliminating the negative, I hope to see a consensus between the two Front Benches on identifying, confronting and calling out extremist actors and ideologies. By the same token, we must strive to accentuate the positive. That may well mean being open to new and radical ways of living together and finding that cohesion and integration, perhaps in more contractual ways than the British political tradition has hitherto allowed.

I hope that that is a suitably one-nation flavoured way of ending my maiden speech today. As I take my seat, I am haunted by the great contrast in time, space and circumstance between the plushness of these red

Benches, on which I am lucky enough to sit today, and that field in France on which my grandfather lay over a century ago.

7.07 pm

**Lord Patten (Con):** My Lords, we are all lucky to have been here to listen to the notable maiden speech by my noble friend Lord Goodman of Wycombe. On the grounds of transparency, I must tell noble Lords that I have known him for many decades, and we are friends. Over those many years, he has developed his thinking, and his maiden speech is evidence of his very deep knowledge of those key issues of social cohesion and community integration, following, as we heard, 10 years as an MP of Jewish heritage representing an awful lot of Muslims. Faith and trust matter to both those heritages very much indeed. Then, much to my surprise and delight, I next saw him when he popped up as an interviewer for my favourite newspaper, the *Catholic Herald*, showing his extreme breadth of interest in these matters.

Before addressing the pressing issue of prisons, I want to make two points of a more general nature that are relevant to the topics of both today's debate and every other debate on the King's Speech. First, I heartily wish to hear no further—we have heard much too much of it—excoriation or abuse of civil servants as the “blob” or, worst of all, as experts. I rather like experts, particularly if they are about to operate on me surgically. Needless to say, there are good, bad and indifferent civil servants, just as there are good, bad and indifferent Ministers—I am tempting myself, but I will not go on—and good, bad and indifferent businesspeople and academics, but none should be caught up in the vulgar crossfire of culture wars. I would like to see all that pushed to the footnote of debate. Political culture wars are, to use the jargon of my daughter, so yesterday. We do not need them any more.

I would also like to see very much more transparency. I talked about transparency as I began my speech, and we have an awful lot of think tanks now that send us valuable information and brief us, but we have very little information about the think tanks that exist—who they are, why they are there and who pays for them. I am not suggesting the regulation of thinking—some sort of Ofthink variant of Ofwat—but what I would like to see very much is absolute transparency in where think tanks get their funds, because more and more they are moving to the centre of our political discourse: they are often quoted in the mass televised media almost ex cathedra, as able to make judgments on Governments and Oppositions. I believe that they are almost morphing into some new fifth estate. So I would like to know where the money is coming from that pays for the briefings that we get.

On prisons, so much has been said and will be said again that I do not want to go over the same ground, but I echo what the noble Lord, Lord Timpson, said in his admirable opening speech: prisons are key to our internal security and we should be very grateful indeed to all the prison governors, prison officers, prison chaplains, educators and others who strive, very often in filthy and disagreeable conditions, to make sure not only that dangerous inmates do not escape but that

[LORD PATTEN]

other inmates come out hopefully not wanting to go back inside again and, indeed—that old-fashioned but good word—are actually reformed.

I know there has been no proper evaluation since the two government departments that we now have were sprung out of the old Home Office back in 2007 and I would love to see that—from a think tank, perhaps, if I knew where the money was coming from. What I do know is that all the good-will words about the need to do good in prisons, to do good in crime prevention, are not worthless—but they have to be substantiated, and the sums of money that are needed is the one sum that dare not speak its name, which is how much it is going to cost. We have heard nothing of that from the Front Benches on either side.

7.12 pm

**Baroness Hughes of Stretford (Lab):** My Lords, I welcome both my noble friends to the Front Bench. As a former Prisons Minister myself, I am in awe of my noble friend Lord Timpson's pioneering work on the rehabilitation of offenders and congratulate him on his maiden speech. My noble friend Lord Hanson is a former ministerial colleague of mine. It is an enormous pleasure to see them both here today and I look forward very much to working with them.

Until recently, I served as Deputy Mayor of Greater Manchester, responsible for policing and criminal justice. I welcome all the police and justice measures in this King's Speech. They will enable local areas such as mine to rebuild neighbourhood policing, tackle violence and anti-social behaviour—child criminal exploitation, for example—support victims and raise policing standards. However, I will focus today on violence against women and girls, an enduring global epidemic that affects women and girls of all ages, races and cultures in many different contexts, perpetrated mainly by men, who may be intimate partners, family members, colleagues, strangers or, as we have seen now, police officers charged with keeping us safe. It also damages those who witness that abuse, particularly children and young people. It includes a wide spectrum of behaviours, from street harassment, domestic violence, coercion and control, rape, sexual assault, child sexual exploitation, femicide, online abuse and more.

The common thread linking all these diverse behaviours is a culture of entitlement and misogyny among many men, who feel they can do whatever they wish to women with impunity. The need for urgent, robust action was laid bare this week, as we have heard, in the national policing statement on violence against women and girls. It painted a stark, horrific scenario: a national emergency, it said.

The report estimated that at least 2 million women every year, one in 12, will be a victim of violence. In 2022-23, about 3,000 crimes were recorded every single day—almost 20% of all recorded crimes except fraud. This is a staggering increase of 37% over the five years to 2023, and this is only recorded crimes. Many incidents go unreported because of the crisis in confidence in the police, courts and CPS, and the awareness now of police-perpetrated abuse. This is a national scandal that shames us all. The report also highlighted some worrying new trends. Perpetrators are getting younger,

drawn in by toxic influencers on social media and powerful men on the world stage promoting misogyny and discrimination against women.

In Greater Manchester, we launched our 10-year gender-based violence strategy in 2021 and our experiences highlighted some valuable lessons, which I hope I can share as the Government develop their approach. The previous Government did take some steps towards tackling violence against women and girls, but these were fragmented, too weak and frankly lacked political drive. So I welcome this Government's commitment to halve, at least, the incidence of violence against women and girls in the next decade, but our ambition must surely go further and faster when we know the risks that exist for our daughters and granddaughters, and indeed all women. I hope the Government will soon set out how they intend to achieve this aim.

From my experience, I believe it requires a high-profile, cross-government, whole-system approach, led at Cabinet level and replicated in every locality by a strong inter-agency partnership. It must address the abject failings in policing and criminal justice, but go way beyond that to include health and social care, housing, education, better support for victims and children and better management of perpetrators. It must involve survivors and draw on their lived experience and the expertise of specialist organisations, such as the excellent charity SafeLives. This is especially important for women from minority ethnic backgrounds, as we have heard already from the noble Baroness on the Cross Benches. It must also include men and enable them to voice their support for women and condemn male violence. Most importantly, it must be underpinned by a robust, sustained campaign, not only in schools and colleges but in the wider public arena, to challenge the underlying culture of entitlement and misogyny that is actually the root of violence against women and girls in all its forms.

7.17 pm

**Lord Roberts of Llandudno (LD):** My Lords, this debate takes place in a world that is so uncertain for so many people and brings heartbreak to many others, vast numbers of whom circumstances have treated harshly. The question I want to ask is: how can this House contribute to making it a better world for countries and for their people? As Members of this House, we are privileged to be able to influence this world in which we live. For millions of people, life is harsh: in wars, famines and unsettled disputes, with diseases yet to be conquered. This is not a life to be enjoyed. This world is not fit for millions of children to grow up in. It is a world often so divided that some gain but the vast majority lose. While some struggle under the weight of their riches, others have tables that are empty. Millions weep as they and their children starve.

I am delighted at the news that the "Bibby Stockholm" ends in January and also that the first announcement of the new Government—I welcomed it very much—was to end the flights to Rwanda. I am glad they have said they want to work with European countries on more humane and cheaper ways, possibly, to help those who are seeking asylum. We look forward very much to a humane programme developing on the Government



Benches—something we have not known for quite a few years. This House has the opportunity to bring about real, life-saving change. Too often, our task is to repair a damaged society. We could do more than that. Mother Teresa said, “I can’t change the world but I can throw a pebble into the stream”. What is stopping the UK being a world-changing power for good? This can be a House of opportunity and of hope.

7.19 pm

**Baroness Newlove (Con):** My Lords, I welcome the noble Lords, Lord Hanson and Lord Timpson. It was a great maiden speech from the noble Lord, Lord Timpson. The noble Lord, Lord Hanson, has yet to make his maiden speech but, coming from the other place, I know he will be a true professional.

This debate comes at a critical time for our criminal justice system. There is no hiding from the fact that there is a prison population crisis. I recognise that when our prisons are full there are serious consequences for the whole criminal justice system, especially the police and our courts. As Victims Commissioner, my focus is on the impact that this crisis will have on victims.

My concerns are twofold. Victim safety must never be compromised, and this crisis must not be allowed to further erode the victim’s confidence in our criminal justice system. Victim attrition from the justice process is already at a record high. I am reassured that changes to the release point in the standard determinate sentence will not apply to offenders convicted for a sexual offence, stalking, controlling and coercive behaviours, non-fatal strangulation or those who have received a sentence of more than four years for a violent crime.

However, these exclusions, as welcome as they are, have limitations: they cannot address every potential risk once released. This is why it is so important that no early release takes place before appropriate release plans have been put in place. That will enable the Probation Service to manage these offenders effectively and with confidence while they serve their sentence in the community. Before release, a conversation with the victim should take place, not only to tell them about the change in release date but to give them an opportunity to request protective licence conditions such as exclusion zones, no-contact conditions and the safeguard of electronic tagging, where it is needed.

I now turn to the King’s Speech. I was encouraged that victims were mentioned. Colleagues in this House worked tirelessly on the Victims and Prisoners Bill, now an Act. I believe that this piece of legislation can achieve a great deal, but it left me and other noble Lords with a sense of unfinished business, although I stayed here until the very end to make sure that it never fell off a cliff edge. I hope that the Government’s programme will have the scope to enable us to complete the work we have begun.

I now turn to victims of antisocial behaviour. I am pleased to see that in their manifesto the Government specifically pledged more support for this group of victims. During the passage of the Victims and Prisoners Bill, I called for the victims of persistent antisocial behaviour to be recognised as victims of crime and provided with their Victims’ Code rights. Many of these victims are not treated as victims of crime, because the agencies—from the police to the housing providers—

choose to treat the matter as “low level” or as a neighbour dispute, so it is not pursued further. Victims are not informed of their statutory entitlements, such as to be referred to victim support services. However, we failed to convince. The new Government’s legislative programme gives me a chance to have another go. I remain resolute.

I move on to the Government’s commitment to reduce by half the level of violence against women and girls. As a mother of three daughters, it saddened me to listen to the news this week, but I will focus on one important issue. For far too long, many of these victims have faced intrusive scrutiny of their behaviour and personal history, and they become so disillusioned with the justice system that they walk away.

In the Victims and Prisoners Act we established legal safeguards that ensured police can access therapy records only in the most exceptional circumstances. I hope that the Government will move quickly to commence this important provision. However, we need to go further. Police routinely access other sensitive information—medical notes, social service records and education files—held by individuals or institutions other than the victim. These records can span decades and often contain not just facts but professional opinions potentially coloured by their biases about the victim. Victims are unaware that these records exist, let alone of their content and the potential impact on an investigation. Is it justice or their right to privacy that has to change?

The Police, Crime, Sentencing and Courts Act 2022 includes safeguards against excessive requests for victim’s personal digital data. Since its implementation, practitioners have reported a significant decrease in these requests, demonstrating their effectiveness. We must have similar protections for third-party materials, and free legal advice.

In 19 days, it will be 17 years since I had to turn off my husband’s life-support machine. Gary is not a statistic, nor are the victims and survivors I have met over the years. Every statistic has a human face and represents a tragedy. As legislators, we owe it to them to try to rebalance our justice system.

7.26 pm

**Lord Morrow (DUP):** My Lords, I too congratulate our new Ministers. I suspect they will not have a bed of roses, but nevertheless I wish them well. I know they will make an honest attempt to do what is right, should the stars fall.

In my opinion, the British justice system, once viewed as the finest in the world and the envy of many nations, has been brought into disrepute by the political contortions of consecutive Governments, particularly in Northern Ireland, since the early 1990s. Indeed, on one occasion in this very House I heard a noble Member call for inquests into the fatal shooting in June 1991 of three terrorists in the small rural village of Coagh, which is in my home county of Tyrone. These terrorists were intercepted by the army while they were engaged in a murderous attack in 1989 on unarmed men, two of whom were pensioners having a conversation in a garage, but there was no call for a public inquiry into their deaths. I thought that quite ironic, and I suspect that many in this House think that too.

[LORD MORROW]

It seems that justice, in Northern Ireland in particular, is now defined as justice for the perpetrator. Victims are relegated to the second division or treated like second-class citizens. It is time that the Government promote true justice for victims and not demean our justice system by seeking new ways to distort the justice system; I am speaking about the whole of the United Kingdom. It is a system that seems to placate the enemies and those who carry out these dreadful deeds. I hope that the new Government will bear this in mind—I am hopeful that they will—when they consider new legislation in repealing the legacy Act. We have had enough amnesties in Northern Ireland to do us for three lifetimes.

Unless the law is changed between now and November, this is the last King's Speech before a profound and disturbing home affairs development which the new Government inherit from their predecessors. In March 1972, the Westminster Parliament intervened to collapse Stormont. I can just about remember it. The Stormont Parliament was dismissed at the fell stroke of a pen. Since that point, there has been an absolute principle of Stormont that, on matters of controversy where a proposition is regarded by either community as constituting an existential threat, no decisions can be made at Stormont on a majoritarian basis. We do not do majority government at Stormont.

However, this important protection of devolved government was not convenient to the European Union and so it is to be swept away. At some point between 1 November and the end of December this year, Northern Ireland is to be propelled back over 50 years, and the first majoritarian decision at Stormont is to take place since 1971-72. I was informed just today that the actual date has been set.

To really understand the enormity of what is proposed, we must understand two things. First, we are looking not only at the first majoritarian vote in 50 years on a matter of controversy but at the most controversial vote to ever come before Stormont in its 103-year history. The effect of supporting the Motion that the Government are currently required by law to send to Stormont in November will be for MLAs to effectively renounce their rights and the rights of their constituents to be represented in the legislature making the laws to which they are to be subject in some 300 areas. I am not talking about 300 laws; I am talking about 300 areas—and they will extend, I think, to well over 1,000 laws, when calculated.

If this is not enough, those laws will be made by a legislature that, while not involving any part of the United Kingdom, involves the Republic of Ireland. The most immediate effect of the legislation is the creation of an all-Ireland economic nationality. Simply put, that means the joining up of two economies—a de facto united Ireland by another name.

7.31 pm

**Lord Waldegrave of North Hill (Con):** My Lords, before I come to say a word of congratulations to the new Minister, I must say a word of congratulations and welcome to my noble friend Lord Goodman, whose moving speech showed those in the House who

did not know him before what a profound and thoughtful voice of modern conservatism he represents. He will be very welcome here.

I also welcome the Minister. His appointment has raised great hopes among the huge network of voluntary workers who try to do things to improve the prison estate; I must mention that my wife is a trustee of Give a Book, founded by Victoria Gray, which does reading groups in prisons. So many people are welcoming his appointment that the hopes are very high. I have to make a declaration of interest—or of thanks; I am not sure that it is in order in the House—because my daughter is a serial social entrepreneur. Her latest venture—having co-founded Now Teach, she has now co-founded Now Foster—is a charity that would not have got off the ground without the help of the Minister, his father and the Alex Timpson Trust, so I thank him for it.

The only piece of advice I give to the Minister is this: do not throw out the baby with the bathwater—if I may refer to some of my right honourable friends in that way. He inherits some very good things, and he should keep them. One excellent thing he inherits is a first-rate Chief Inspector of Prisons in Charlie Taylor. He inherits also Charlie Taylor's report of 2016, from before he was the inspector, the *Review of the Youth Justice System in England and Wales*. The previous Government accepted the principles of that report, but imitated the actions of a snail somewhat in pursuing it; eight years later, only one of the new secure schools in Kent has actually been opened. There has been a rather pointless argument as to whether academy chains or local authorities should run them—who cares, if they do the job?

That point helps to address one of the critical failings of our present system. The previous Government brought down radically the number of children in the justice system, which was very good. However, according to the good work of the staff of, for example, the Children's Commissioner and the Nuffield Family Justice Observatory, there are probably around 1,500 children locked up—no one quite knows where all of them are, or even their exact numbers—often far from home, and without any education or wraparound care. As Charlie Taylor said in his report all those years ago, we are doing nothing, or worse than nothing, for them if they are locked up without education around them. Many are locked up—necessarily so, I fear, in many cases—by the use of the High Court's inherent powers, with no proper placement available for them at that time. That causes what Sir James Munby, the former President of the Family Division, called in June this year a “shocking moral failure” in our treatment of those children.

This is not a very large problem in numbers—it is a failure of interagency working and of the complexity of bringing people together to do it—so solving it really is doable. Charlie Taylor laid out a good policy, the previous Government accepted it, and it should now be done. I urge the Minister, among all the many other pressing priorities that he will have, to look at this aspect of the failure of our current system, because it is rectifiable. He and his colleagues could put it right—not easily, otherwise it would have been done—with the resource available to them. If they can do that, they will have done something very important, alongside

all the other things that they have to do. Those 1,400 or 1,500 of the most vulnerable children in our system need the most care of all.

7.35 pm

**Lord Meston (CB):** My Lords, having been a family judge for some years, I welcome the opportunity to endorse what was just said about deprivation of liberty orders concerning children. I have had to make such orders myself, and they are very worrying. What is required is further inquiry into how that jurisdiction works.

I turn to the main topic of the debate. In the latter part of the last Parliament, useful work was done to produce what is now the Victims and Prisoners Act—the framework on which the new Government can build, and now have the time to do so. The greatest disservice to victims is caused by delays in getting their cases to and through the courts. There is no time now to analyse the reason for such delays—the backlogs, and what has become a chronic inability to catch up—but I welcome what the noble Lord, Lord Timpson, said, when he provided an impressive warm-up act for his own maiden speech. I urge the Government to take note of the Bar Council's recent *Manifesto for Justice*, which proposes a requirement for Crown Court trials to start “within six months of the first hearing”.

Surely that can and should be properly seen as an attainable target.

Avoidable delays cause most distress and strain in cases of sexual assault. Rape cases have a high rate of not-guilty pleas, requiring jury trials. The Government's plan for designated rape courts is welcome, but it is unclear whether those specialist courts will be additional to, or simply part of, existing court capacity. Few court buildings have spare space suitable to the requirements of sensitive rape trials, in which defendants and witnesses have to be isolated and separated. Will these courts be confined to rape cases, or will other serious sexual offences be similarly dealt with there? This is an important part of the Government's stated ambition to curtail violence against women and girls. Without a restoration of confidence in the processes facing victims, allegations will continue to be unreported. Ultimately, the measure of the success or failure of the Government's plans will be how many victims of such offences would still say in future that they would not again participate in the criminal process.

The crisis of overcrowding in prisons that has prompted the need for early release, as well as a welcome promise to reinvigorate the probation service, has already been spoken to at some length. Therefore, I will not say more about it, other than to add that sentencing decisions, which can be difficult enough, should be governed by established and considered principles—with guidelines developed to ensure consistency and public confidence—rather than by the fluctuating size of the prison estate.

As is well known, and as the *Lancet* recently reported:

“People with mental health disorders are disproportionately represented in prison populations and are more likely to have poor physical health and social outcomes after prison”.

It is therefore crucial, to prevent reoffending and recidivism, that proper measures exist to prepare prisoners for release and to support them after release, at the

very least in their first few weeks outside. It serves nobody if the first person to meet a newly released prisoner is his or her former drug dealer.

In that regard, we should commend and reinforce the work done by organisations such as the St Giles Trust and Unlock, which help those with criminal records lead stable lives; I was pleased to hear what the Minister said about that. On a separate note, I would inquire how the Government propose to revisit the problem of convicted criminals who resist, sometimes physically, attending court for sentencing. The last thing victims need or want is disruption of a sentencing hearing by a defiant defendant trying to attract attention. The imposition of an additional penalty for those facing long sentences will be no more than a token gesture; perhaps, therefore, the best answer for such conduct is to have some impact on parole.

I will not proceed to speak about family law, which I know most about, other than to say that I endorse most of what was said by the noble and learned Lord, Lord Bellamy. However, I hope he would accept that the judiciary do their best to keep costs down.

I hope that the change in government will see an end to ill-considered attempts to curtail and disapply the Human Rights Act and the regard to be had for the European Convention on Human Rights. It has served us well in raising standards within the legal system and beyond, and should not be diluted.

**Baroness Chakrabarti (Lab):** Well said.

7.41 pm

**Lord Farmer (Con):** My Lords, I warmly welcome the noble Lord, Lord Timpson, to his new role. Frankly, when I heard of the appointment, I was shocked—and delighted, actually. I thought, “Well, this is a good start”. We hope it will continue. I also welcome the experienced noble Lord, Lord Hanson of Flint, to his role and congratulate my noble friend Lord Goodman on his excellent maiden speech.

Standing back, as we need to do at the start of a completely new Parliament with new Ministers, there is no doubt that a new approach to prisons is needed. My first question to the Minister is this: can he confirm that the prisoner-to-prisoner mentoring being pioneered, particularly in our north-eastern cluster of prisons—last week, I was at Deerbolt, which continues the good relationships revolution to reduce reoffending—will continue?

Ministers also need to address the contribution that father absence makes to the level of crime and imprisonment in our society. In 2018, the US National Institutes of Health reported that research consistently finds that children raised in homes where at least one biological parent is absent are more likely to be young offenders. Fatherless children are three times more likely to be imprisoned than children raised by both parents. It is not just about money: senior police officers say that absent fathers are a major risk factor across the socioeconomic spectrum and that we do not talk enough about this issue. Criminal justice reform that ignores this is doomed to under-deliver. Adults not being responsible for their biological children is part of the deeper problem of the demoralisation of our society. The sense of right and wrong in our cultural



[LORD FARMER]

zeitgeist has given way to expressive individualism—the socially validated priority that the great “I” must be able to express itself freely without any regard to wider social impact.

Decreasing the number of women and girls who are subject to violence and abuse, and who receive prison sentences because of their vulnerability, is an admirable policy goal. However, we treat violence towards men and boys and male incarceration completely differently. Few argue that the many men who have also been victims, as well as perpetrators, should be spared prison. The figures speak for themselves: there are fewer than 4,000 women in prison but around 85,000 men in prison, of which 25% are care experienced. We also need to hold this Government to account for their manifesto promise to ensure that young people whose parents were in prison are identified and offered support to prevent them being drawn into crime and to break the cycle.

The Government emphasise prevention in health policy. Again, UK and international research has established that safe, stable and nurturing relationships are a health asset—hence the need to do more to prevent family breakdown and to strengthen families by continuing with family hubs. As these were pioneered by many Labour-controlled local authorities, can the Minister confirm ongoing support for family hubs?

Finally, His Majesty's gracious Speech refers to a draft Bill to ban conversion practices, yet Ministers should be aware of the danger that this can be inherently anti-family and persecutory, particularly of Christians. Activists pushing for this want to haul loving parents before the courts and social services for expressing reservations at their child's demand for puberty blockers. They want to criminalise church leaders for discussing or praying about Christian sexual ethics with a member of their church family. The Government need to listen carefully and respectfully to voices on all sides of the debate on this issue.

A letter to the Prime Minister on his first day in office from church leaders representing hundreds of Bible-believing churches lamented

“the lack of religious literacy in British public life and the unwarranted hostility this can breed towards those in Bible-believing churches”.

They said:

“One of the major presenting issues is the way people talk about a legislative ban on so-called conversion therapy. Campaigners often imply that expressing mainstream, traditional Christian beliefs on sexuality or gender identity in pastoral conversations is, inherently, a form of ‘conversion therapy’”.

Banning conversion therapy is, for activists, a way of attacking biblically based Christianity. The Ban Conversion Therapy campaign has said that

“‘spiritual guidance’ is really just religious speak for conversion therapy”.

This is inaccurate and reveals a worrying drift towards persecuting Christians through our legal system, workplaces, education, social services and other key institutions.

7.47 pm

**Baroness Chakrabarti (Lab):** My Lords, my congratulations go to all three noble maidens this evening—if I can describe them that way. It is a privilege to address the

gracious Speech of a Government who must, if they are to restore faith in politics, foster a better understanding of and commitment to the rule of law, whose reach no one, including the most powerful, is above and whose protection no one, especially the most vulnerable, is below.

This was eloquently promised by my noble and learned friend the new Attorney-General yesterday, but history suggests that, in the practical reality of justice, home affairs and foreign affairs, our “rule of law” values are most seriously tested. I welcome the Bills and hope that they will include not just new laws but a great deal of repeal. I know that all noble Lords will want carefully to examine the devil and the virtue in the detail, as well as the resources that must follow for vital services that have been underfunded for so long, but, in a difficult fiscal landscape, I also look forward to a significant shift in vision, rhetoric and approach—especially in relation to our courts, police, lawyers and other relevant professionals, including parliamentarians and all those whom they must serve.

Let our judges, whether domestic or international, no longer be hobbled and hectorated. When, inevitably, government loses occasional cases, as with matches, let us please respect the referees. The European Court of Human Rights is no more foreign for being situated in Strasbourg than is the United Nations for being in New York and Geneva—or, dare I say it, than is D-day for marking historic British and Allied landings in Normandy.

Let us restore discretions too often obliterated by an overcrowded statute book to the appropriate decision-makers, in compliance with both the international and domestic rule of law.

Notwithstanding the vital importance of dealing far more effectively with people smuggling, casework and responsibility sharing with our neighbours, let there be no more deliberate demonisation of asylum seekers and refugees. They, like other desperate people, are not “illegal”. The new Government would be wise to abandon dehumanising language and lengthy incarceration, alongside snake-oil statutes.

Police chiefs' diagnosis of a “national emergency” in violence against women is both a scandal and a priority, as is ensuring that social media empires take more direct responsibility for incitement and indoctrination on the platforms they monetise. If chief constables continue to request new powers to discipline errant officers, surely these should finally be provided. The development and deployment of AI and facial recognition technology in policing must, like conventional police powers, be regulated by statute. Equally, let there be an end to seeking cheap political capital via ministerial interference in independent public order operations, with endless Home Office press releases and summonses to chiefs to hear the Riot Act read at No. 10.

Let the continuing injustices of IPP and joint enterprise be ended. Attention is needed in legal aid and crumbling court infrastructure after years of disastrous cuts. When most people lack timely access to justice when facing the loss of their liberty, home, child, livelihood or safe environment, the rule of law becomes mere fairy tale.

There is so much more, but I end with my best wishes to the new Ministers. May my noble and learned friend Lord Hermer, a highly distinguished attorney, reinspire the Government Legal Service, of which I am a proud alum. May my noble friend Lord Hanson and his colleagues ensure that the Home Office is no longer nicknamed “North Korea” by beleaguered public servants. May my new noble friend Lord Timpson bring the spirit of rehabilitation, with which his family name is so synonymous on the high street, to the darkest recesses of the prison system—a failing prison system unworthy of an ambitious, wealthy and compassionate United Kingdom.

7.52 pm

**Lord Sandhurst (Con):** My Lords, I am delighted to respond in this debate on His Majesty the King's gracious Speech. In doing so, I declare my interest as chair of the executive committee of the Society of Conservative Lawyers.

It is a pleasure to welcome the new Government Front Bench. I have great respect for the noble Lord, Lord Ponsonby of Shulbrede, who has distinguished himself in his work in opposition. I welcome the noble Lords, Lord Timpson and Lord Hanson. I congratulate the noble Lord, Lord Timpson, on his excellent maiden speech and look forward to hearing from the noble Lord, Lord Hanson, shortly. Finally, but not least, I congratulate the noble Lord, Lord Goodman, whose maiden speech I particularly enjoyed; it was very moving. We will benefit from his arrival.

I commend the ambition of the crime and policing Bill, which continues the good work of the last Government's Victims and Prisoners Act. However, my focus today is on what is not in the gracious Speech. To protect victims and run effective criminal courts, we need properly funded and competent prosecutors and defendants require competent defence lawyers. However, for serious sex offences, there is a real shortage of lawyers who are “ticketed”—in the jargon—to appear in such cases. Delays follow, justice suffers and victims suffer. Thus, Ciara Bergman, chief executive of Rape Crisis England & Wales, recently called for a government strategy to retain barristers in this field. A recent Criminal Bar Association survey of 780 criminal barristers found that almost two-thirds of prosecutors said they would not reapply to be ticketed on the rape and serious sexual offences list. These are skilled professionals who can sell their services in the market elsewhere. Government must act fast. Pious aspirations and new laws are not enough.

My noble and learned friend Lord Garnier has already addressed Mr Malkinson's appalling case. That and the postmasters' scandal have highlighted the need for top-quality prosecution and defence lawyers. Worse still, Mr Malkinson's case was let down badly by the Criminal Cases Review Commission. That commission has been forced to apologise following Christopher Henley KC's inquiry, which found grave shortcomings in its conduct. That body needs better resources and new leadership. I ask the Front Bench to please note that.

The sub-postmasters' scandal would not have been uncovered but for the judgment in the civil action they brought. That action was possible only because it was

backed by litigation funders. A Supreme Court decision last year, by a side wind, has thrown the market of funding into confusion. Before the Dissolution, there was a short Bill before Parliament to put that right. It was lost. There was no mention of it in the King's Speech. What plans do the Government have? Where is the Bill, and why is it not mentioned? We need it now.

Next, on private prosecutions, we do not need to await the outcome of Sir Wyn Williams's inquiry to know that there must be a major change in the way that these are conducted. The Post Office was a private prosecutor, and it highlights what can go wrong. It had a vested interest in the outcome; it should have been the CPS. What plans do the Government have to review the extent and use of such powers? We do not need to await the result of the inquiry—so action, please.

On SLAPPs, we have heard already that a Private Member's Bill that was going through was lost. We have been assured that such a Bill is a work in progress, and I do not doubt Ministers' good faith. However, they should note that there are plenty on all sides of the House who will make them subject to questions and pressure if such a Bill is not forthcoming soon.

Lastly, on coroners' courts, we must do much more to achieve an efficient coronial system. In fact, we must do as the recent senior coroners have urged and put the coronial system on a proper national footing. It must be taken away from the ambit of local authorities; they do not have the resources. The Government must have plans for that, and I would like to hear what they are.

7.57 pm

**Lord Taylor of Goss Moor (LD):** My Lords, I join other noble Lords in welcoming the three new Members to the House who have spoken today, but also, importantly, I welcome a new Government. I welcome them in the broad sense of a refreshing change, but also welcome Ministers to their seats and wish them luck in their task. Clearly, the Liberal Democrat Benches will look to hold them to account but will blow wind in their sails to go further and faster than they might otherwise on many issues on which we broadly agree.

I want to touch on two fundamental existential issues facing not just the Government of the United Kingdom but Governments more broadly, particularly western Governments and those of developed countries around the world. The first affects all of us: the threat of catastrophic climate change, which is accelerating fast. This week we have seen not one but two successive days on which the world has been hotter than ever before since humans have been able to record the temperatures of this planet. The context in which I flag that is that a lot has been said recently about migration, asylum seekers and how we deal with the flow of people into this country. I associate myself with the comments of the noble Baroness, Lady Chakrabarti: these are not “illegals” but desperate people—hopeful people who are trying to change their lives.

However, in the context of catastrophic climate change, we are seeing record numbers of people moving already. A decade ago, it was measured in tens of millions as people had to move because the places in which they lived and farmed became untenable. By 2022, we

[LORD TAYLOR OF GOSS MOOR]

broke through the 100 million mark in a single year of movement. The projections are that this will accelerate further and faster as we move from, broadly speaking, 1% of the planet being too hot to live in comfortably to about 20% being too hot to live in comfortably by about 2050. The precise figures and timings are argued about, but the truth is that, as people are unable to survive, particularly in Middle Eastern countries and sub-Saharan Africa—there are other parts of the world as well, but these are the areas most affected and the largest numbers and relatively near to us—people in desperation will seek to move. Some will move to cities, but that will just exacerbate the problems. Others will seek a better life—on the whole, the wealthier ones, leaving behind the poorest.

The issues we see today, as people flee conflict and regimes' intolerant and inhuman treatment of individuals, will get much worse when it is the climate that is becoming intolerable and unliveable. I do not think that people are recognising the impacts that there will be on all of us from these movements and how we will deal with them. These people will be starving, unable to live, unable to drink. As well as the threat of famine there will be the threat of war over diminishing resources and water. That means all power to the Government in moving as fast and as far as they can on climate change, but we must start thinking really seriously about how we will deal with issues that we have not seen since the Second World War, when we saw people fleeing Germany as the Nazis advanced across Europe. Historically, we have been a welcoming and understanding country. I fear that the debates in recent times have not been of that tenor and it will become harder, not easier, as the numbers grow.

There is a second existential threat that we face. I do not have long to talk about it but we need to touch on it. I believe that we are reliving the 1930s in terms of what Putin is aiming to do. It is not just in Ukraine. Read what he says. It goes far beyond that, with attitudes that are entirely parallel to those of the Nazis and Adolf Hitler in terms of seeing the people in the surrounding areas to Russia as sub-Russians who should be reincorporated into a Russian empire and treated not as equals but as secondary and there to meet Russian needs. We have seen people in large numbers flee Ukraine. All we have done so far is give enough to hold off Putin but not defeat him. If we do not take a more robust approach to stopping him quickly, he will learn lessons and so will Xi in China. They will go into more countries and nations and more people will flee. We need to rearm. The head of the British Army has said it. It has been echoed by military leaders in western democracies across the world. It is urgent that we take this seriously. We are in danger of isolationist America and we need to deal with it.

8.03 pm

**Lord Moynihan (Con):** My Lords, I warmly welcome the noble Lord, Lord Timpson, to his new role. I declare my interests as chair of Amey, a provider of complex facilities management services across the public estate. As chair, I visit our teams working on the estate and have recently been to Styal, a closed category prison

for female adults and young offenders, as well as Leeds prison, where I benefited from spending time with the highly impressive governor, Rebecca Newby.

The challenges that the Minister faces are well known to the House—the vital importance of mental health referral support, reducing overcrowding and capital investment to make our prisons places of rehabilitation and places where people want to work are certainly high on the list. Kiosks or in-cell IT in prisons revolutionise the place, freeing up staff time, speeding up responses to queries to reduce frustration and safety concerns and creating agency among prisoners.

With overcrowding, prisons are in danger of becoming care homes for prisoners. Crowd management confines the culture of rehabilitation into the shadows, which in turn fails to reduce recidivism. Take some of the strain out of the system, as the Minister's Statement recommends, and you can then be more impactful by creating purposeful activity. The challenge is to create career paths. The bigger challenge is scalability.

The good news is that there are few people throwing their hands in the air when the Minister openly speaks about reducing the prison population, while recognising that society needs protection. In politics, if the national mood music is in harmony with you, there is the possibility of real change and the noble Lord, Lord Timpson, is well placed to drive change management. We need more projects such as our Clean, Rehabilitative, Enabling and Decent—CRED—programme, which arms prisoners with the skills and valuable work experience they need to successfully enter the working world on release, which the Minister knows so well. Of vital importance is that prisoners work alongside our prison maintenance teams while they serve their sentence, improving their employability and well-being.

In this year alone, the CRED programme has delivered £67 million in social value, substantially impacting the lives of individuals within the justice system, and has delivered 64,000 hours of work activity each month, supporting 374 prisoners in 44 prisons. This programme has further facilitated full-time employment positions once those people have left prison, not least within Amey's supply chain.

On a second subject, currently there are 44,000 young people in contact with the criminal justice system in the UK, with youth reoffending rates remaining high. This not only impacts the individuals but costs the taxpayer £15 billion per year. Those not in education, employment or training are five times more likely to obtain a criminal record compared with their peers. This programme helps to reduce that.

Following a meeting with His Royal Highness the Duke of Edinburgh and his team last year, we are now working with them to develop a new programme that aims to join the dots in the current judicial system and give offenders real opportunities to transform their prospects post release. Working alongside HMPPS and prison teams, the team are co-creating a tailored programme that aligns qualifications with vocational work experience and the personal development skills passed on by the Duke of Edinburgh bronze scheme. It will create a scalable, replicable pathway to employment blueprint and develop a UK-wide rollout plan that can be offered to other industry and strategic partner



organisations, delivering social value programmes in the secure estate in other sectors. The country needs more aligned supply chain partnerships and scalability is critical.

In closing, I hope that I have the agreement of your Lordships' House to convey every possible success to Team GB as I leave for the Olympics in Paris tomorrow. I wish our athletes and the Minister and his team every success.

8.08 pm

**Baroness Stedman-Scott (Con):** My Lords, it is a great pleasure to welcome the Minister, the noble Lord, Lord Timpson, to his job. We have worked together in the past and he is well placed to do everything that he has set out to do. I have never met the noble Lord, Lord Hanson, but I welcome him. We will come back and endorse his approach later.

I ask the Minister to look at projects from other countries. A tip would be to look at the Delancey Street Foundation in San Francisco—magic. It provides accommodation, mentoring and tutoring in running a business and trading for profit. It has a Christmas tree plantation in Oregon and does all the Christmas trees for the corporates in San Francisco. Tiffany's has let Delancey's people in to decorate its store, which shows its track record. So please have a look at that. It is very good and does not cost the Government anything. It does not take one dollar of government money—and you are not going to get too many offers like that.

I turn to the promise of a draft conversion practices Bill, which would create a new criminal offence. I should begin by saying that I am pleased that, because it is a draft Bill, there will be much-needed scrutiny of the proposal—although there are some in the House who would sooner be rid of it entirely.

It will not have escaped your Lordships' attention entirely that this very thorny issue has been under discussion for six years. Over that time, it has become more problematic and not less. The previous Government decided to wait for the Cass report before publishing a Bill. Given the warnings issued by Doctor Cass on the issue, this was, in my opinion, the right decision. The Cass report and the subsequent remarks of Hilary Cass on the prospect of a criminal ban on conversion therapy have probably shown it to be impossible to safely legislate on this issue.

Many noble Lords have raised their own concerns. Indeed, when we debated the Private Member's Bill from the noble Baroness, Lady Burt, some two-thirds of the speakers in the debate did not support it. My noble friend Lord Forsyth observed:

"in nearly 40 years in Parliament, I have never seen a more badly drafted or dangerous piece of legislation."—[*Official Report*, 9/2/24; col. 1845.]

This was the first of more than two dozen speeches raising concerns about the Bill, and when the concluding remarks were made there was an admission that it was not well drafted.

This is not just a problem with the quality of the various proposals put forward; it is also a problem with the inevitable effect of this type of legislation. The Equality and Human Rights Commission quite rightly warned of unintended consequences. It would not be the first time that good intentions delivered

harmful consequences for our young people, and it is those young people who we must protect. Increasingly, we are hearing of young people—often young women, although it can be young men too—who have been harmed by medical interventions that are supposed to alleviate gender distress. Several noble Lords have cited the story of Keira Bell in this Chamber. She is just one of many whose lives have been permanently scarred.

The great risk of the conversion therapy law is that we prevent people like Keira from being able to have the kinds of conversations troubled young people need to have, whether with parents or professionals. This is precisely the effect of criminal laws on conversion therapy in other countries. Inordinate care must be taken in this area. The role of criminal law is surely to protect the vulnerable, not to push them towards harm, or to restrict those who would protect them. We must not pursue a law that contradicts the Cass review. We must protect our young people. My father was a furrier; he made fur coats—do not have a go at me—and on this particular Bill I would adopt his mantra, which was measure twice and cut once.

8.12 pm

**Lord Bach (Lab):** My Lords, I should declare my interest as the unremunerated chair of the board of Leicester Community Advice and Law Centre. I particularly welcome the two Ministers who are speaking for His Majesty's Government today. They both come with great reputations.

It may not surprise the House that my remarks will be devoted to an issue that, frankly, has not yet arisen this afternoon and does not receive anything like the notice and interest that it should, because it focuses on fundamental issues of access to justice and the rule of law: namely, the manner in which our system of early advice and social welfare law has been effectively trashed and almost destroyed over the last decade as a direct result of government legislation.

The LASPO Act removed from the scope of legal aid a huge amount of law, with the result that early legal advice, assistance and representation were no longer available in cases of debt, housing, welfare benefits, employment and immigration. Add to all that the removal of legal aid in private family cases. I am not exaggerating when I say that the consequences have been disastrous, especially for citizens who are poor and simply cannot afford to assert their own legal rights. The number of legal aid cases to help people to get the early advice they need and are entitled to dropped from almost 1 million people in 2009-10 to just 130,000 people in 2021-22.

The number of people having to go to court without representation has trebled. The number of advice agencies and law centres doing this important work has fallen by 59%. We all know that advice deserts now exist in many parts of our country. It is estimated that the number of people helped by legal aid in that period has dropped by 4.5 million. Not surprisingly in that context, by next year, according to the Law Society, a single person will not be eligible for legal aid unless he or she earns less than £9 a day, or £268 a month. That is 81% below the minimum income standard.

[LORD BACH]

Over the years, the coalition parties that forced LASPO through Parliament have, to varying degrees, seen the errors of their ways. The Liberal Democrats have recanted completely, which is excellent, and from the Conservatives I want to pay credit to the last Lord Chancellor and the last Lords Minister, the noble Lord, Lord Bellamy. They began the process of mitigating the effects of the 2012 Act.

I was privileged to chair a commission that reported in 2017 in a Fabian Society report entitled *The Right to Justice*. Its central recommendation was the establishment, perhaps in the long term, of a right to justice Act that would set up a new individual right to reasonable legal assistance without costs if they cannot be afforded. It also proposed shorter-term policy changes to LASPO that could alleviate the cruel effects of that Act of Parliament. These proposals are still necessary and relevant today, and many go to the idea, which I think we all approve of, early legal advice. If put into effect, they would save overall public expenditure as well as an enormous waste of court time.

I am particularly pleased that under the gracious Speech legal aid will be available to victims of disasters or state-related deaths. I know that the legacy bequeathed to the Government means that they have to be very cautious in this area, as in others. However, it is worth remembering that it was Labour and other Members, the Cross-Benchers in particular, who fiercely opposed LASPO and who predicted accurately its dire consequences. I ask Ministers to take this issue back to the Ministry of Justice and invite the department to look at *The Right to Justice* report I have mentioned, and other excellent reports that have been produced, including one by the noble Lord, Lord Low, with a view to considering putting right the worst elements of the present system. To do so would not only save overall public money but would be further evidence that we now have a Government who believe in access to justice as an essential part of the rule of law.

8.18 pm

**Lord Kirkhope of Harrogate (Con):** My Lords, in welcoming the new Ministers I want to address two critical issues highlighted in the King's Speech. One is irregular migration, the other the state of our criminal justice system. But I also want to mention the relevance of data and AI in our security. These matters are of utmost importance and all demand collective attention and action.

On the pressing issue of irregular immigration, as the Immigration Minister between 1995 and 1997 I deployed policies that I described as firm but fair, so I welcome the new Government's collaborative approach in our relationship with the EU. The recent European Political Community summit at Bletchley Park with European leaders marks a positive shift in tone. As someone who never liked the Rwanda scheme, I am encouraged by the Government's commitment to explore a number of the alternative tools to stop the boats, some of which, to be fair, were already being implemented by the previous Government. Irregular migration is not unique to the UK; it is a global challenge that requires a co-ordinated response. Our European neighbours face similar pressures, and it is only through co-operation that we can find solutions.

The Government must work hard with the EU to reach a returns agreement. My experience as one of the architects of the Dublin conventions, which have been referred to previously—I am the first to admit that they had flaws—has taught me that such agreements are complex but essential. Perhaps we should look at the EU-Turkey deal, which reduced boat crossings by over 90%. The reference earlier today by my noble friend Lord Howard, who was Home Secretary when I was Immigration Minister, to the deal we reached with the French is salutary. This model could inform the Government's whole approach and help mitigate the migration crisis.

I must stress the importance of careful language. Conflating immigrants and Immigration Rules, where the Government have great freedom and discretion on who to admit to our country, with asylum seekers, who are protected under international law, can lead to harmful misconceptions and undermine humanitarian obligations. These are distinct categories, each with unique needs and rights, and must be treated as such.

Regarding our criminal justice system, there are significant strains. I believe it is imperative that we reassess our approach to crime. The proposed Bill that aims to grant police new powers to tackle anti-social behaviour and make assaulting shop workers a specific offence is certainly a step in the right direction. However, we must also address the root causes of crime and consider broader reforms to our system. This must include investing in rehabilitation programmes, improving prison conditions and ensuring that our sentencing policies are effective. In that, I am delighted that the noble Lord, Lord Timpson, is in his place and well placed to assist in this.

In today's dangerous world, we really need effective ways of combating serious international crime. It is my deep regret that the United Kingdom no longer has full access to the Schengen Information System, SIS II. The vital database contains palm prints, fingerprints, facial images, DNA data and alerts on vulnerable or missing persons. Our European Affairs Committee in this House reported that, in 2019, the UK police checked SIS II 603 million times, and the loss of access to this resource hampers our law enforcement capabilities. I urge the Government to expedite the rollout of the I-LEAP programme and explore avenues for the UK to regain access to this crucial database.

Then there is the burgeoning field of artificial intelligence. I note that this is not strictly part of the home affairs brief, but it ought to be. As technology evolves quickly, it is crucial that we have regulatory frameworks that are not only comprehensive but adaptive. Smart regulation is a key to ensuring that we keep pace with technological advancements while safeguarding public interest and protecting rights. Criminal elements are already active. My experience in helping to shape the GDPR when I was an MEP has shown me the importance of having adequate protections in place. The GDPR set a global benchmark for data protection, and we must have similar standards here in AI regulation. AI holds immense promise. However, it also poses risks such as biases in decision-making algorithms, threats to privacy and misuse for criminal or terrorist advantage. We must harness the benefits of AI while mitigating its dangers.

These issues are complex. They require thoughtful and proactive approaches, which I very much hope the Government will display.

8.23 pm

**Baroness Fox of Buckley (Non-Affl):** My Lords, I give a warm welcome to the noble Lord, Lord Hanson of Flint. I went to school in Flint, so there is a special connection there. Also, I am full of hope listening to how the noble Lord, Lord Timpson, handled the earlier Statement on the prison crisis, especially on hearing his previous knowledge of and engagement with the nearly 3,000 IPP prisoners still languishing in jail indefinitely. A friendly warning: the Minister should expect to be pestered by many of us on this issue until Parliament's admitted mistake—an actual miscarriage of justice—is put right.

This focus on prisoners is pertinent while discussing criminal justice in a debate on the humble Address. As legislators, we should be suitably humble about nodding through laws that can potentially imprison ever-greater numbers of our fellow citizens and turn erstwhile innocent people into criminals for activities that have to date been lawful. In that context, the proposal for the full trans-inclusive ban on conversion practices, as we have heard, is worrying. The law is unnecessary, as gay and trans people are already protected by existing laws from those vile abuses described by campaigners for the legislation. The dread is that, instead, we risk criminalising medical staff, teachers, therapists, religious support workers, even parents—and even free speech—for helping gender-confused young people and not simply affirming the disquieting and wrong-headed notion that they are born in the wrong body. Meanwhile, hard-pressed shopkeepers in the future could be punished for selling tobacco products to a 28 year-old and a 27 year-old—one legally, the other illegally. This is a recipe for chaos, let alone creating a thriving black market in cigarettes. As a non-affiliated Peer, I look forward to lampooning this particularly daft law, pushed as a flagship piece of legislation by Rishi Sunak's Conservative Government and now enthusiastically embraced by the new Labour Government.

Sometimes we should ask: are we creating new laws as a substitute for tackling deeper problems? In his speech on the humble Address, referring to the proposed crime and policing Bill, the Prime Minister declared that we will take back control of our streets. That is good, but how? By giving the police new powers, he says. But are the undoubted problems we have on our streets really because the police do not have enough powers? Would the recent grotesque and disturbing scenes of violence and rioting in Harehills really be solved by the police waving around those proposed new respect orders when, on the night, officers retreated from the streets of Leeds, seemingly abandoning the local community to frenzied criminality?

It is just not serious to suggest that you can solve the deep-seated cultural problem of declining respect in society—a crisis of authority, as it were—by resurrecting those discredited Blairite ASBOs, rebranded as respect orders. What is more, over recent years there has been a proliferation of these quasi-criminal behaviour orders, about 30 at the last count, yet anti-social behaviour is soaring. In terms of civil liberties, these behaviour

orders do not specify particular offences, which means that the police can use them in a subjective, expansive and arbitrary fashion, often reinforcing a sense of unfair two-tier policing. On the night of the Euros final, the Met issued a killjoy anti-social behaviour dispersal order banning football fans from the Westminster area, yet it claims that it does not have enough powers to disperse Just Stop Oil or pro-Gaza activists from anti-social disruption here at Westminster on a regular basis.

Finally, it is only weeks since we witnessed one of the most chilling examples of out-of-control streets. That was, sadly, in the build-up to the general election. We saw unprecedented levels of ugly intimidation that mired electoral campaigning. To give a few examples: a trembling rabbi, a Conservative candidate, was surrounded by a hostile mob, screamed at and called a snake; a Labour candidate was hounded off the streets to chants of “Zionist devil”; young female leafleteers were harassed and filmed by older men bellowing “genocide” in their faces; tyres were slashed; campaign offices were daubed with blood-red painted anti-Semitic libel, “Zionist child killer”. This Islamist sectarianism that has burst into public life and poisoned the democratic process must be confronted, not by laws but by courage. Those who try to silence concerns with the accusation of Islamophobia ignore that many Muslims were themselves threatened with Allah's wrath if they voted for Labour's infidels. We cannot allow this menacing trend to be swept under the carpet, so it was gratifying to hear the maiden speech by the noble Lord, Lord Goodman, addressing extremism and to hear the Secretary of State, Shabana Mahmood, defiantly declare that:

“British politics must ... wake up to what happened at this election”.

Hear, hear. Taking back control of our streets means more of this honest plain speaking and political leadership, and rather less of mealy-mouthed platitudes and performative lawmaking.

8.29 pm

**Baroness Bray of Coln (Con):** My Lords, I welcome the noble Lords, Lord Hanson and Lord Timpson, to their ministerial posts and congratulate the noble Lord, Lord Timpson, and my noble friend Lord Goodman on their maiden speeches. I would also like to say how grateful I am to have the opportunity to respond to His Majesty's gracious Speech by highlighting one of the important issues it raised—indeed, it was raised in this debate by the noble Lord, Lord Timpson. Shoplifting is a growing problem. It is now often referred to as retail crime because, I am told, calling it shoplifting no longer captures the serious nature of the crime wave hitting the retail sector.

There is no doubt that communities up and down the country are becoming increasingly alarmed by the growing impact of retail violence in their local shops. These days, dangerous individuals and gangs operate across the country, very often arriving at their chosen shop armed with knives or other weapons. Anyone who tries to stop them may well be attacked. They disappear within minutes, often having planned their visit by checking out the premises in advance. Their loot is then sold on, typically from a car boot or a shed, or online.



[BARONESS BRAY OF COLN]

Police-recorded crime figures indicate that there were more than 430,000 retail crime offences last year—an increase of 37% over the previous 12-month period. Meanwhile, retail sector surveys put the figure up to 40 times higher, with the British Retail Consortium crime report for this year estimating that it rose to 16.7 million. That is well over 45,000 incidents a day. This tells us just how seriously this criminal activity has already got out of control. The disparity between the two sets of figures also suggests significant under-reporting of incidents to the police. I hope that another benefit of the very welcome new stand-alone offence for attacks on retail workers—it was originally to be introduced by the former Government before the election got under way, but I am delighted to see that the new Government will continue with it—will be to help to encourage retail workers to record and report every incident to the police for a more accurate record.

There is, in fact, already a retail crime action plan in place that has brought together retailers and senior police officers. The police have pledged to attend scenes where retail workers have been attacked or an offender has been detained. Pegasus, set up last year with government support, is a partnership between retailers and specialist police officers to share intelligence, photographic evidence from in-store cameras and training for retailers, including how to provide the best possible evidence, including CCTV footage of incidents. This can help to identify the perpetrators.

But so much more needs to be done to deal with this growing problem. The police are central to it. They must put this issue higher up their agenda. I think many of us would like to see more police back on patrol on our local streets, knowing their patch, providing important reassurance, and being ready to respond and call in support on our streets when necessary, including being able to call up assistance if a local shop finds itself under attack.

This new Government have taken an important step as they start out by recognising that retail crime is becoming a major problem in our towns and cities. Now that they have declared their intention to introduce a new law that makes an attack on a retail worker a specific criminal offence, what will the penalty be? If it is to be an effective deterrent, it will certainly need to be robust and preferably custodial for serious and repeat offenders.

8.33 pm

**Lord Carter of Haslemere (CB):** My Lords, I declare my interest as a trustee of the Prison Reform Trust, since I will focus yet further, I am afraid, on our failing prison system. My emphasis will be on the need for a new sentencing policy.

I congratulate the Minister on his outstanding maiden speech. He has had the ordeal of having to combine his maiden speech with a maiden Statement and a speech outlining the Government's ambitious agenda for justice and home affairs—no mean feat, given that he was introduced only a couple of days ago. The *Big Issue* magazine of 29 April this year carried an article about the noble Lord, and it starts with the intriguing line:

“James Timpson wears Doc Martens”.

What many people may not know is that when customers go to his shops for theirs to be mended, they are apparently sent to a prison in Warrington—that is the shoes, not the customers—whose prisoners handle the expert yellow stitching required. This tells your Lordships everything about his commitment to give offenders the expertise they need to find a job after release. He comes to his new role with a deep understanding of why our prisons are failing and a burning desire to make things better. He is warmly welcome.

The gracious Speech referred to planning reform, and the Lord Chancellor has subsequently indicated that the Government will ensure that the planning system does not prevent more prisons being built. Prisons are apparently to be classified as being of national importance. My question is whether building more prisons is purely to deal with the capacity crisis or to continue a policy of sending more and more people to prison for longer and longer sentences.

Everyone knows that our prison population is the highest in western Europe; the noble Lord, Lord Macdonald, made that point earlier. Ministers often justify longer and longer sentences by saying they maintain confidence in the criminal justice system, but are the public really more confident in a criminal justice system that costs £50,000 per prisoner per year and results in such huge levels of reoffending? As we have heard, nearly 80% of crime is reoffending—a staggering figure—so the truth is that long sentences do not help to prevent crime in society.

The Lord Chancellor's Statement contained encouraging words about improving rehabilitation of offenders who are in prison, but many of these people should never have been sent to prison in the first place. Of course dangerous people should be locked up for as long as necessary, but 58% of those sent to prison in the year to June 2023 had committed a non-violent offence. They are there because they made bad choices, but the reality is that these were often the result of poor mental health, drug addiction and dysfunctional backgrounds.

If we are to address this prisons crisis, not just today but for years to come, we need to take a long, hard look at sentencing policy. The Government have encouragingly said that they will have a review; I hope it will look at bold and innovative alternatives to prison, with a wider range of disposals, which in appropriate cases can avoid the criminal justice system altogether. Radical reform of sentencing like this, with more non-custodial options, will work only if it is combined with a highly trained, properly resourced and effective Probation Service, not a Probation Service that is failing in 97% of areas.

In conclusion, the Labour manifesto correctly said that

“prisons are a breeding ground for more crime”.

Building more prisons may be necessary as a short-term measure to cope with a capacity crisis, but let us have a long-term strategy of gradually closing quite a lot of prisons. Sorting out sentencing policy would be an excellent start.

8.38 pm

**Lord Marlesford (Con):** My Lords, I welcome the change of government. There is much evidence that an eight to 10-year period in power is the maximum

before “time for a change”, that clarion call of democracy, echoes in the polling booths. We now have the opportunity of reducing the toxic divisiveness that threatens coherence on a global scale; the US and France are two current sad examples in the West.

More than 2,000 years ago, the Roman poet Horace advocated the golden mean as the route to avoid both the squalor of poverty and the arrogance of wealth. We have a Labour Government who have, as did the Blair Government, discarded the dogma of the hard left. I hope we have a Conservative Party that will unite under the middle way of Harold Macmillan, within the frame of Disraeli's one nation.

I will focus on one problem that is a threat to our national cohesion: uncontrolled migration. Basic economics suggests that those living a life of poverty or deprivation in their own country will seek to migrate to third countries where the standard of living is substantially higher. The UK, of course, is such a country. These are economic migrants. Then there is the different category of refugees, who should of course be allowed the sanctuary they need—for example, the Christian community in Pakistan.

The Government have inherited a backlog of more than 80,000 migrants who have arrived since June 2022. It is obvious that economic migrants will pose as refugees. Distinguishing between them has proved quite beyond the Home Office, which sadly has not only proved incompetent but been demonstrated to be substantially corrupt in its immigration and borderland force, with more than 50 officials sent to prison for misconduct in public office. I therefore congratulate the Government on creating a fresh start with the new border security command. The commander of that group must be given a free hand as to who he chooses to hire.

All those arriving will at once create additional demand on the services of the host country, in the first instance on housing, health and education. Whether the demand can be met without impacting the availability of these services to the population of the host country will depend on the scale and functioning of migration. The incentive to migrate will not diminish until the living standards of the host country have been diluted to a level that no longer justifies to migrants the costs, hassle and risks of the journey. Obviously, in a democracy, long before that point is reached the electorate will refuse to tolerate the process. That is one of the reasons we now have a new Government. One obvious example as an indicator is the National Health Service, in which there is a great pressure for GPs being provided for new migration.

Some argue that our national wealth is the product of centuries of colonial exploitation, so we neither deserve nor are entitled to it. That is the line being orchestrated by Putin's fascist regime in Russia, which is using sophisticated and ruthless diplomacy, coupled with the even more ruthless paramilitary Wagner operation, to convert the BRICS group into an aggressive anti-western movement. This year BRICS recruited four new nations; it now covers 30% of the world's surface and 45% of the population.

8.43 pm

**Lord Mann (Lab):** My Lords, I reference my entry in the register of Members' interests as the Government's independent adviser on anti-Semitism, a role to which

the Prime Minister reappointed me yesterday. I join the welcome to the three new Members of the House. I have known my noble friend Lord Hanson for a very long time and I have known the noble Lord, Lord Goodman, for even longer. I have never been afforded the opportunity to meet my noble friend Lord Timpson in his many prison visits. I think all three will enhance the quality of this House.

I want to say a word on illegal immigration. There has been a bit of an old-fashioned debate going on recently about identity cards. We have identifiers in vast numbers of forms these days. The difference from when my noble friend Lord Blunkett raised the issue of identity cards nearly 20 years ago, when I was one of those who supported him, is the digitisation of the world. We have digital passports. The vast majority of people who wish to work in this country have digital passports and I am at a loss as to why I need digital identification for virtually everything I have to do in my life other than get a job. It seems to me that the pull factor in this country could be removed by requiring a form of digital identification for everyone who gets a job. I think that, rather than the various gimmicks that have been tried or huge expensive things, will in itself be the fundamental difference.

On the Government dealing with small boats, I say that we had a family business. We used to take trucks across the channel and to Holland regularly. They had 7 x 4 x 3 flight cases in which you could fit a body. In fact, we had a false body in them with ventilation. It would have been easy to smuggle people through, because trucks were virtually never stopped. There is some indication that the problem is being shifted back from small boats to lorries, which is where the problem was before. I think that the debate on identification and identifiers will take place and that this House should spend a good amount of time discussing how best that can take place. There is a certain inevitability, in my view.

I also want to talk about extremism. There is a new form of extremism in this country. It is not recognised across government, it is not recognised structurally and we do not put resource into it. We see extremism in relation to criminality and terror—rightly so. We are rather good at dealing with terrorism and that kind of extremism. We are not perfect and we never will be perfect, and the more resource is allocated to that, the better. That is one form of extremism, but there is what I call the soft belly of extremism as well: people who do not intend to break the law and who are not terrorists but whose entire approach and ideology is to destroy democracy, the system and society that we live in, and who have other aims and objectives. In my work, I am seeing the ongoing targeting of people in the Jewish community who dare not speak out because of what has happened to them, particularly in the workplace, purely because they are Jewish. That is organised, and it is done by extremists. The state does not know how they are organising, where they are organising or who they are because we have no system, unit or resources. It is imperative that government takes hold of this and understands who the people in this country are who wish to destroy our democratic system not by violence but by other means, who we

[LORD MANN]

will never catch through criminality and therefore who we will have to deal with in other ways. Critically, we need to know who they are and how they operate.

8.49 pm

**Baroness Jones of Moulsecoomb (GP):** My Lords, I welcome our three new Peers this evening. I also welcome our new Labour Government. I think they have made some moves in the right direction, for example the Hillsborough law and appointing the noble Lord, Lord Timpson. I hope he is given the powers to do his job properly.

However, there are a few issues that were not covered in the King's Speech that ought to have been. I shall raise those and would like to hear the Government's response and, hopefully, what they plan to do about them. The first on my list is civil liberties. As many noble Lords will know, a lot of repressive laws were passed in this House by the former Government. Just recently, Just Stop Oil activists were treated abominably in court and given very long prison sentences—much longer than many sexual predators get. The judge who jailed them said that

“the end of the world is neither here nor there”.

Personally, I disagree about that. He showed how draconian the sentencing guidelines are, given that 60% of the population think that an average imprisonment time of four and a half years for these people is simply too much.

That judge has ensured that, the next time a case like this goes before a jury, the jurors could ignore the judge and find the defendants not guilty, which they are entitled to do according to their conscience. That right was established in the early days of Quaker dissent and is inscribed on the walls of the Old Bailey. Jurors can use their common sense to defend the actions of ordinary people when the law is being used to suppress their beliefs or actions. That judge has also highlighted the stupidity of throwing climate protesters in prison at the same time as we are releasing thousands of criminals early because of overcrowding.

I am not keen on putting huge numbers of people in prison—just the violent ones—but we have not yet jailed anyone for the Post Office scandal, Grenfell Tower or the infected blood scandal. What about the obscene rip-off of taxpayers over the PPE ministerial fast track, or the parasites in our water industry, with companies making billions from poisoning our rivers? People are seeing their taxes go up and the NHS collapsing, while those who walked away with our money stay free to spend it. I see trauma and long years of suffering for sub-postmasters, while those who let them down get to keep their corporate pensions. I remember the flames at Grenfell Tower, but the building and development industry that allowed the cladding scandal to happen is as profitable as ever. Clearly, I do not blame the new Government for this, but they have to deal with it. We have scandals, inquiries and taxpayers picking up the bill for compensation, but those responsible at the heart of these scandals get to keep their money and rarely face jail time.

So I do not understand why there is a draconian clampdown on climate protesters, at a time when the climate crisis is accelerating. Essentially, it is because

the oil and gas industry bought the last Government. The corruption of dirty money being pumped into the political system via party donations, MPs' second jobs as lobbyists and Tufton Street think tanks means that we have a polluted system. So it is time to ditch those sentencing guidelines and the whole package of laws passed by the last Government. We need our civil liberties restored. People have voted for change, so please do it.

My second issue is the problem of misogyny, which we heard about earlier. The “spy cops” inquiry has been fascinating because it has demonstrated the appalling misogyny shown by many police officers, some very senior. Now the Treasury is pushing for that inquiry to be closed down because it is costing so much and has gone on for so long. That is mostly because there has been so much damaging material on the part of the police, and the police themselves have blocked disclosure. There are a lack of prosecutions for rape and sexual assault and threats to women politicians, and daily violence against women and girls has reached record levels. Misogyny must be made a hate crime as fast as possible.

My third topic is the scandal of IPP prisoners, which I raised with the Minister earlier. The criminal lawyer Peter Stefanovic has made films about this issue that have had 20 million views, and the people who have seen them are appalled at the persistent persecution of IPP prisoners. This was a Labour Government's terrible mistake, and the new Labour Government have to fix it. No one should get 11 years for stealing a mobile phone; that is outrageous. We need to see a government action plan as fast as possible, and perhaps resentencing to get these people out of prison.

Finally, I want to make a bid for restoring the refugee scheme of the noble Lord, Lord Dubs—we urgently need safe routes for refugees—and I would like to hear more from this Government on restorative justice.

I wish this Government well and I look forward to offering them many more constructive Green Party ideas in future.

8.54 pm

**Lord McNally (LD):** My Lords, I give congratulations to the noble Lord, Lord Goodman of Wycombe, on his maiden speech, and to what is now a very formidable Front Bench, with the noble Lords, Lord Timpson, Lord Hanson and Lord Ponsonby, answering on these issues.

The noble Lord, Lord Timpson, has the great advantage of being appointed by a Prime Minister who himself has a deep knowledge and experience of the working of the criminal justice system, so I am sure that his appointment is not some window-dressing but a commitment from the very top to give priority to prison reform. The noble and learned Lord, Lord Garnier, was quite right: any reforming Prisons Minister must have the clear and unequivocal support of No. 10 if he is to make progress. Believe me: there will be other voices whispering in the ear of the Prime Minister about what damage this rampant liberalism is doing in constituency X or constituency Y, so make sure that your lines to No. 10 are good, open and constant.



Along with expressing general good will to the Ministers, I will use my short time to make three short points. First, my noble friend Lady Burt and the noble Baroness, Lady Royall, among others, have talked about violence against women. It would be worth the Minister asking his colleague Jess Phillips MP to look at the recommendations of the Corston report. It is nearly 20 years since our colleague Jean Corston suggested that the problems that have led to women offending are more likely to be resolved through casework, support and treatment than by imprisonment. Is it not time to revisit the Corston recommendations and update them as a basis for a concerted programme to reduce the number of women in prison? This could go hand in hand with the promises of action against an upsurge in violence against women.

Secondly, the Minister could look at the success of the Youth Justice Board and its holistic, interdisciplinary approach to youth offending. He could bring in the chair of the YJB, Keith Fraser, and his predecessor, Charlie Taylor, now His Majesty's Chief Inspector of Prisons, to see how the best practices of the youth justice services can be developed and expanded.

Thirdly, when the Minister meets the noble Lord, Lord Blunkett, he should ask his advice on dealing with those imprisoned for public protection. I was the Minister in the Lords who thought that I had abolished IPP sentences. It still puzzles me that we have not been able to find an equitable formula to deal with those trapped in the system. As has been said many times, it remains a stain on our penal system and breaking this logjam must be a major priority for the Minister.

I wish the noble Lord, Lord Timpson, a long and successful term of office. Prison reform is not a task for an ever-changing whirligig of short-service Prison Ministers. It can be a bed of nails, with an often hostile press pillorying even the most sensible reforms as being soft on crime. He has already experienced hearing the truths he has spoken

"Twisted by knaves to make a trap for fools".

My word of encouragement to him is that the good will he has now has a momentum that he should seize. It will not last for ever, but it will, in this House, be strong in what he is trying to do. The noble Lord, Lord Browne, slightly stole my thunder by quoting Winston Churchill's memoirs, but it was that great Liberal Home Secretary, Churchill, who said that one can judge a society by how it treats its prisoners. That is still something worth keeping in mind.

8.59 pm

**Lord Godson (Con):** My Lords, I am grateful for the opportunity to respond to His Majesty's gracious Speech and particularly to join in the pleasure of the House in welcoming my colleague and noble friend Lord Goodman, whom I have known for over 40 years. The pleasure is particularly great because he was an outstanding Member of the lower House, an outstanding constituency MP and an outstanding shadow Communities Minister. His time in that role ended all too quickly, so his advent here is a wonderful closing of the circle, not least because, as he pointed out, as MP for Wycombe he dealt with many of the issues of faith and communalism

that he referenced in his remarks. We will have much need of his expertise and wisdom on those matters in the years to come.

I join in the congratulations across this House to the two newly minted Peers and Ministers, the noble Lord, Lord Hanson of Flint, in the Home Office, and the noble Lord, Lord Timpson, in the Ministry of Justice. Their track records belie the idea that politics no longer attracts people of high calibre into public service, and we wish them well in their responsibilities. They too will have to address some of the thorniest issues in our country, which my noble friend Lord Goodman of Wycombe addressed in his maiden speech.

From his period of service in the Governments of Tony Blair and Gordon Brown, the noble Lord, Lord Hanson of Flint, in particular will recall that the matters referred to by my noble friend Lord Goodman were sometimes as controversial within the Government as they were between the parties across this Floor, and indeed between the bureaucracies at hand. In this regard, noting the change a fortnight ago in the name of what was DLUHC and is now MHCLG again, I ask him how the department's balance will work in respect of counterextremism vis-à-vis the Home Office. I understand that this is still not settled between those departments, so I would be grateful for his guidance on that tonight. It is rightly of interest to us in this Chamber.

However, what really matters to the public and what really has changed is the growing incivility of our public life, alluded to by the noble Baroness, Lady Fox of Buckley, and the noble Lord, Lord Mann, opposite. It is illustrated by the abuse that candidates from all parties, particularly women candidates, endured in the recent general election. The noble Lord, Lord Hanson of Flint, also served in the Northern Ireland Office, and the levels of physical and verbal abuse hurled at candidates, their families and supporters in this year's campaign bore at least a family resemblance, at times, to some of the abusiveness of Northern Ireland during the worst of the Troubles. His Majesty's Government are therefore right to carry out a rapid review of extremist intimidation and violence during the election and to mobilise the defending democracy task force, as has been described.

The Government's investigation of extremism in the context of the general election campaign certainly has the advantage of specificity, but it is not enough on its own, as implied by the noble Lord, Lord Mann. The Government's approach needs to encompass the wider issues of the spread of destructive ideologies and disinformation, as well as sophisticated and malign authoritarian forces from overseas trying to undermine our country.

As is well known in this House, the noble Lord, Lord Walney, the government commissioner on political violence, has rightly argued that what took place during the election was not a sudden rise in isolated acts of intimidation and harassment but rather, in his own words, a

"concerted campaign by extremists to create a hostile atmosphere for MPs within their constituencies to compel them to cave in to political demands".

The noble Lord made a range of practical recommendations to defend our democracy against rising extremism, including the better protection of Parliament and other

[LORD GODSON]

spaces that serve our democracy, such as constituency offices. I would therefore be grateful for the Minister's early thoughts, in his early days in office, on the recommendations of the noble Lord, Lord Walney.

The orderly and dignified transfer of power in the recent general election is one of the great virtues of true democracies, but what happened along the way is obviously a cause for grave concern. In particular, I am concerned that the rise of explicitly communalist appeals from campaigning groups such as the so-called Muslim Vote has had too large a part in our deliberations. This was not the only such campaigning body—indeed, hardline Hindutva ideologues have also played their part in this process.

Why should we worry here? It is worth recalling that, over 50 years ago in Northern Ireland, Ian Paisley, later Lord Bannside in this place, changed the name of his political party from the Protestant Unionist Party to the Democratic Unionist Party, precisely because the sectarianism inherent in the previous name was too raw, even in those polarised circumstances in the Province. Now, however, too many candidates in this month's general election have sought to ride this sectarian tiger. This legacy will be one of the new Government's greatest challenges to ensure that, in Great Britain, we do not go back to old, far off and unhappy things that we thought we had seen off after the Second World War.

9.05 pm

**Lord Jackson of Peterborough (Con):** My Lords, I welcome the new Ministers to the Front Bench—the noble Lord, Lord Hanson of Flint, for his pragmatism and common sense and the noble Lord, Lord Timpson, for his business acumen and philanthropic endeavours. I wish them well and congratulate the Minister on his fine maiden speech; similarly, my noble friend Lord Goodman of Wycombe made an excellent and erudite maiden speech.

I want to talk about two issues today: very briefly, the small boats saga and illegal immigration; and, more substantially, the prison estate. I read with great care on Monday the Home Secretary's Statement on immigration and the possible fast-tracking of 70,000 asylum seekers, a policy which is ill thought-out, uncoded and a short-term fix—and it was not in the Labour manifesto. What consideration has been given to public safety, national security, community cohesion, the public good and the financial burdens placed on central and local government by that policy? Administrative reorganisations and press releases about smashing the gangs are unlikely to act as a realistic deterrent to the people smugglers' business model. Securing bilateral and multilateral agreements and new legislation is both time-consuming and expensive. Nevertheless, we await with interest the border security, asylum and immigration Bill later this year.

We know the prisons estate is a mess, with too few new prisons built, overcrowding and unsanitary conditions, too many drugs, extremism, poor leadership and mismanagement, and not enough education, training and rehabilitation. I wish Ministers well if they seriously dealing with the issue of foreign national offenders. There are 11,000 of them in the estate, costing more

than £40,000 each per annum. I urge Ministers to look at the excellent Question for Short Debate we had on 25 April, when we focused on the poor record-keeping and lack of proper data collection when developing policies for removing foreign national offenders.

Labour's mantra is "change", so I was very disappointed not to see in the King's Speech bespoke legislation envisaged on recidivism, citizenship, support for families, literacy and numeracy and meaningful work—all meat and drink to the new Minister, the noble Lord, Lord Timpson. Of course, I am realistic enough to suggest, too, that we need proper funding for new prisons and new staff. Ministers will have to take that up with the Treasury.

By contrast, the Lord Chancellor said on Monday that there would be the early release of 5,500 prisoners later this year—again, an emergency measure. Again, this is without a proper budget or timescale, and important details such as licence conditions, curfew arrangements, electronic tags and so on are also absent from the policy. Again, that was not in the Labour manifesto.

Emptying prisons is not the answer, despite what the noble Lord, Lord Carter of Haslemere, says. It will drive up crime and disorder and damage society, alienating the law-abiding majority. It is quite permissible to think that the most egregious criminals should go to prison for longer, but that those who are in prison have a meaningful path to a better life. I do not see any discordant thinking in that.

The liberal mantra is that there are too many people in prison; it is a liberal shibboleth and demonstrably untrue. Prisons protect the public and keep crime down. Only one in 10 prisoners are first offenders, and half the prison population are there for violent or sexual offences. Some 53% of criminals have 11 or more previous convictions or cautions, and only one-third of career criminals with 15 or more convictions or cautions received other than a caution or non-custodial sentence.

In conclusion, Ministers need to focus on sentencing and management of hyper- and ultra-prolific offenders, a realistic capital building programme, education, training and rehabilitation, and, of course, on the removal of foreign national offenders. I note that, nine years ago, the UK Government did a deal with the Jamaican Government to build a new prison in Kingston in order to repatriate Jamaican nationals to that country. It has still not been expedited after nine years. I blame the previous Government for that, but I do not think that a Labour Government would have been any different.

If Ministers take up this challenge, they will have strong bipartisan support. In any event, the public are watching; blaming the Tories will only go so far, and this Government will of course be judged on their results and not their rhetoric.

9.10 pm

**Lord Shamash (Lab):** My Lords, I join many in the Chamber in congratulating the three maiden speakers today, particularly the new Minister, who is an inspired appointment in the shape of my noble friend Lord Timpson. I also congratulate my noble friend Lord Mann on his reappointment as the Government's adviser on anti-Semitism.

The subject of today's debate, justice—and particularly access to justice—lies very close to my heart. I set up a legal practice over 40 years ago. To that extent, I declare an interest as a partner in a firm of solicitors where approximately 50% of our income is from all types of legal aid. Within that 50%, 20% comes from criminal legal aid. I am well aware of the Government's fiscal rules and the Chancellor's limited room for manoeuvre, but I seek to advance the case for an increase in criminal legal aid be treated as one of the more urgent priorities.

As many of your Lordships will be aware, and as we have heard this evening, our criminal justice system is starved of resources and investment and is collapsing, whether it be crumbling courts, overwhelmed prisons or overstretched court staff, justices, judges and lawyers. Criminal defence lawyers attend police stations, at all hours and at short notice, to represent those arrested. They are often undervalued until needed—often very urgently. As a result, they perhaps do not appear to be the most obvious beneficiaries of public funding. They remain, however, an essential part of our criminal justice system, without whom police stations and courts would simply grind to a halt.

Lawyers, committed to their work, have been the glue keeping the system going, but criminal legal aid lawyers are leaving the profession at an unprecedented rate, demoralised by the stress of long hours—often overnight and then going to court the following day—and often very low rates of pay. These stresses have had an adverse impact. There are 26% fewer duty solicitors in the criminal court system than in 2017. The profession is ageing, with more projected to retire and fewer juniors choosing to enter. Poor rates of pay make recruitment of new solicitors in criminal legal aid work almost impossible, especially given the very large student debts that they are forced to qualify with. Firms are competing with far higher salary rates in the City and elsewhere, as well as the Crown Prosecution Service. Many firms are close to collapse. Put simply, representation for those arrested is at risk, and at a time when it is likely that investment in other areas of the criminal justice system will lead to more arrests as the police carry out their duties.

The independent report of the noble and learned Lord, Lord Bellamy KC, in 2021, recognised the structural problems and warned of the likely huge strains on and possible collapse of the criminal justice system if something was not done immediately. It recognised the underfunding over many years and recommended a minimum 15% increase in fees to the criminal legal aid system, something that the previous Government failed to implement in full. The Law Society of England and Wales had to judicially review the Government, with the High Court finding that the Government's decision was irrational in the way that they treated the request for more funds.

The change of government to one that recognises the value of defence lawyers and their role in the criminal justice system is an opportunity to again urgently look at legal aid remuneration; consult stakeholders, including the Law Society and Criminal Law Solicitors Association; implement the Bellamy report recommendations on fee increases; and review the structure of payments for work done.

This must be set in train, as we are now three years further forward from the publishing of that report. Underinvestment in the court estate over the last 12 years has left fewer available courtrooms and judges, leading to huge delays in cases coming to trial. Currently, 67,573 Crown Court cases are waiting to be tried and 373,000 magistrate hearings. Today, I learnt that a colleague's case had been adjourned for trial in July 2026; that is two years away. This is not an isolated example but indicative of the problem that will undermine further the financial viability of firms, as they wait until the conclusion of a case to be fully paid at what are already low rates of pay. Such delays do not help complainants and witnesses either and are a stain on our justice system. Proper early advice in a police station and though the criminal process is vital to ensure proper representation and the avoidance of miscarriages of justice: justice delayed is justice denied.

The need for investment in rates of pay and some structural change, as recognised by the Bellamy report, is overwhelming and urgent if all parts of the criminal justice system are to operate properly and fairly. I appreciate that the Ministers have a very large in-tray as they try to deal with their unwanted inheritance of funding issues. Perhaps the next time one of them meets the Chancellor, they could invite her to look behind the Treasury sofa to find £1 billion or so. Please tell her that I am happy to give her any help she needs in her search.

9.16 pm

**Baroness Owen of Alderley Edge (Con):** My Lords, it is a great pleasure to speak in the debate on the humble Address and I welcome the new Ministers to their place. I was pleased to see this Government's commitment to halving violence against women and girls. However, I am keen to understand whether the renewed focus on VAWG will include tech-facilitated abuse, as I was disappointed that no reference was made to the growing crisis of image-based abuse. Over the last few years, we have seen a piecemeal approach to legislating on this issue, with up-skirting, cyber flashing and the sharing of intimate images now illegal but the non-consensual taking of sexually explicit images, as well as the solicitation to create and the creation itself of sexually explicit deepfakes, remaining gaping omissions in our patchwork of law in this area.

I was pleased to see the Labour Party manifesto make a commitment to legislate on the creation of non-consensual sexually explicit deepfakes. Ninety-nine per cent of all sexually explicit deepfake videos feature women. If the Government are to succeed in their plan to tackle VAWG, they must not treat online violence in isolation. It can often form part of a much wider picture of abuse. Every day that we delay introducing this legalisation is another day when women have to live under the ever-present threat that someone will steal their picture to create sexually explicit images or pornographic videos of them. Every woman should have the right to choose who owns a naked image of her.

I have been privileged in my work in this area to meet Mariano Janin, who understands that sexually explicit deepfake videos were used to bully his beautiful 14 year-old daughter, Mia, leading to her tragically taking her own life. Sadly, this is not an isolated incident. I have



[BARONESS OWEN OF ALDERLEY EDGE]

also been entrusted by “Jodie”, whose case may be familiar, as she was brave enough to speak to the BBC about the trauma of being deepfaked by someone she counted as her best friend. Jodie discovered that pictures had been taken off her private Instagram page, overlaid on to pornographic images and posted on Reddit and other online forums, with comments asking people to rate her body. Jodie endured this abuse for five years, finding hundreds of pictures of herself, her friends and many other young women.

While it is illegal in the UK to share sexually explicit deepfaked images, it is still not illegal to create. In Jodie’s case, the perpetrator was soliciting the creation of images from others. It is of the utmost importance that solicitation becomes an offence in itself to prevent deepfakes being solicited from jurisdictions where they may not yet have legislated. We must not underestimate the real impact this digital content has on those such as Jodie whose image has been stolen. The content is often used to bully, harass and even extort money. It is not a one-off experience. Survivors often have to manage the trauma of this digital content trending, or being subject to further digital abuse, at any given moment.

We must become more agile in our response by ensuring that we view tech-facilitated abuse as a cohesive whole; we must work to find the balance between Parliament having legislative oversight and a regulator having the power to act quickly to not only remove harms but to anticipate and future-proof against them.

I am determined that we should close the gaps on the taking of non-consensual intimate images, as well as the creation of, and solicitation to create, non-consensual sexually explicit deepfakes. My Private Member’s Bill, being introduced on 6 September, seeks to address this. Urgent legislation is required as part of this new Government’s VAWG strategy to ensure the safety of women and girls online. It is not enough to react to this abuse; we must prevent it happening in the first place.

9.20 pm

**Baroness Ludford (LD):** I applaud the speech made by the noble Baroness and I look forward to seeing her Private Member’s Bill. I too warmly welcome the new Ministers.

I was as delighted to hear the Attorney-General yesterday promise that the new Government would respect and uphold the rule of law as I was to hear the new Prime Minister do the same in regard to the European Convention on Human Rights. The display last week at the European Political Community summit of the London treaty—the London treaty, note—which set up the Council of Europe, which hosts the convention and the European Court of Human Rights, sent a massive and very welcome signal of intent.

I also applaud the fact that not only have the Government scrapped the Rwanda scheme, but yesterday they made regulations to amend the ill-named Illegal Migration Act such as to ensure the processing of asylum seekers.

I very much welcome the proposed Hillsborough law to impose a legal duty of candour on public servants and authorities, although can the Minister explain how it will be enforced?

The London Victims’ Commissioner has reported on the inadequacy of action against stalkers—most of whom, although not all, are men—and the National Police Chiefs’ Council has called out an “epidemic” of violence against women and girls, as we have heard often today.

Sky News reports that misogyny, harassment and sexual abuse are even rife in the ambulance service, which is so utterly depressing as it should be all about keeping people safe. A young woman told the “Today” programme this morning that if an objection is made to boys quoting the extreme misogynist Andrew Tate, they are told, “Boys will be boys”, and, “You can’t take a joke”.

What are the Government’s plans to tackle this distinctly unfunny epidemic of violence, not only through the criminal justice system but socially and through an education system aimed at changing the behaviour of some men and boys with a warped perception of masculinity? Can the Government also look at the violence, threats and intimidation from supposedly trans rights activists—often very frightening men in black balaclavas—who have physically attacked women and threatened to rape and kill the TERFs? Has the police response been adequate? I do not need to refer the conversion therapy Bill, as I agree with the comments made by the noble Baroness, Lady Stedman-Scott.

Women in the criminal justice system are described by the Ministry of Justice as among the most vulnerable in society, with complex needs that include trauma, domestic abuse, mental health and substance misuse problems. The fact that this trauma has been increased in some cases by male-bodied prisoners being placed with them shames those in charge of such decisions. I agree with my noble friend Lord McNally in calling on the Government to revisit, and hopefully accept, the recommendation of the 2007 Corston report on trying to avoid custodial sentences for women.

To continue on the subject of women, will this Government amend the Equality Act to clarify that “sex” means “biological sex” in order to resolve some of the problematic interactions between the Equality Act and the Gender Recognition Act?

I will cite in detail the Howard League’s recent valuable paper on options for a lasting solution to the prisons crisis on Friday, when we debate the report on community sentences by our Justice and Home Affairs Committee chaired by my noble friend Lady Hamwee. Wearing my European enthusiast hat I hope that the Minister’s plans will include looking at practice on community-based and diversionary schemes in the Netherlands and in Scandinavian countries. I also hope that the Government will try to get back into at least some of the EU justice and home affairs instruments and bodies, such as SIS II, which the noble Lord, Lord Kirkhope, mentioned.

I share the outrage at the IPP scandal, and I would like to hear more detail on the Government’s plans to expedite the safe release of post-tariff IPP prisoners. Will the Government set up a royal commission on the criminal justice system, as suggested by the Bar Council? Will they invest in a sustainable and resilient justice

system recognised as a vital public service that truly serves the public? There is as yet no promise of more money.

My last remark is on the need to dig all those agencies supervised by the Ministry of Justice out of the 19th century and get them into the 21st century. Among them are His Majesty's Courts and Tribunals Service, which includes the Probate Service, the Office of the Public Guardian and the Passport Office, which includes the General Register Office. Many of us only encounter some of those agencies on the death of a loved one, and we can have a very unhappy experience of bereavement bureaucracy, as I did, at a time when we need less stress, not more.

9.26 pm

**Baroness Wheatcroft (CB):** My Lords, this has been a long debate, and it is not over yet. By now, the Minister can be of no doubt that he is genuinely very welcome in his important role. Nevertheless, I add my voice to that chorus. I have long appreciated what his business can do to give a new lease of life to my shoes, but far more important is the new lease of life that it has given to so many offenders—a remarkable achievement.

The Timpson example has encouraged other companies to employ ex-offenders—companies as diverse as National Grid, Virgin, Tesco and the Royal Opera House, which all welcome ex-offenders. The charity Working Chance does great work getting women ex-offenders into employment. However, there are still some companies, including large ones, that plead that their existing staff would not want to work alongside ex-offenders, and they use that as an excuse not to take them on. The Minister may now find that he can encourage people rather more forcefully to change their minds about that. The scheme described by the noble Lord, Lord Moynihan, is surely a blueprint that other companies could emulate by providing work training in prisons and then employing people when they leave.

I shall address most of my remarks in my limited time to the issue of offenders, but, first, I will offer a brief thought about asylum seekers. Near my home in Kent, hundreds of migrants are housed in a fairly dilapidated barracks. They are mostly young and able-bodied, often well-educated and certainly brave. They are in limbo, waiting for their cases to be processed. Yet they could be, and most would like to be, usefully employed, filling the many vacancies in our workforce. They could be net contributors, rather than a vast cost, to our economy. As the Minister understands the value of work to morale, will he reconsider the attitude to employing asylum seekers, albeit temporarily?

Dostoevsky wrote:

"The degree of civilization in a society can be judged by entering its prisons".

How would the author of *Crime and Punishment* judge our society had he ventured inside the overcrowded institutions that, as the right reverend Prelate the Bishop of Gloucester put it, are warehousing our vulnerable, in appalling conditions in many cases? Half of prisoners are addicts, and more than half—57%—are largely illiterate. Some 31% of women prisoners and 24% of male prisoners were taken into care as children; that figure is only 2% for the population at large.

So these are people with deep-seated problems. They need help if they are to become useful members of society. Instead, they are locked up then turfed out—with nowhere to go, in many cases—with £82.39 in cash. Recent statistics from the Government showed that 17 prisons met the target for providing accommodation on the night of release; 98 did not. Performance against the target for ex-prisoners being in employment six weeks after release was little better. Is it any wonder that our recidivism rates are so high?

We have a Minister who understands the dire failings in our prison system. I trust that he will be able to bring about change—that is what the Government came to power promising—but I ask him to look in particular at whether people should be in prison in the first place. Others have made the point that our sentencing is completely wrong. It is absolutely having the wrong effect and it needs revisiting now.

9.31 pm

**Lord Lucas (Con):** My Lords, it is a great honour to follow three such powerful speeches from noble Baronesses. I am duly put in the shade.

I have very happy memories of facing the Labour Front Bench on these issues in its last incarnation. I mention in particular Lord Williams of Mostyn, for whom I had the highest possible regard, and the noble Lord, Lord Boateng, in their roles as Prisons Ministers. I perceive that the current Front Bench is up to their standard and I am absolutely delighted by that. Not only that, but we have the prospect of a Prisons Minister who will stay in role for a decent length of time. That will make such a difference. I really think that a Government being prepared to use this House to put specialist Ministers in place and allow them to really command their subjects—because these roles are never good for MPs; they are always something they are trying to escape from—is a good thing. So, please, let us enjoy the company of the noble Lord, Lord Timpson, for a good long time.

I declare an interest as a patron of Safe Ground, a charity working in prisons that my wife founded about 30 years ago and which is now part of the Social Interest Group. I am also a patron of the Better Hiring Institute, which the Minister will have come across. It is an offshoot of Reed, which is a very Timpson-esque company in its attitude and a real pleasure to deal with; it is very much dedicated to getting prisoners into jobs and persuading companies that this is a good idea.

I remember, in my early days with Safe Ground, trying to persuade the noble Lord's ministry to take on one of our graduates as an employee. It refused to take on a prisoner, so perhaps things have changed—but, if not, I very much hope that the noble Lord will quiz his ministry and bring it up to Timpson standards. The prisoner got a job with me later, so he turned out all right; he was a great man.

The many underlying causes of offending cannot be solved through punishment alone. Prisons are there to house the most dangerous, obviously, but they also provide opportunities to initiate reform. You take advantage of the fact that people are abstracted from the surroundings that have fed their criminality. You have

[LORD LUCAS]

them in front of you. You have their time. Going back to the early days of the last Labour Government, time out of cell was really quite extensive. Prisons would facilitate the education and the bringing out of prisoners who showed promise for redemption. The current state of affairs is not that way at all.

Safe Ground specialised in building up family ties. It is my observation, looking at its work, that by the time men are 25, but not much before, they begin to develop a sense of responsibility and interest in the world. At that point, you can really activate their interest in being part of their families, whichever bits of their families are still prepared to work with them—their children, often their wives, mothers, cousins or whatever—and you can build that into a structure that will nourish the prisoner once they get out of jail. A job, family and housing: get those three right and you have a real chance of getting someone on the right road. That was the experience with Safe Ground. Not only did it reduce reoffending, but what was really noticeable was that it improved the behaviour of prisoners in prison, so it was very much supported by officers because having Safe Ground in your prison made it a much nicer place to be.

If I were to give a few other suggestions to the noble Lord, they would be: focus on making life good for prison staff. Focus on the programmes in prison being of good quality. Get prison governors to stay in post for seven years like a good headmaster, not two or three years like a professional civil servant. Have a look to see whether all that money that is being spent on the central bureaucracy might not better be spent in prisons.

9.36 pm

**Lord Burnett of Maldon (CB):** My Lords, I add my welcome to the noble Lords now occupying the Government Front Bench, and in particular congratulate the noble Lord, Lord Timpson, on his maiden speech. We last met, as he may remember, when he was chairman of the Prison Reform Trust. We discussed much, including the rise in the prison population—then thousands fewer than today—and the quality of political debate on sentencing. As Lord Chief Justice, I characterised it publicly as amounting to little more than the Government saying, “Lock everyone up” and the Opposition agreeing and saying, “And for longer, please”—a caricature, I know, but not far from the reality, which was driven by raw politics. The evidence of the debate today suggests that that may now be changing.

Yet we have a prison population that is twice what it was when the noble Lord, Lord Howard, was Home Secretary. Since the autumn of 2022, we have been living with the daily possibility that the system will grind to a halt in various parts of the country for want of somewhere to take prisoners from our courts.

I hope that the noble Lord's appointment represents a signal of intent from the Government to look seriously at sentencing in the context of the statutory purposes that we all understand: punishment, the reduction of crime, the rehabilitation of offenders, the protection of the public and the making of reparation by the offender. Punishment is not the only purpose.

The subject of the impact, both immediate and wider, of different sentences is the subject of academic research the world over. The United Kingdom, and England and Wales in particular, is out of step with almost all advanced democracies when it comes to the use of prison. We lock up more and we lock them up for longer. That would be a good thing only if it were supported by evidence of an overall benefit. But it is not. I welcome the review to which the Minister referred much earlier this afternoon, and his comments following the Statement on prison capacity.

One part of the prison population that has grown substantially is the number on remand awaiting trial. Other noble Lords have referred to that already. That is the result of the rise in the outstanding caseload in the Crown Court. There are many causes, but among them are Covid, the increase in more complex cases coming into the system, and the action by the Bar in 2023. Of two things we can be sure. The outstanding caseload is at least 50% higher than in March 2020 and, even more worryingly, the proportion of cases taking more than a year after entering the courts has grown from below 10% in pre-Covid days to more than 25% now. In the years before 2019, the work entering the criminal courts was in steady decline. That is no longer the case.

The time has come for radical thinking about how to try criminal cases in our courts. The balance between those dealt with in the magistrates' court and the Crown Court needs to change. That is despite the Crown Court sitting more days now than it has done for almost 20 years. Restoring the sentencing powers of magistrates, reversed last year, would be a start, and there is much scope for tinkering to retain more in the magistrates' courts; but more should be done. The Government should reconsider proposals made in the 2001 review by Sir Robin Auld to try a range of less serious cases now dealt with by judge and jury with a judge and two magistrates. Such cases would take less time; the backlog would fall. Radical change requires political courage but without it, I fear that unacceptable delay will become endemic.

9.41 pm

**Lord Wolfson of Tredegar (Con):** My Lords, it is a pleasure to speak after the noble and learned Lord, Lord Burnett, the former Lord Chief Justice. One of the many pleasures of this House is that, unlike in my professional life, judges do not always get the last word.

I declare two interests: the first, obviously, as a practising barrister and therefore user of the justice system; the second as a long-time admirer of the Minister who opened this debate. I congratulate him on his new role and his excellent maiden speech. I also very much enjoyed the maiden speech of my noble friend Lord Goodman of Wycombe, and look forward to the maiden speech of the Minister, the noble Lord, Lord Hanson of Flint. We have a debate bookended by maiden speeches. Without getting into the vexed question of House of Lords reform, it is only in this House as currently constituted that one can hear, in the same debate, some of our nation's leading repairers of “soles”, both spiritual and now also temporal.



**Baroness Jones of Moulsecoomb (GP):** Oh, that's terrible.

**Lord Wolfson of Tredegar (Con):** They are just catching on.

I do not know whether the noble Lord occupies my old room at the Ministry of Justice, but we share a firm commitment to justice and the justice system. There is of course an overlap with yesterday's debate on the constitution, because the rule of law is not actually a law at all but a constitutional principle. In that sense we should all be declaring an interest, because we all have an interest—a financial one—in the maintenance of the rule of law. Without the rule of law there would be no security in transactions, no enforceable right to property. But it goes well beyond matters financial. Without the rule of law, there is nothing to separate or protect us from despotism on the one hand or anarchy on the other.

That brings me to the first of three short points arising out of the King's Speech. The first is the safety of public venues and keeping the public safe from terrorism. The Minister referred to what he called the appalling and horrific terrorist attack in the Manchester Arena, which he also called senseless. I am afraid, however, that there are too many people who see in their warped and twisted vision some sense in that sort of attack, and that means our response to terrorism must go beyond merely steps to keep people safe. We must be unyielding against those who commit terrorism, but also those who fund terrorist attacks; those who advocate for them; those who explain them away; those who equivocate about them; or those who fail to assist the authorities in their efforts to thwart them. That means we need to engage with those in all communities—and they are the majority in every community—who support the rule of law and stand against those who seek to subvert it.

The second point concerns leasehold and commonhold reform, the draft Bill on which I await with interest. We must ensure that we have a system of land ownership which is fit for the 21st century. I remember from my university days that in land law, the devil really is in the detail, and it changes slowly. I remember talking about my land law essays with my father, who still referred to the Law of Property Act 1925 as the new property legislation. No doubt any change will be viewed with horror in some parts of Lincoln's Inn, where they still have flying freeholds—a concept which is too arcane for discussion at any time, but certainly at a quarter to 10 at night. I hope the proposed legislation will be clear, concise, modern and will provide us with a useful system of ownership of land.

Finally, a short word about the Arbitration Bill. I welcome this very much. When I was a Minister, I helped the Law Commission set up its work on arbitration. London is the global centre for international commercial arbitration. The 1996 Act is the gold standard, but like many things made of gold, it does need a bit of polishing from time to time. There is one point which I was going to mention about the Arbitration Act, but my noble friend Lord Kirkhope of Harrogate warned me that if I mentioned again what he regards as the esoteric legal topics of monism and dualism, he might not be responsible for his actions. I do not know how

he would react if I more than merely mentioned tonight the difficulties presented by an arbitration agreement having what lawyers call a floating governing law, but I am not minded to find out. I will take that up with the Minister offline, and leave the detail for another day, although I suspect it will be a day on which my learned friend finds he is unavailable to attend your Lordships' House.

9.47 pm

**Lord Marks of Henley-on-Thames (LD):** My Lords, I had the pleasure of welcoming the noble Lord, Lord Timpson, during the discussion on the prison Statement much earlier today, and I now add my congratulations to him on his powerful maiden speech. His extremely warm and enthusiastic welcome from the whole House is a tribute to his long history of achievement in rehabilitation and reform, and his appointment gives fresh heart and hope to those of us—and in this House there are many—who have argued this case for a very long time. My hope is that we can now look to government to direct our criminal justice system towards reducing reoffending and turning lives around. That is not achieved simply by banging up offenders for as long as possible to keep them away from the public, as the noble and learned Lord, Lord Burnett of Maldon, just succinctly made clear. Taking dangerous offenders out of society for an appropriate period is, of course, a proper function of punishment, but I only wish more of the popular press would climb off that bandwagon.

I also congratulate the noble Lord, Lord Goodman of Wycombe, on an interesting and thoughtful maiden speech, in which he drew inspiration from his grandfather's history to express his commitment to intercommunity cohesion. We also look forward to the maiden speech of the noble Lord, Lord Hanson of Flint, at the end of a very long debate.

I will concentrate on justice; my noble friends Lady Doocey, Lord Taylor and Lady Ludford, and others from these Benches, have spoken on home affairs. But before I turn to the substance, I wish to make a point about the Arbitration Bill and the Litigation Funding Agreements (Enforceability) Bill, as the noble and learned Lord, Lord Stewart of Dirleton, thought I might, because I have a serious criticism of our processes, which we must, I suggest, change.

The Arbitration Bill follows detailed recommendations made by the Law Commission for improving and updating our highly regarded Arbitration Act 1996. Legal services, and arbitration in particular, make an important contribution to the UK economy. London has long been the pre-eminent seat for international arbitrations—tied for the first time this year with Singapore. It is vital that we maintain our position.

The Bill was introduced into this House in the last Parliament following the special Law Commission procedure. A special committee was established under the chairmanship of the noble and learned Lord, Lord Thomas of Cwmgiedd, and we took lengthy evidence in writing and orally from a long and distinguished list of witnesses. Two Government Ministers and the noble Lord, Lord Ponsonby, were also members of the committee. We agreed important amendments,

[LORD MARKS OF HENLEY-ON-THAMES]

all of which are now incorporated into the new draft. Huge amounts of time and money were expended. The Bill was non-controversial, and everyone was happy to agree it. Yet, when the July election was announced, the Whips in both Houses could not make the time to agree that it should be put before them in the wash-up. Why not? It was because of an absurd and outdated convention that, if a Bill has not gone through all stages in one House, it cannot be introduced in the other so as to go through the speeded-up wash-up procedure, however much the Bill is needed and however uncontroversial it is. We could have completed the passage of the Bill in a couple of hours of parliamentary time before the Dissolution, but no: we lost it, and months of time, and we have sustained significant damage to our economy and loss of prestige for our legal services as a result.

We lost the Litigation Funding Agreements (Enforceability) Bill in the same way, as the noble and learned Lord, Lord Stewart, and the noble Lord, Lord Sandhurst, have said. The litigation funding companies are, on any view, really important for access to justice, supporting litigation such as that brought by the sub-postmasters arising out of the Horizon scandal, which otherwise would not have got off the ground. They may need regulation in future, about which we may argue, but no one doubts that they should be permitted to function. Yet they are now an industry in limbo. That is because of the Supreme Court's decision, in a case called *PACCAR*, that their agreements are unenforceable. The Bill, supported by all parties, would uncontroversially have reversed that decision. We have to change this absurd and outdated approach to the wash-up at the end of a Parliament to avoid a waste of time and money.

Turning to the substance, we welcome the proposed crime and policing Bill. Liberal Democrats have long been committed to community policing. Fostering close relationships between police officers and their communities is a proven and important way to build and maintain trust in the police, and so to increase the flow of information to and public confidence in the police. That is crucial after the number of horrific incidents over the last few years.

The victims, courts and public protection Bill will build on the Victims and Prisoners Act, which was a good example of cross-party co-operation in this House, but there is unfinished business. Strengthening the power of the Victims' Commissioner by statute will give victims a more powerful voice. I pay tribute to the noble Baroness, Lady Newlove, and welcome her speech today and her unflinching commitment to improving support for victims.

I have some reservations about forcing offenders to attend sentencing hearings. It is probably right in principle that they should, but I am not sure what courts would do when they refuse. Are we to drag such offenders to court by force? It might be better simply to make it clear that a refusal to attend could properly be treated as a sign of a lack of remorse.

Commitment to reducing delays in the court system is an important priority—the noble Lord, Lord Meston, stressed that—but it will not be achieved only by

allowing associate prosecutors to work on appropriate cases, as is suggested in the briefing. It will need more resources, yes, but also new efficiencies and new thinking, as the noble and learned Lord, Lord Burnett, suggested.

The emphasis on tackling violence against women and girls is particularly welcome. We need a far more understanding, sympathetic and determined approach to protecting women and girls from harm. Over the years we have failed in this, and the results have been underreporting of offences because of an unsympathetic approach to victims and, furthermore, very low conviction rates when offences are prosecuted. I hope that the Government listen carefully to the point from the noble Baroness, Lady Newlove, that far too often women and girl victims find their privacy and digital records invaded and violated, which acts as a deterrent to victims becoming involved in the criminal process.

We should not forget that underreporting inculcates an arrogant overconfidence among sexual predators that they will get away with abuse and violence in both public and domestic contexts. The noble Baroness, Lady Gohir, made the important point that tackling violence against women and girls depends on measures to change the attitudes of male perpetrators throughout diverse racial communities.

I add a word on psychotherapists, about whom I have spoken to the House before. I hope there will be an opportunity to secure in one of these Bills a requirement for the regulation of unqualified people holding themselves out as psychotherapists, and for the criminalisation of abusive coercive control by psychotherapists using their power and influence over vulnerable and usually young clients and patients to cut them off from their families.

Turning—or returning—to prisons and the penal system, many noble Lords have made a strong case for a complete change of approach to prison and punishment, starting, of course, with the Minister, the noble Lord, Lord Timpson. The right reverend Prelate the Bishop of Gloucester eloquently made the point that reliance on imprisonment as a complete answer to criminality is not supported by the evidence, as the noble and learned Lord, Lord Burnett of Maldon, repeated.

The noble Baroness, Lady Royall, mentioned the role of a number of voluntary organisations in Oxfordshire, some of which I know, but her speech raises a wider point, which is that local organisations have an important role in supporting the rehabilitation of prisoners and in fostering linkage between prisons, prisoners and the communities in which they work. The noble Lords, Lord Waldegrave and Lord Meston, made similar points. The noble Lord, Lord Browne of Ladyton, spoke of purposeful activity, training for employment and life within prisons. We have heard mention of farms, gardens and libraries, but there is also scope for sports, music and drama.

My noble friend Lord Beith made a number of points about sentencing and the importance of a sentencing review. We must reverse the trend to ever-longer sentences. My noble friends Lady Burt and Lord McNally, and other noble Lords, made the clear point that not enough has been done to end the stain on our justice system of the continued incarceration of IPP prisoners.

My noble friend Lord Dholakia stressed the role of probation services in delivering community sentences and emphasised the degree to which the Probation Service is stretched. We also need through-the-gate support from probation officers, with contact with clients both before and after release. Three things help prisoners most to avoid reoffending: a job, a home, and family and community ties. Release into prisoners' communities is very important, but that needs the prison capacity crisis to be addressed so that we can get over the shuffling issue.

On a general point that I call "spend to save", the noble Lord, Lord Macdonald of River Glaven, mentioned the unwelcome effect of the capital cost of new and better prisons—unwelcome for Governments, that is. Yet that and the annual cost of imprisonment, currently £47,000 for a prisoner, are only part of the picture. Reoffending has been estimated to cost the country £18 billion, and that is not including the knock-on cost to the public of social care, family housing and lost tax revenues. I hope the Treasury will learn to adopt a more holistic approach to spending on rehabilitation that is less bunkered and more cross-department. I also agree with the noble Lord, Lord Bach, on legal aid, on which more liberality would avoid significant unnecessary costs, not to mention widespread unhappiness.

I close, finally, by saying that on these Benches we are greatly encouraged by this Government's clear commitment to the rule of law, including international law, as stressed by the right reverend Prelate the Bishop of Manchester, and in particular to the European Convention on Human Rights and the Human Rights Act, which I for one regard as one of the finest triumphs of the Labour Party. We hope that in Government we will have some more.

10 pm

**Lord Sharpe of Epsom (Con):** My Lords, I start by welcoming the noble Lords, Lord Timpson and Lord Hanson of Flint, to their places, and congratulate them on the excellent maiden speech already delivered and that that is no doubt yet to come. They have been garlanded with tributes this evening and I look forward to getting to know them both and working with them on home affairs matters.

I also take this opportunity to pay tribute to their shadow predecessors, the noble Lord, Lord Ponsonby—who I welcome back to his place, although I have to admit I would prefer it if it was this place—and, of course, the noble Lord, Lord Coaker. They always worked very constructively with me and when we disagreed, we disagreed well. I was slightly sorry that the noble Lord, Lord Coaker, has moved to the MoD, because he was very good at castigating me for spouting nonsense from the Dispatch Box—which obviously I did only very rarely—but I had looked forward to reciprocating, and indeed kept a *Hansard* scrapbook of some of his finer rhetorical highlights. On the subject of rhetorical highlights, I commend my noble friend Lord Goodman on his powerful maiden speech. He made many important points, but one struck a personal chord: that his great-grandfather lasted six months longer on the Somme than mine.

I cannot deal with the entire humble Address in the time available, and justice was dealt with very comprehensively by a number of my noble friends, including the noble and learned Lords, Lord Stewart, Lord Bellamy and Lord Garnier, and the noble Lords, Lord Sandhurst and Lord Wolfson of Tredegar. There were many other noble Lords who made very important contributions on the subject of justice as well; I cannot name all of them in the time available. I wonder, having heard all of the discussions, whether the ambitions of the noble Lords opposite will clash. There is obviously tension between what the Government are proposing with regard to so-called minor crimes and what they are saying about not imprisoning for minor crimes. I wonder how that tension will be resolved.

I say that we will work with the noble Lords opposite because that is the intention of His Majesty's loyal Opposition. Matters of national security, public safety, border integrity and criminal justice are too important to be party-political footballs. As I am sure the noble Lord, Lord Hanson, will say, national security is the first duty of government. To that end, I was very pleased to see that the new Home Office team includes the Member for Barnsley North, Dan Jarvis, as the Security Minister. I have watched his career from afar and am reassured by the last Security Minister, my right honourable friend Tom Tugendhat, that he will do a first-class job.

While it is invidious to single anyone out, I will also say how pleased I was to see the Member for Birmingham Yardley, Jess Phillips, be given the crucial role of leading the Government's efforts on violence against women and girls. I wish her well. I hope she will acknowledge that there was progress under the previous Government in this area, but I also acknowledge that there will always be more to do, as was also eloquently expanded on by the noble Baroness, Lady Hughes of Stretford, and my noble friends Lady Owen of Alderley Edge and Lady Newlove. I am very much looking forward to the Private Member's Bill of my noble friend Lady Owen. I also say how personally sorry I am that abortion clinic safe access zones were not commenced when I was in post. I hope the new Government will be able to overcome the bureaucratic inertia where I failed.

I will also take this opportunity to praise the civil servants in the Home Office. The noble Lord, Lord Hanson, inherits a first-class private office. I hold them all in very high regard, but more broadly I say that it was a pleasure to work with so many very good people who really do have the country's best interests at their core. I am pleased that my noble friend Lord Patten reminded us all of that. I will return to this theme.

The loyal Opposition will work with the Government. We will of course also scrutinise the legislative programme to the best of our abilities. In terms of the crime and policing Bill, it is to be regretted that the previous Government did not have the time to pass our Criminal Justice Bill, which contained important measures, including on anti-social behaviour, assaults on retail workers and deepfakes, among many others.

I join my noble friend Lady Bray in applauding the intention to focus on neighbourhood policing, but I also note that the previous Government delivered on our promise to recruit 20,000 more police officers.



[LORD SHARPE OF EPSOM]

Indeed, this country has more policemen now than ever before. Unfortunately, it is not just about numbers. As I am sure the noble Lord has already found out, it is also about culture, so I welcome the Government's intention to sort out the many cultural failings that we have seen in the police. Police leaders have a job to do in rebuilding public trust, not least because they owe that to the vast majority of good men and women who serve. The noble Lord, Lord Paddick, made some important points on accountability, which were reinforced by the right reverend Prelate the Bishop of Manchester and, very powerfully, by the noble Baroness, Lady Fox of Buckley.

The noble Baroness, Lady Fox, the noble Lord, Lord Mann, and my noble friend Lord Godson also reminded us that there is a good deal of work to do with regard to defending democracy.

Crime is a fast-evolving landscape, so I hope the Government will continue to work with our online fraud charter, a world-first agreement with 12 of the biggest tech companies to proactively block and remove fraudulent content from their platforms, with Facebook, Instagram and Amazon among the signatories. If I may, I also suggest that the noble Lord visits the City of London Police who lead on fraud. I went earlier this year and wish I had gone sooner to get an idea of what their excellent teams are up to, particularly with regard to victim support.

The Opposition also broadly support Martyn's Law, as my noble and learned friend Lord Stewart noted, which we intended to introduce in the previous Parliament. The previous Government also introduced the National Security Act, the Economic Crime and Corporate Transparency Act and the Investigatory Powers Act, all of which will make the Government's efforts on these important subjects a good deal easier. I thank the Government for their support on these subjects when they were in opposition.

I thoroughly endorse the comments of the noble Baroness, Lady Manningham-Buller, about the threat landscape and how to prepare for its evolution. She is entirely right.

I now turn to migration and borders. When in Opposition, those in the party opposite voted against the Government on this subject on more than 130 occasions, all while claiming that they shared our ambition to stop the boats and smash the gangs. So far, as my right honourable friend the shadow Home Secretary has noted, they have cancelled the Rwanda scheme without bothering to notify the Government of Rwanda, in effect announced an amnesty for illegal migrants and yesterday announced the closure of the "Bibby Stockholm" next January. On a more positive note, I join my noble friend Lord Howard of Lympne in commending the Government's announcement of the aid—although I do not think £84 million will go anywhere near far enough.

Returning to the other matters in turn, as my right honourable friend the shadow Home Secretary noted, would the Government have treated one of our European partners as they treated the Government of Rwanda? I doubt it, but I am not entirely surprised. My noble and learned friend Lord Stewart of Dirleton and I sat

through 47 hours of debate on that Bill and are well aware that noble Lords did not like it very much, but we were both shocked by some of the intemperate language that was used—not, I stress, from the Front Benches—which we often charitably described as "post-colonial". I suggest that many noble Lords need to reflect on their contributions to those debates.

Noble Lords might not have liked the Rwanda Bill, but it was starting to work as a deterrent, which was its stated intent in the Bill. It is not just we who are saying that; the Irish Government said so too. As the noble Lord will have discovered by now, it was also of considerable interest to our European allies, who were quietly supportive and are actively exploring similar schemes. Before I am informed that arrivals were up this year, let us not forget that the people who run these gangs may be venal, but they are not stupid, and they are also evidently dedicated psephologists who predicted the new Government's amnesty. My noble friend Lord Jackson asked some very pertinent questions on this and I hope that the Minister will be able to answer them.

As to the "Bibby Stockholm", which, I remind noble Lords, was good enough to house oil rig workers, two specific questions spring to mind. Where are the 400 occupants going to be sent? Have conversations been had with relevant local authorities?

We want to see the gangs smashed and the borders secured, and Rwanda was one of the tools designed to achieve that. The new Government have made much of the border command that they intend to establish, but this is simply reinventing the wheel. The Small Boats Operational Command already exists and does all that it is claimed the new body will achieve. I hope that, amid all the focus on this new wheel, the men and women who serve in the Small Boats Operational Command, so ably led by General Duncan Capps, Phil Douglas at the Home Office and Chris Tilley, do not get lost in the noise. They are in the channel every day risking their lives to save others. I had the privilege of visiting them recently, and I intend to campaign to make sure they are considered for the new Wider Service Medal, which the last Government introduced in March this year and which is available to civilians

"working outside the traditional criteria of existing operational medals".

I invite the Government to work with me on that.

On the day I visited, we rescued 67 people in the middle of the channel, 57 of whom were young men from very safe countries. They were not desperate; they were economic migrants. The few women were mostly Vietnamese and, believe me, their stories were harrowing. I remind the noble Lord, Lord Dubs, that they had all left the safety of France on an unseaworthy boat. They were treated with kindness and respect, as is quite right, but they should not have been there in the first place. The Minister will argue that the Government will quickly return all those arriving from safe countries, and of course we wish them well with that. However, the criminal gangs will merely intensify their advertising efforts in countries that are not on the safe lists, so to my regret I predict that the boats will keep on coming.

Speaking personally—this is not official opposition policy yet—I completely agree with the noble Lord, Lord Mann, about the need for ID cards. One of the principal reasons why people leave France in the first place is our, frankly, lax approach to identity.

While on the subject, I commend the efforts of the French authorities. They have done a significant amount of work that does not get reported. In many cases they are confronted with significant violence and threats from migrants who are about to board boats. That obviously necessitates a slightly more intense policing effort on their behalf and, as far as I can tell, they have discharged that with commendable responsibility.

In conclusion, there is much in the new Government's programme to welcome, and we will do our best to be supportive. We already regret some of the missteps on borders and migration, but I have no wish to be churlish because we all want the Government to succeed. As I have said, I have doubts in some areas but no shortage of goodwill, and we will not oppose for the sake of it—certainly not 130 times. I wish the Minister the very best. To quote my noble friend Lord Goodman, we will accentuate the positive and try to eliminate the negative. We will be constructive, and I promise him that, if and when we disagree, we will disagree well.

10.12 pm

**The Minister of State, Home Office (Lord Hanson of Flint) (Lab) (Maiden Speech):** I am grateful to noble Lords for the debate that has taken place today. I have been struck by the expertise in this Chamber, from the Lord Chief Justice and senior police officers through to former Home Secretaries and people who have concerns about the issues before us that the Home Office and the Ministry of Justice will have to participate in over the next few weeks and months, based on the policies outlined in the gracious Speech.

I thank noble Lords from all sides of the House for their contributions. I particularly want to praise the maiden speech of my noble friend Lord Timpson. We first met many years ago when I was the Prisons Minister and he was from the Timpson shoe company, trying to ensure that we had operational support for prisoners in prisons. I still have a mug at home from my noble friend from when we opened the Timpson workshop in Liverpool Prison in Walton in 2007. It is a proud part of my previous ministerial life that we were able to work in co-operation, as we will do now.

I pay tribute also to the maiden speech of the noble Lord, Lord Goodman of Wycombe. Initially, I did not know how to respond to what he said but, given what was said by the noble Lord, Lord Sharpe, I want to say that my grandfather fought on the Somme as well. We had an opportunity only last October to go to Bazentin in France to visit the people who did not come home when my grandfather did. I hope that, whatever else we do in this House, we can share a discussion, perhaps over a cup of tea, about our relatives' contribution to the security of Britain in World War I.

I find myself in a very strange position in responding to a debate as a newly appointed Home Office Minister but, in doing so, making my maiden speech in this noble and historic House. Life comes very fast. Only two weeks ago today, I was driving back from Heathrow

when the phone call came. I now find myself in this noble House as a Minister of State doing a maiden speech. Life moves fast.

I last made a maiden speech over 32 years ago in the House of Commons—thinner in body and with more hair, but with similar nerves to those that preceded today. A lot of water has passed under the bridge since then, not least my having the chance to serve in the House of Commons for 27 years and to hold office in government in some fantastic departments with some fabulous civil servants: the Home Office, Justice and Northern Ireland. If the noble Lord, Lord Morrow, is here, he will know that I take an interest in that topic still today. I was also in the Wales Office and on the Intelligence and Security Committee of both Houses for the last five years of my time in the House of Commons.

I now find myself, much to my surprise, back in the Home Office as Minister of State once again. For the last four years, since leaving the House of Commons in 2019 in a fashion that was not really to my liking, I have been a member of the board of Nacro—for the care and resettlement of offenders. Again, I was looking at the issues I will face now in ministerial life.

If I may, I will reach out to the Opposition and welcome their support on the areas where we have co-operation. Having been in that position, I know how difficult it is when office has been lost. But to back up what the noble Baroness, Lady Bottomley, said earlier, opposition is one of the key roles that a parliamentarian can undertake. We have to be held to account as a Government and the role Members of this House will have in that is something that I will cherish. I will try to respond in a positive way to noble Lords in this House, so I wish the noble Lord, Lord Sharpe, well—perhaps not too well—in this House and in that role.

I also want to welcome in my maiden speech the support I have had from Black Rod, officers of the House, Home Office officials and Garter. I publicly thank them for their support. I also thank my family—Margaret, my wife, and my children—who thought, as indeed did I, that my days as a Minister were done.

I join this house as Baron Hanson of Flint in the county of Flintshire, my home for these past 32 years and the place from where the noble Baroness, Lady Fox of Buckley, emanates originally. From my bedroom window I can see the spires of Liverpool Cathedral, in the city where I was born, and the plains of Cheshire where I grew up. I cannot quite see Hull University, where the noble Baroness, Lady Bottomley, served and where I went, but I can see those. If anybody is interested, I was born in the same hospital as that well-known musician Sir Paul McCartney of the Beatles, noted for such songs as “We Can Work It Out”, which will be my approach to working in this House, and, of course, that classic song for new Ministers, “Help!”.

I understand that the Prime Minister's father was a toolmaker.

**Noble Lords:** Oh!

**Lord Hanson of Flint (Lab):** Noble Lords will correct me if I am wrong. My father was a coalminer, later a fork-lift truck driver; my mum a packer in a biscuit factory,

[LORD HANSON OF FLINT]

later a records clerk. They taught me values that I hope I can bring to the work of this House—of honesty, hard work and aspiration, and of treating all people with respect. I hope to keep to those values and be held to account for them in my dealings with noble Members of this House.

Flint, which people may or may not know of, nestles on the north-east side of north Wales, close to the Cheshire border. It is a vibrant town and its people make things. Courtaulds grew in the town and steel manufacture dominated. Today, noble Lords may have flown on an Airbus made in that constituency by people who live there. There is food manufacture and it is a centre for paper products. Ian Rush, the leading goal-scorer of my football team, and that of the noble Lord, Lord Howard of Lympne, was born there. Double Olympian Jade Jones, who is going for a third gold—I hope the noble Lord, Lord Moynihan, will pass on our best to her in Paris next month—was forged in the town.

The town itself was the product of a castle that still stands, almost a thousand years on. It may interest Members, as I finalise my maiden speech bit of my maiden speech, that Flint castle is the subject of the second act of Shakespeare's "Richard II". It provides a salutary lesson for those who hold power in the state, as Richard II was deposed there after offending his barons and bishops—a fate I shall try to avoid in your Lordships' House. Richard was taken to Pontefract, now in the constituency of my right honourable friend the Home Secretary, where he was left to wither and die. If those two portents are not omens for me to work with this House in a collaborative way, I do not know what is. Anyway, to business.

A number of main issues were raised by noble Lords during this debate, and I will try to cover each in turn. Net migration and illegal migration, including Rwanda, were raised by the noble Lords, Lord Mann, Lord Jackson, Lord Howard of Lympne, Lord Taylor of Goss Moor, Lord Kirkhope, Lord Roberts of Llandudno, Lord Marlesford and Lord Green. I will return to those issues in a moment, but they are obviously key parts of the Bills that will come before this House in due course.

The second big issue is police reform and performance, and crime reduction. A number of Members raised that—I particularly noted the contribution of the noble Lord, Lord Paddick, who brings his expertise to the table.

The third issue is security. The noble Baroness, Lady Manningham-Buller, brought up state threats, security and wider issues that have already been brought to my attention, that we will need to refer to and that will be reflected in the Home Office's approach to the work of this department in due course.

Violence against women and girls was focused on by the noble Lord, Lord McNally, and the noble Baronesses, Lady Owen of Alderley Edge, Lady Newlove, Lady Hughes of Stretford, Lady Chakrabarti, Lady Royall and Lady Gohir—she particularly raised ethnic community issues. I will return to that in a moment.

On the terrorism Bill and Martyn's law, we welcome that it has cross-party support. Again, had the previous Government been re-elected, they would undoubtedly have brought this forward. I will refer to this in a moment.

The issue of shop workers is close to my heart. I was pleased to have the support of the noble Baroness, Lady Bray, and the noble Lord, Lord Kirkhope, on this because I am a member of USDAW, the shop workers' union. Members can refer to my final speech in the House of Commons on 5 November 2019 on violence against shop workers and the need for the legislation brought forward by this Government.

Prisons have obviously been a major issue in our discussions today. I noticed that the right reverend Prelate Bishop of Gloucester, the noble and learned Lord, Lord Burnett of Maldon, and the noble Lords, Lord Dholakia, Lord Blunkett, Lord Dubs and Lord Macdonald of River Glaven, all raised issues—which, again, I will come back to in a moment—concerning prevention, structures of crime, intervention, IPPs and remand prisoners, as well as alternatives to custody, which the noble Lord, Lord Beith, mentioned. The noble and learned Lord, Lord Bellamy, mentioned family justice; the noble Lord, Lord Meston, mentioned court delays; and the noble and learned Lord, Lord Garnier, mentioned the CCRC. He is an old sparring partner of mine, but I am sure we will get on fine in this House.

The importance of the rule of law was raised by the noble Baronesses, Lady Ludford and Lady Chakrabarti, my noble friend Lord Bach, and the noble and right reverend Lord, Lord Sentamu. Whatever else has happened, I hope the mood will have changed in this House with the Government coming in. Things like the UNHCR, the rule of law and respecting the independence of the judiciary will be core principles of this Government in their operation in this House. The noble Lord, Lord Farmer, mentioned some issues I will return to. My noble friend Lady Chakrabarti hit the nail on the head: there will be a change of tone in this discussion. That was reflected by the noble Lord, Lord Marlesford, in his comments on the toxic atmosphere.

I will go through those issues and try to reflect what has been said. On border security, asylum and migration, we will bring forward a Bill that will set down plans for a strong and secure border. We will put a border security commander in place as soon as possible and ensure that we give law enforcement agencies new counterterror powers to crack down on criminal gangs. I certainly welcome the suggestion of the noble Lord, Lord Howard, that we perhaps have a bit of an entente cordiale with the French. I went to Calais as the shadow Immigration Minister in 2014, and it was clear that that co-operation will be central to ensuring that we stop that trade as a whole on both sides of the channel. So the discussions that my right honourable friend the Prime Minister has already had are very valuable and will be valuable for the future.

We need to look at a range of issues. I know that some Members do not like this, and I know that some Members have opposed and will oppose this plan, but scrapping the Rwanda plan for us is part of that



overall strategy. We are saving currently around £700 million by doing that, and that money will be reinvested in some of the challenges that the noble Lord, Lord Howard, and other noble Lords, have mentioned.

My noble friend Lord Dubs talked about speeding up asylum claims. We are laying a statutory instrument to allow asylum claimants after 7 March 2023 to look at receiving an early decision on their claim. We have to tackle that backlog. It is really important that we do that, and there will be ministerial focus from my honourable friends who serve in the House of Commons as Ministers in this Home Office to do that.

We have taken action early on to end the contract with “Bibby Stockholm” from January of next year. That will be managed—the noble Lord, Lord Sharpe, asked about that. There will be more discussions about it, but the principle is that it is not the type of accommodation that this Government wish to put people in. Therefore, it has stopped. We will exit it, and we will discuss it with local authorities, but it has stopped. The noble Baroness, Lady Wheatcroft, talked particularly about the quality of accommodation, and that is something that we need to address.

The second big issue that Members raised is crime and policing. There will be a Bill, and it will have significant impact on neighbourhood policing, driving higher policing standards, cracking down on anti-social behaviour, tackling retail crime, as the noble Baroness, Lady Bray, and the noble Lord, Lord Kirkhope, mentioned, and tackling knife crime. The noble Lord, Lord Paddick, my noble friend Lord Hughes of Stretford, the noble Baroness, Lady Doocey, from the Liberal Democrat Front Bench, and the noble Lord, Lord Marks, in his contribution at the end, have all raised the importance of those issues: neighbourhood policing, refocusing law and order, and making sure that we invest in policing but also deal things that matter to people. Anti-social behaviour, knife crime and retail crime matter to people, and we have to respect that concern by putting in place legislation that will support police powers to deal with those.

There is a tension occasionally, and my noble friend Lord Timpson and I will discuss how we deal with those penalties and issues, but the important thing that this Government want to do for the crime and policing Bill is to send a signal that we have to take back our streets and halve serious violence while increasing confidence in policing. Some of those issues will be about how we look at the issues that the noble Lord, Lord Paddick, mentioned, such as police support, improving standards and making sure that we look at failing forces. That will be done in due course. Overall trust and confidence in police needs to be driven up in all communities, and that is one of the Government's objectives.

The third big issue that Members talked about was the terrorism protection and premises Bill, known colloquially as Martyn's law. I pay tribute to Figen Murray, the mother of Martyn Hett, for raising the issues with the former Prime Minister and the current Prime Minister. I remember watching the events at Manchester Arena, where 22 victims died. The requirements that we are going to bring forward will be consulted on,

and there will be discussions about how that impacts, but it is important that we take action on that. The noble Lord, Lord Wolfson, mentioned the importance of action on terrorism, and we will be looking at all the other issues that are around. This not a panacea, but it will be a help and support to staff with training and requirements, which will mean that it will help, I hope, in the event of a terrorist activity coming down stream. There will be additional help and support to try that type of action.

We have looked in a big debate today in this House at the whole issue of reoffending. The noble Lords, Lord Carter of Haslemere and Lord Macdonald of River Glaven, the noble Baroness, Lady Royall, the noble Lord, Lord Farmer, the noble Baroness, Lady Newlove, the noble Lord, Lord Browne of Ladyton, the right reverend Prelate the Bishop of Manchester, and the noble Lords, Lord Lucas, Lord Moynihan, Lord Patten and Lord Waldegrave, focused on a whole range of issues around the really important question of how we reduce reoffending. I know that we reduce it, as my noble friend does, by providing housing support, training, action on substance misuse and support on jobs, just as much as we do with the prison or community-based experience. We need to look at how we can reduce reoffending by giving offenders who are leaving prison the tools to move away from crime. That is a key issue that we will both look at jointly. We need to ensure that we tackle the intergenerational offending to which Members have also referred.

There is a need to look at a whole range of issues, in particular—I know that it is a difficult issue—that of releasing prisoners early. If the prison places are not there, we have to look at mechanisms for doing that. The Government's temporary reduction in the proportion of certain custodial sentences from 50% to 40%, with important safeguards, is to try to ensure that we keep prison for serious violent offenders and that there is availability for that. But we are managing that transition, in that short period of time and on that temporary basis, with some of the safeguards that I know the noble Baroness, Lady Newlove, wanted to have. I can give her the assurance that there will be victim input into the release scheme, and that the victim contact scheme will be available for all the usual information and updates about developments in their own case. I know how much this means to her, and she can have my assurance that the Labour Government will do that in due course.

Female offenders are extremely important, as has been well raised by Members today. Baroness Jean Corston produced the Corston report a long time ago; it landed on my desk as a Minister in 2007. We implemented a number of things to do with the issues in that report, but obviously there is more that we can do. The noble Lord, Lord McNally, said that there are issues there. I recognise that short custodial sentences have poor outcomes for women; I recognise that they exacerbate the issues of employment, housing and maintaining family ties. I understand that the reoffending rate for women serving short custodial sentences is almost double and that, therefore, they are even more vulnerable. We need to look at what we can do to intervene early, to reverse that decline and to ensure that we potentially look at robust community sentences for women—again,

[LORD HANSON OF FLINT]

this is an area of co-operation between the MoJ and the Home Office—and try to have only serious violent offenders in prison.

A number of noble Lords registered their interest in IPP prisoners; I know that this too is a difficult issue. The noble Lord, Lord Blunkett, and the noble Baronesses, Lady Fox of Buckley and Lady Jones of Moulsecomb, all raised it. It is a situation of great concern. We know that a number of Members on both sides of this House care deeply about it—I share that concern personally. We have supported the previous Government in some sensible plans, and we will revisit this and examine how we—the MoJ and the Home Office—can ensure both public safety and a reasonable outcome for those who are currently on IPP prison sentences.

The issue of violence against women and girls is extremely important. Jess Phillips, as the Minister, has absolute 125% commitment to tackling this issue. She has read out, in my presence in the House of Commons, the names of women who have been killed by partners or in domestic instances, and she will do all she can to ensure that the objectives shared by the noble Baronesses, Lady Gohir and Lady Royall, and others are put into practice. We have to look at how we can halve the number of offences against women and girls and stop the senseless deaths. That means improving action with police; improving action with legislation; improving the range of specialist rape and sexual offences teams; mandating domestic abuse experts; and strengthening stalking protection. We will do that.

Other issues raised by noble Lords include the point raised by the noble and learned Lord, Lord Garnier, about the Criminal Cases Review Commission. I am telling him what he already knows, but it is important that he knows it publicly: the Lord Chancellor has said publicly that she considers that Ms Pitcher is unfit to fulfil her duties as chair of the CCRC. It is an independent body, and the Lord Chancellor has decided to make a referral to an independent panel. It will assess the recommendations and whether it supports the Lord Chancellor's view. It is then a matter for a recommendation to His Majesty the King; that is the process that will take place. I know that the noble and learned Lord knows that, but it is worth responding to him on that point.

The noble Lord, Lord Farmer, asked for confirmation of prisoner-to-prisoner mentoring being pioneered, particularly in the north-east cluster of prisons. It is a very well-established issue and has the support of many local authorities. He has done some great work, if I may pay tribute to him, on that in government. I have no doubt that we can try to continue to support that process in due course. I am grateful to him for his tireless dedication and research on this issue, and we will look at how we can support that in due course. I also think that the family hub model is one that we would wish to continue and support.

We had a bit of a debate about legal aid and I shall try to respond. My noble friends Lord Shamash and Lord Bach raised the importance of legal aid. Legal aid is vital to the justice system. Noble Lords would expect me to say this, but we think it is slightly broken and needs to be reviewed. We will look at how we can

use the opportunity to rebuild our justice system and we are keen to look at ways to take forward those measures and bring measures back to this House and the House of Commons in due course.

Another issue raised today is that of the Hillsborough law, raised by the noble Baronesses, Lady Ludford and Lady Jones, as well as other Members. I cannot read my own writing so I will have to come back to that in due course, but it is an important issue. I am from Liverpool and the people in Liverpool who support that team and that community know how wronged they feel, having to fight their way through the bureaucracy of people in public positions lying to them about what happened on that day. I have friends who went there, I had former constituents who died there and I have colleagues who have sat in the other place and argued since 1998 for justice on this. I think this is a good thing to do. We need to consult on it, we have had discussions about the penalties, but it is a good thing to do. It will bring closure to so many people and it will also set precedents in future for how, when the state fails, the citizen has redress. That is a good thing and therefore this Bill, when it comes before this House, will deliver our manifesto commitment to implement a Hillsborough law, and I could not be more pleased or proud if I get the opportunity to stand at this Dispatch Box and speak to it in due course.

The noble and learned Lord, Lord Bellamy, and the noble Lord, Lord Marks, both mentioned the Arbitration Bill. The work that the noble and learned Lord, Lord Bellamy, has done as Minister on that Bill is very welcome. We give a commitment today that we will reintroduce that Bill at the earliest opportunity, although I cannot yet say when that will be.

**Baroness Smith of Basildon (Lab):** Next Tuesday.

**Lord Hanson of Flint (Lab):** How about that? Tuesday. Rewind, delete *Hansard*, replace with, “We will introduce this Bill on Tuesday of next week”. It is a good thing and we thank the noble and learned Lord for undertaking it.

The noble Lord, Lord Godson, discussed Prevent and the question of extremism. It is a concern I share with him. There are some undercurrents in the actions over the election that I think need to be examined and that is something we will do. Not to jump to any conclusions, but we need to look at doing that and we will undertake it in due course. There will be a cross-government approach to that. The noble Lord will know, as I know, that the Home Office alone dealing with this, or even the MoJ alone dealing with this will not be sufficient to deal with some of the underlying activity: we need to have community resilience through various government departments addressing those issues. It is something I had a responsibility for a hundred years ago, some time around 2007, and I look forward to having that responsibility once more.

The noble Baroness, Lady Stedman-Scott, talked about conversion therapy. I give her the assurance that this will be a draft Bill: there will be an opportunity to get stuck in and give a view, and the Government will take a view when we have had a view—if that makes positive sense.

Members also raised the issue of fraud and what we will do on that. Again, I have been given responsibility for that by the Home Secretary and I will be assessing what we need to take forward on it. I have not yet done that because I am two weeks into the job, but it will be done, there will be an assessment and the Opposition and my noble friends can quiz me and hold me to account on what we do over a longer period of time than we currently have at the moment.

As a Minister, I give the House two assurances. If Members wish to see me about a particular issue, my door will be open—it is less trouble to open my door than it is to face parliamentary questions, debate and pressure downstream. My door will always be open if Members wish to have a discussion, collectively or individually. I am happy to engage, as will be my colleagues in the ministerial team. Where we have disagreements, as we will, we will vote on it and see what the outcome is, but I hope to work to the principle I mentioned earlier: to try to reach a consensus on “we can work it out”. I hope we do so in a civil, proactive and productive way.

Finally, this Government are about change. An election was fought on change and change is what the United Kingdom voted for: change to reduce reoffending, improve police performance, increase police numbers and put people back on the beat; change to take long-term action to tackle organised criminal gangs who are exploiting people crossing the channel; change to speed up the asylum system; change to improve outcomes regarding violence against women and girls;

and change to tackle the real challenges we will face in this department. We will do so in a way that ensures we meet our international obligations, support communities and deal with our society in civilised, forward-facing way. I do not wish to go back to the debates of the late 20s. We need to go forward to ensure that we co-operate with our European partners, respect the law and deliver for those who elected my right honourable friend the Prime Minister and over 400 Members of Parliament to do a job for my party and, most of all, for our country. I want to work with Members of this House to do that, and I am pleased to commend the King's Speech to this House.

**Lord Kennedy of Southwark (Lab Co-op):** My Lords, before we adjourn, I congratulate my noble friend on a wonderful maiden speech. We look forward to hearing from him many more times—as he is a Home Office Minister, we will be hearing from him every week.

My noble friend comes to the House with a formidable record; he is respected on all sides, respected in the other place, and we are lucky to have him here. I worked with him a couple of years ago. We were both sent to Liverpool to deal with some problems in the Liverpool Labour party. I can assure colleagues that it is an exciting and challenging place, and I am so pleased my noble friend was there with me.

*Debate adjourned until tomorrow.*

*House adjourned at 10.42 pm.*



